



City of
Mount Gambier

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

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

Date: Tuesday, 20 June 2023

Time: 6.00 p.m.

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

AGENDA

Ordinary Council Meeting 20 June 2023

**Sarah Philpott
Chief Executive Officer
16 June 2023**

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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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

Nil



3 LEAVE OF ABSENCE

3.1 CR MARK LOVETT - CESSATION OF LEAVE OF ABSENCE – REPORT NO. AR23/34103

Committee:	Council
Meeting Date:	20 June 2023
Report No.:	AR23/34103
CM9 Reference:	AF22/378
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	This report presents the return of Cr Mark Lovett from a Council granted Leave of Absence
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. AR23/34103 titled 'Cr Mark Lovett - Cessation of Leave of Absence' as presented on 20 June 2023 be noted.



TYPE OF REPORT

Legislative

BACKGROUND

At its meeting on 18 April 2023 Council received a request and granted a 3 month leave of absence for Cr Mark Lovett, with effect from 27 March 2023.

Cr Lovett subsequently confirmed his intention not to receive a Councillor Allowance nor any other facilities or support during his leave of absence.

Accordingly, Cr Lovett was overpaid due to the monthly payment of Member Allowances at the beginning of each month (half in arrears/half in advance), with the intention that a reconciliation would occur upon his return from his leave of absence.

PROPOSAL

On 25 May 2023 Cr Lovett advised the Chief Executive Officer of his return to duties effective immediately.

Other Members were notified of Cr Lovett's return the same day, and the administration took immediate action to reinstate Cr Lovett's access to facilities and support and Councillor Allowance.

As Cr Lovett was absent for a period of 2 calendar months, his allowance is to be reconciled with no amount payable at the beginning of June, and the next full monthly allowance payable at the commencement of July 2023.

LEGAL IMPLICATIONS

Whilst the Council is entitled to grant, or not grant, a leave of absence to a Council Member, there is no formality to bring a leave of absence to an end other than the expiry of the approved duration of the earlier return of the member to duties, in this case by notice to the Chief Executive Officer.

STRATEGIC PLAN

N/A

COUNCIL POLICY

N/A

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

N/A

VALUE FOR MONEY

N/A

RISK IMPLICATIONS

N/A



EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY

N/A

CONCLUSION AND RECOMMENDATION

With Member allowance and other benefits and support having been reinstated to Cr Lovett from 25 May 2023, this report recommends that Council note Cr Lovett's return to Councillor duties from 25 May 2023, with no other action being necessary

ATTACHMENTS

Nil

4 CONFIRMATION OF COUNCIL MINUTES

[Ordinary Council Meeting - 16 May 2023](#)

[Special Council Meeting - 23 May 2023](#)

RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 16 May 2023 and the Special Council meeting held on 23 May 2023 be confirmed as an accurate record of the proceedings of the meeting.



5 MAYORAL REPORT

5.1 MAYORAL REPORT - JUNE 2023 – REPORT NO. AR23/26240

- National Volunteer Week Celebration
- With CEO and GM City and Community Growth, Introductory Meeting with representatives of Asset Point
- Interim EO – Resumes Shortlist LCLGA
- Mount Gambier Chamber of Commerce – Ask The Chamber Anything Event
- LCLGA Mayors Virtual Meeting
- Award Presentation – Matthew Byrne
- With CEO, Meeting with Professor Robyn Aitken – Flinders University Dean Rural and Remote Health SA/NT
- Morning Tea and Australian Sports Medal Presentation – Amechai Bawden
- Radio Interview – 5 GTR-FM
- LCLGA Interim EO Interview
- Women in Business – Empowering Women Breakfast Meeting
- Masonic Charities Presentation to In Home Hospice Care
- EM Briefing – anglicareSA – StandBy Support After Suicide
- EM Briefing – Update on Proposed Municipal Collection Changes
- EM Briefing – Confidential - Belgravia
- Special Council Meeting – Draft ABP
- EM Briefing – Confidential Scoping the Future with Basketball Mount Gambier
- EM Briefing – Grants and Sponsorship Review
- EM Briefing – Council Briefing Requests and Procedures
- CEO Performance Review Committee
- LCLGA Mayors Virtual Meeting
- Mabo Day Function
- Grand Opening Foodland, Mount Gambier Central
- Virtual Meeting DC Grant and Qantas regarding Mount Gambier Regional Airport
- Mayoral Reception – Gordon McNally – Rotary International President Elect
- Rotary International Dinner with new International President Elect
- With CEO, Meeting with Hon Clare Scriven MLC, Minister for Primary Industries & Regional Development
- EM Briefing – Confidential - Federal Member for Barker, Mr Tony Pasin MP
- EM Briefing – Rail Trail Community Planning Project/Volunteer Management
- With CEO, Dinner Meeting with Representatives from Natural Resources Committee
- With CEO, Meeting with Premier Malinauskas



- EM Briefing – Strategic and Social Media Strategy
- Medical Radiation Working Group Meeting
- With GM City and Community Growth, meeting with representatives of SE Art Society
- SAFPA June Members Meeting
- LCLGA Mayors Virtual Meeting
- With CEO and GM City and Community Growth, Meeting with Anthony Peluso - CEO Country Arts SA
- LCLGA General Meeting – Tatiara District Council
- With CEO, meeting with representatives of Ryder Cheshire Foundation
- Special Council Meeting, Public Submissions on the Annual Business Plan



6 REPORTS FROM COUNCILLORS



7 QUESTIONS WITH NOTICE

7.1 QUESTION WITH NOTICE - CITY OF MOUNT GAMBIER SURVEILLANCE CAMERAS

Meeting: Council
CM9 Reference: AF22/378
Member: Kate Amoroso, Councillor

The following question on notice was received from Councillor Kate Amoroso.

Question

How many City of Mount Gambier surveillance cameras do we currently have in operation?

Do the City of Mount Gambier cameras have facial recognition?

Does City of Mount Gambier currently have 5g small cells?

If the answer is no:

Supplementary question

Is there any plans to introduce these in the future?

Response

To be provided at the meeting

REPORT RECOMMENDATION

That the response to the question regarding City of Mount Gambier Surveillance Cameras raised by Councillor Kate Amoroso be received and noted.

ATTACHMENTS

Nil



8 QUESTIONS WITHOUT NOTICE

Nil

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil



12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 16/05/2023 TO 15/06/2023 – REPORT NO. AR23/31732

Meeting: Council

CM9 Reference: AF22/378

Author: Sarah Dohnt, Executive Administrator Corporate and Regulatory Services

Authoriser:

REPORT RECOMMENDATION

1. That Council Report No. AR23/31732 titled 'Elected Member Information/Briefing Sessions from 16/05/2023 to 15/06/2023' as presented on 20 June 2023 be noted.

ATTACHMENTS

1. Confidential Information Briefing Session - Elected Members - Record of Proceedings - 16/05/2023 - Regional Connectivity Proposal [↓](#)
2. Information Briefing Session - Elected Members - Record of Proceedings - 23/05/2023 - AnglicareSA - StandBy Support After Suicide [↓](#)
3. Information Briefing Session - Elected Members - Record of Proceedings - 23/05/2023 - Update on Proposed Municipal Collection Changes [↓](#)
4. Confidential Information Briefing Session - Elected Members - Record of Proceedings - 23/05/2023 - Belgravia Leisure - Quarterly Report and Update [↓](#)
5. Confidential Information Briefing Session - Elected Members - Record of Proceedings - 30/05/2023 - Scoping of the future with Basketball Mount Gambier [↓](#)
6. Information Briefing Sessions\Information Briefing Session - Elected Members - Record of Proceedings - 30/05/2023 - Grants and Sponsorship Review [↓](#)
7. Information Briefing Session - Elected Members - Record of Proceedings - 30/05/2023 - Council Briefing Requests and Procedures [↓](#)
8. Confidential Information Briefing Session - Elected Members - Record of Proceedings - 06/06/2023 - Briefing with Federal Member for Barker Mr Tony Pasin MP [↓](#)
9. Information Briefing Session - Elected Members - Record of Proceedings - 13/06/2023 - Strategic and Social Media, Reward and Recognition, Rail Trail Community Planting Project/Volunteer Management [↓](#)



**CONFIDENTIAL INFORMATION / BRIEFING SESSION
REGIONAL CONNECTIVITY PROPOSAL
5:45 PM, TUESDAY, 16 MAY 2023**

Ref: AF22/549

RECORD OF PROCEEDINGS
5:45 PM, TUESDAY, 16 MAY 2023
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.

The session described at Item 1 will not be open to the public as the matter to be discussed is of a confidential nature within the ambit of Section 90(3) of the Local Government Act 1999 being:

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which:
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest;

GUESTS:-

Michael Patterson, Regional General Manager, Telstra Regional Australia

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Mezinac
Cr Frank Morello
Cr Max Bruins
Cr Jason Virgo
Cr Josh Lynagh
Cr Kate Amoroso

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager City and Community Growth

MEMBERS APOLOGIES:-

Cr Paul Jenner

LEAVE OF ABSENCE:-

Cr Mark Lovett

DISCUSSION:

Michael Patterson briefed Council on opportunities to participate in the Regional Connectivity Program.

Discussion closed at 5.40 p.m.



**INFORMATION / BRIEFING SESSION
ANGLICARESA - STANDBY SUPPORT AFTER SUICIDE
PRESENTATION BY TRACEY WANGANEEN
5:00 PM TUESDAY 23 MAY 2023**

RECORD OF PROCEEDINGS
5:00 pm, Tuesday 23 May 2023
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:

Tracey Wanganeen, Co-ordinator - Standby Country SA

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Mezinac
Cr Frank Morello
Cr Max Bruins
Cr Jason Virgo
Cr Josh Lynagh
Cr Paul Jenner (via Teams)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager City and Community Growth
General Manager Corporate and Regulatory Services

MEMBERS APOLOGIES:-

Cr Kate Amoroso

LEAVE OF ABSENCE:-

Cr Mark Lovett

DISCUSSION:

Support After Suicide Service
3,146 suicides nationally in 2021
264 suicides in South Australia in 2021

Discussion closed at 5.30 p.m.



**INFORMATION / BRIEFING SESSION
UPDATE ON PROPOSED MUNICIPAL COLLECTION CHANGES
5:45 PM TUESDAY 23 MAY 2023**

RECORD OF PROCEEDINGS
5:45 pm, Tuesday 23 May 2023
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.

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Mezinac
Cr Frank Morello
Cr Max Bruins
Cr Jason Virgo
Cr Josh Lynagh
Cr Paul Jenner (via Teams)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager City and Community Growth
General Manager Corporate and Regulatory Services
Waste Management Co-ordinator

MEMBERS APOLOGIES:-

Cr Kate Amoroso

LEAVE OF ABSENCE:-

Cr Mark Lovett

DISCUSSION:

Overview of changed kerbside collection process.

Discussion closed at 6.00 p.m.



**INFORMATION / BRIEFING SESSION
BELGRAVIA LEISURE - QUARTERLY REPORT AND UPDATE
6:00 PM TUESDAY 23 MAY 2023**

RECORD OF PROCEEDINGS
6:00 pm, Tuesday 23 May 2023
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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

The session described above will not be held at a place open to the public as the matter to be discussed is:

- of a confidential nature within the ambit of section 90(3) of the Local Government Act 1999 being:
 - 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.

GUESTS:-

Catherine Foreman, State Manager South Australia, Belgravia Leisure
Jason Taylor, Centre Manager, Wulanda Recreation and Convention Centre, Belgravia Leisure

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Frank Morello
Cr Max Bruins
Cr Jason Virgo
Cr Josh Lynagh
Cr Paul Jenner (via Teams)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager City and Community Growth
General Manager Corporate and Regulatory Services
Strategic Development and Recreation Coordinator

MEMBERS APOLOGIES:-

Cr Kate Amoroso

LEAVE OF ABSENCE:-

Cr Mark Lovett

DISCUSSION:

Presentation of first quarter of operations for Wulanda Recreation and Convention Centre and contractual matters.

Discussion closed at 7.00 p.m.



**INFORMATION / BRIEFING SESSION
SCOPING THE FUTURE WITH BASKETBALL MOUNT GAMBIER
5:00 PM TUESDAY 30 MAY 2023**

RECORD OF PROCEEDINGS
5:00 pm, Tuesday 30 May 2023
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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

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- of a confidential nature within the ambit of section 90(3) of the Local Government Act 1999 being:
 - 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

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Frank Morello
Cr Sonya Mezinac
Cr Jason Virgo
Cr Josh Lynagh
Cr Mark Lovett
Cr Paul Jenner (virtual)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager City and Community Growth
General Manager Corporate and Regulatory Services
Manager Economy, Strategy and Engagement
Strategic Development and Recreation Co-ordinator

MEMBERS APOLOGY:-

Cr Kate Amoroso

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Discussion on scoping the future with Basketball Mount Gambier.

Discussion closed at 6.05 p.m.



**INFORMATION / BRIEFING SESSION
GRANTS AND SPONSORSHIP REVIEW
6:05 PM, TUESDAY, 30 MAY 2023**

Ref: AF22/549

RECORD OF PROCEEDINGS
6:05 PM, TUESDAY, 30 MAY 2023
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.

The session described at Item 1 will be open to the public.

MEMBERS PRESENT:-

Mayor Lynette Martin Cr
Max Bruins
Cr Frank Morello Cr
Sonya Mezinac Cr
Jason Virgo
Cr Josh Lynagh
Cr Mark Lovett
Cr Paul Jenner (virtual)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager City and Community Growth
General Manager Corporate and Regulatory Services
Manager Economy, Strategy and Engagement
Community Events Team Leader
Strategic Development and Engagement Co-ordinator

MEMBERS APOLOGIES:-

Cr Kate Amoroso

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Discussion on the grants and sponsorship review.

Discussion closed at 6.32 p.m.



**INFORMATION / BRIEFING SESSION
COUNCIL BRIEFING REQUESTS AND PROCEDURES
6.40 PM, TUESDAY, 30 MAY 2023**

Ref: AF22/549

**RECORD OF PROCEEDINGS
6:40 PM, TUESDAY, 30 MAY 2023
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.

The session described at Item 1 will be open to the public.

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Frank Morello
Cr Sonya Mezinac
Cr Jason Virgo
Cr Mark Lovett
Cr Josh Lynagh
Cr Paul Jenner (virtual)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager City and Community Growth
General Manager Corporate and Regulatory Services

MEMBERS APOLOGIES:-

Cr Kate Amoroso

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Discussion on requests and procedures.

Discussion closed at 7.15 p.m.



**CONFIDENTIAL INFORMATION / BRIEFING SESSION
BRIEFING WITH FEDERAL MEMBER FOR BARKER, MR TONY PASIN MP
5:00 PM TUESDAY 6 JUNE 2023**

RECORD OF PROCEEDINGS
5:00 pm, Tuesday 6 June 2023
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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

The session described above will not be held at a place open to the public as the matter to be discussed is not, or intended to be, on an agenda of a meeting of Council or a Committee.

GUESTS:

Mr Tony Pasin MP, Member for Barker
Tamara North, Office of Tony Pasin MP

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Frank Morello
Cr Sonya Meziniec
Cr Mark Lovett
Cr Josh Lynagh
Cr Paul Jenner (virtual)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager City and Community Growth
General Manager Corporate and Regulatory Services

MEMBERS APOLOGY:-

Cr Kate Amoroso
Cr Jason Virgo
Cr Max Bruins

LEAVE OF ABSENCE:-

DISCUSSION:

Background and update on various Federal funding streams and current Infrastructure Review.

Discussion closed at 5.55 p.m.



**INFORMATION / BRIEFING SESSIONS
TUESDAY, 13 JUNE 2023, COMMENCING AT 5:00 PM**

Ref: AF22/549

RECORD OF PROCEEDINGS
Tuesday, 13 June 2023, Commencing at 5:00 PM
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.

The session described at Item 1 to 3 were open to the public.

1. STRATEGIC AND SOCIAL MEDIA STRATEGY

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Frank Morello
Cr Sonya Mezinac
Cr Josh Lynagh
Cr Jason Virgo
Cr Paul Jenner

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager City and Community Growth
Media and Communications Co-ordinator
Communications Officer

MEMBERS APOLOGIES:-

Cr Kate Amoroso
Cr Mark Lovett

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Elected Members were briefed on the Draft Media and Communications Strategy.

2. REWARD AND RECOGNITION

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Frank Morello
Cr Sonya Mezinac
Cr Jason Virgo
Cr Josh Lynagh
Cr Paul Jenner

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager City and Community Growth

MEMBERS APOLOGIES:-

Cr Kate Amoroso
Cr Mark Lovett

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Elected Members were briefed on recent correspondence that was sent to all South Australian Councils regarding the report into Employee Recognition Practices.

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3. RAIL TRAIL COMMUNITY PLANTING PROJECT / VOLUNTEER MANAGEMENT

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Frank Morello
Cr Sonya Mezinac
Cr Josh Lynagh
Cr Jason Virgo
Cr Paul Jenner
Cr Kate Amoroso (remotely)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager City and Community Growth
Project Manager

MEMBERS APOLOGIES:-

Cr Mark Lovett

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Elected Members were given an update on the Volunteer Management Plan and the proposed Rail Trail Community Planting Project.

Discussion closed at 6.40 p.m.



13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil



14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 16/05/2023 – REPORT NO. AR23/37723

Meeting: Council
CM9 Reference: AF22/378
Author: Sarah Dohnt, Executive Administrator Corporate and Regulatory Services
Authoriser:

REPORT RECOMMENDATION

1. That Council Report No. AR23/37723 titled 'Council Action Items - 16/05/2023' as presented on 20 June 2023 be noted.

ATTACHMENTS

1. Council Action Items - 16/05/2023 [↓](#)



Division:	Date From:	16/05/2023
Meeting:	Date To:	13/06/2023
Officer:		
Action Sheets Report	Printed:	13 June 2023 9:03 AM

Meeting	Officer/Authoriser	Section	Subject
Council 16/05/2023	Datta, Ritu Philpott, Sarah	Reports	Work Health Safety and Wellbeing Management
RESOLUTION 2023/84			
Moved: Mayor Lynette Martin			
Seconded: Cr Sonya Mezinac			
1. That Audit and Risk Committee Report No. AR23/28130 titled 'Work Health Safety and Wellbeing Management ' as presented on 08 May 2023 be noted.			
CARRIED			

Meeting	Officer/Authoriser	Section	Subject
Council 16/05/2023	La Greca, Sue Philpott, Sarah	Council Reports	South Australian Forest Products Association (SAFPA) - Affiliate Membership
RESOLUTION 2023/86			
Moved: Cr Frank Morello			
Seconded: Cr Max Bruins			
1. That Council Report No. AR23/28646 titled 'South Australian Forest Products Association (SAFPA) - Affiliate Membership as presented on 16 May 2023 be noted.			
2. That a decision be deferred until such time that SAFPA brief Council on the benefits of affiliate membership via an Information Briefing.			
CARRIED			
31 May 2023 4:20pm Chant, Tahlee - Target Date Revision			
Target date changed by Chant, Tahlee from 30 May 2023 to 09 June 2023 - Waiting on response from SAFPA.			



Division:	16/05/2023
Meeting:	13/06/2023
Officer:	
Action Sheets Report	Printed: 13 June 2023 9:03 AM

Meeting	Officer/Authoriser	Section	Subject
Council 16/05/2023	Manarangi, Karl Cernovskis, Barbara	Council Reports	Request for Tree Removal - 2 Pyne Close, Mount Gambier
RESOLUTION 2023/87			
Moved: Cr Max Bruins			
Seconded: Cr Kate Amoroso			
1. That Council Report No. AR23/26358 titled 'Request for Tree Removal - 2 Pyne Close, Mount Gambier' as presented on 16 May 2023 be noted.			
2. That a further report be brought back to Council after some additional issues raised by the owner have been investigated.			
			CARRIED

Meeting	Officer/Authoriser	Section	Subject
Council 23/05/2023	Scoggins, Julie Fetherstonhaugh, Jane	Council Reports	Draft 2023/2024 Annual Business Plan and Budget for Public Consultation
RESOLUTION 2023/99			
Moved: Cr Sonya Mezinac			
Seconded: Cr Max Bruins			
1. That Council Report No. AR23/24501 titled 'Draft 2023/2024 Annual Business Plan and Budget for Public Consultation' as presented on 23 May 2023 be noted.			
2. That Council endorse the 2023/2024 Draft Annual Business Plan and Budget for public consultation as attached to Report No. AR23/24501.			
3. That Council authorises the Chief Executive Officer to make any necessary changes to the draft 2023/2024 Annual Business Plan and Budget document arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.			
4. That a Special Council meeting be scheduled for Tuesday 20 June 2023 at 5:00pm at which members of the public may ask questions and make submissions on the draft 2023/2024 Annual Business Plan and Budget as part of its public consultation activities.			
			CARRIED
28 May 2023 12:22pm Scoggins, Julie - Target Date Revision			
Target date changed by Scoggins, Julie from 06 June 2023 to 20 June 2023 - Special Council meeting on 20 June.			



Division:	Date From:	16/05/2023
Meeting:	Date To:	13/06/2023
Officer:	Printed:	13 June 2023 9:03 AM
Action Sheets Report		

Meeting	Officer/Authoriser	Section	Subject
Council 23/05/2023	Scoggins, Julie Fetherstonhaugh, Jane	Council Reports	Adoption of Schedule of Fees and Charges 2023/2024
RESOLUTION 2023/101			
Moved: Cr Sonya Meziniec			
Seconded: Cr Josh Lynagh			
<ol style="list-style-type: none">1. That Council Report No. AR23/28138 titled 'Adoption of Schedule of Fees and Charges 2023/2024' as presented on 23 May 2023 be noted.2. Council notes there are three fee authority categories: Statutory, Delegation and Council.3. Council adopts the fees and charges set by Council as contained in Attachment 1 to the Council Report No. AR23/28138.4. Council notes the fees and charges set under delegation as contained in Attachment 1 to the Council Report No. AR23/28138.5. Council notes the fees and charges set by statute as contained in Attachment 1 to the Council Report No. AR23/28138. These fees will be updated once gazetted.6. That Council authorises the Chief Executive Officer or Delegate to make any necessary changes to the Schedule of Fees and Charges 2023/2024 arising from this meeting, together with any editorial amendments and finalisation that do not materially alter the integrity of the document.			
CARRIED			
28 May 2023 12:23pm Scoggins, Julie - Target Date Revision			
Target date changed by Scoggins, Julie from 06 June 2023 to 30 June 2023 - To be uploaded on intranet prior to 1 July.			



Action Sheets Report		Division: Meeting: Officer:	Date From: 16/05/2023 Date To: 13/06/2023 Printed: 13 June 2023 9:03 AM
Meeting	Officer/Authoriser	Section	Subject
Council 23/05/2023	Cernovskis, Barbara Philpott, Sarah	Council Reports	Draft Interim Asset Management Summary 2024-2033 for Public Consultation
RESOLUTION 2023/102			
Moved: Cr Frank Morello			
Seconded: Cr Jason Virgo			
1. That Council Report No. AR23/31244 titled 'Draft Interim Asset Management Summary 2024-2033 for Public Consultation' as presented on 23 May 2023 be noted.			
2. That Council endorse the Draft Interim Asset Management Summary 2024-2033 as attached to Report No. AR23/31244 for community consultation.			
3. That Council authorises the Chief Executive Officer to make any necessary changes to the draft Interim Asset Management Summary 2024-2033 document arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.			
			CARRIED



15 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS

Nil



16 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS

16.1 MINUTES OF THE AUDIT AND RISK COMMITTEE HELD ON 5 JUNE 2023 - [Go to Attachment](#)

RECOMMENDATION

That the Minutes of the Audit and Risk Committee meeting held on 5 June 2023 as attached be noted.

16.2 [External Audit Management Report](#) – Report No. AR23/34119

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR23/34119 titled 'External Audit Management Report' as presented on 05 June 2023 be noted.
2. That it be noted the Audit and Risk Committee request that a progress report regarding leases/licences and mandatory policies be brought back every 6 months.

16.3 [Internal Financial Controls 2022-2023 - Self Assessment](#) – Report No. AR23/32434

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR23/32434 titled 'Internal Financial Controls 2022-2023 - Self Assessment' as presented on 05 June 2023 be noted.



16.4 [2023/2024 Draft Annual Business Plan and Budget](#) – Report No. AR23/33287

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR23/33287 titled '2023/2024 Draft Annual Business Plan and Budget' as presented on 05 June 2023 be noted.
 2. That the Audit and Risk Committee feedback on Council's Draft 2023/2024 Draft Annual Business Plan and Budget and/or the associated processes and risks, as follows:
 - Consideration should be given of the potential implications of Adelaide CPI (March 2023) in its final Annual Business Plan and Budget considerations.
 - Note the feedback regarding how to represent the total rate revenue increase.
 - Page 11 - update the Capital table to reconcile the Expenditure summary on page 6.
 - Consideration should be given to Federal assistance grants and local roads and community infrastructure timing and impact on both the Budget Review 3 2022/2023 and draft 2023/2024 Annual Business Plan and Budget.
 - That Council convey to the Valuer-General the Audit and Risk Committee recommendation for the earlier receipt of property valuation data for 2024/2025.
- be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on the 27 June 2023 for consideration of the adoption of the Draft 2023/2024 Annual Business Plan and Budget.



16.5 [Draft Long Term Financial Plan 2024-2033](#) – Report No. AR23/33289

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR23/33289 titled 'Draft Long Term Financial Plan 2024-2033' as presented on 05 June 2023 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Long Term Financial Plan 2024-2033 and/or the associated processes and risks, as follows:
 - That a note be applied to the Long Term Financial Plan and also to the Interim Asset Management Summary that the asset allocations are indexed in the Long Term Financial Plan but not in the Interim Asset Management Summary.
 - Audit and Risk Committee notes that Council has raised questions with ESCOSA about the cost and value of the new ESCOSA process and concur with those questions.
 - Notes that financial sustainability is the key focus of the draft LTFP.
 - Once Asset Management Plans are completed, the Audit and Risk Committee recommends a more comprehensive review of the rating strategy.
 - Note that Asset revaluations and condition assessments may impact the operating surplus ratio and investment in asset renewal expenditure.

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on 27 June 2023 for consideration of the adoption of the Draft Long Term Financial Plan 2024-2033.



16.6 [Draft Interim Asset Management Summary 2024-2033](#) – Report No. AR23/34812

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR23/34812 titled 'Draft Interim Asset Management Summary 2024-2033' as presented on 05 June 2023 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Interim Asset Management Summary 2024-2033 and/or the associated processes and risks, as follows:
 - Give consideration to useful lives and service levels as asset information is received.
 - Audit and Risk Committee note the iterative process to improving Council's Asset approach, and that the next round of planning will be informed more completely by valuations, condition data and useful lives, with a suite of asset classes with an overarching summary document.
 - Note that the current market conditions are placing additional pressure on unit rates for asset maintenance and replacement.
 - Note the asset data will help to inform the examination of use and purpose of Council's buildings as part of the Strategic Property Management Review.

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on 27 June 2023 for consideration of the adoption of the Draft Interim Asset Management Summary 2024-2033.



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

**17.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW
COMMITTEE HELD ON 31 MAY 2023 - [Go to Attachment](#)**

RECOMMENDATION

That the Minutes of the Chief Executive Officer Performance Review Committee meeting held on 31 May 2023 as attached be noted.



18 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil



19 COUNCIL REPORTS

19.1 BLUE LAKE GOLF CLUB - CAR PARK EXTENSION – REPORT NO. AR23/28939

Committee:	Council
Meeting Date:	20 June 2023
Report No.:	AR23/28939
CM9 Reference:	AF22/378
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	This report provides an update on investigations associated with a proposal from the Blue Lake Golf Club for a car park extension onto Crown Land forming part of the Crater Lakes precinct.
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. AR23/28939 titled 'Blue Lake Golf Club - Car Park Extension' as presented on 20 June 2023 be noted.
2. The Blue Lake Golf Club car park proposal be considered as part of the Crater Lakes Activation Plan preparation and review/amendment of the Crater Lakes Community Land Management Plan and associated stakeholder (including landowner and native title holder) engagement and community consultation, to determine whether there is broader support for the proposal on community land.
3. That Council Staff work in partnership with the Blue Lake Golf Club to mutually assess the extent, methodology, and expenses involved in the advancement of their proposed project.
4. The Blue Lake Golf Club be responsible for covering any costs related to obtaining legal or professional advice on their behalf subject to their agreement and acknowledgement of the costs associated with the advice before proceeding.



TYPE OF REPORT

Legislative

BACKGROUND

The Blue Lake Golf Club made a verbal submission in response to Council's 2022/2023 Draft Annual Business Plan and Budget at a special meeting held on 14 June 2022, at which Council resolved, amongst other things:

That the administration provide a report to Council which considers the lease obligations in regard to the carpark at the Blue Lake Golf Club and provides clarity about the process required to gain additional land to extend the existing carpark.

Council Report No. AR22/53879 presented at the 16 August 2022 Council meeting identified the tenant responsibilities for improvements on the leased land, and the constraints and conditions on Councils custodial tenure of the Crater Lakes (Crown Land) parcel, and the processes required to be undertaken to obtain the requisite approvals for a development to occur on the subject land.

Council resolved that the August 2022 Council Report be provided to the Blue Lake Golf Club.

By Motion With Notice, Council further considered the car park proposal at the 13 December 2022 Council meeting, accompanied by a concept design plan and an October 2022 Tonkin Report.

The October 2022 Tonkin Report, being a preliminary assessment, specifically:

- assessed the surrounding road/intersection conditions, crash statistics and sight distances.
- did not comprise, and recommended a Traffic Impact Statement be undertaken.
- did not assess the carparking demand, with the concept design based on additional carpark spaces requested by the Blue Lake Golf Club and a preference against roadside parking.
(Note: Crater Lakes Conservation Management Plan identifies roadside parking along Grant Ave)
- did not consider, and recommended the client (Blue Lake Golf Club) engage relevant stakeholders to determine heritage, cultural and native vegetation specific requirements.

The final point identifies, in less detail, the process steps set out in the August 2022 Council Report as provided to the Blue Lake Golf Club in August 2022, with no additional supporting information.

Having considered the Motion, concept plan and Tonkin report, Council resolved at the 13 December 2022 meeting as follows:

2. *That council undertake the following actions regarding the area of land marked "A" on the attached concept plan:*
 - a) *Crown Land consultation (as landowner) noting the State Heritage nature of the precinct, to determine if the landowner would be willing to increase the area of land leased to the Blue Lake Golf Club and if there would be any conditions Crown Lands/State Heritage require in order to do so.*
 - b) *Investigate and confirm the Native Vegetation status of the land and possible Crown (Native Vegetation) consents.*
 - c) *Investigate and confirm the Native Title status, and any existence of Native Title of the land accordance with Section 22(5)(a) of the Crown Land Management Act 2009.*



- d) *Liaise with Susan Close, Minister for Climate, Environment and Water to discuss whether ministerial approval of the additional proposed lease area due to proposed development (within the meaning of the Planning, Development and Infrastructure Act 2016) in accordance with Section 22(5)(b) of the Crown Land Management Act 2009 would likely be forthcoming if there were no issues raised from items (a) to (c) above.*
3. *That a report be brought back to council no later than June 2023 detailing the results of the investigation into the above.*
4. *That the concept plan for the Blue Lake Golf Club carpark extension be included as a public submission and be considered as part of the Crater Lakes Precinct Activation Plan when work begins said plan.*

Communications were sent to Crown Lands (as Crown Land landowner representative unit of the Department of Environment and Water also responsible for state heritage, native vegetation and native title) and the Minister for Climate, Environment and Water, Susan Close, requesting the investigations, outcomes and approvals/consents/conditions sought in the resolutions.

It should be noted at this point that the Council Administration does not have the requisite resources, information nor relevant authority or qualifications to undertake such investigations to confirm the state heritage, native vegetation or native title status of (Crown) land despite being the custodian of the subject land, the Department of Environment and Water being the appropriate referral agency.

This report presents the responses received and subsequent actions undertaken.

PROPOSAL

A summary of the responses received in several communications from each relevant unit of the Department of Environment and Water is as follows:

State Heritage

- A State Heritage consultant is understood to have inspected the site in late March/early April.

Native Vegetation

- the area is covered by the *Native Vegetation Act 1991* and being identified as native vegetation on Native Vegetation Branch mapping software likely contains native vegetation and any clearance would require the consent of the Native Vegetation Council.
- unable to provide any definitive advice or potential issues. In order to provide accurate advice an assessment of the vegetation to be impacted is required to be undertaken by a native vegetation accredited consultant, providing a detailed description of the vegetation present on site, the associated offset and its significance in the landscape.
- a recommendation that the location be reconsidered to an area away from the native vegetation as what is proposed looks to be within one of the last remaining patches of native vegetation around Mount Gambier, and will likely attract a significant offset should it be approved.

Native Title

- legal advice be sought with regard to Native Title implications and obligations, provision of proof of extinguishment, and seek consent from Crown Lands.

Minister for Climate, Environment and Water

- subject to adequately addressing native title obligations, fulfilling Native Vegetation and State Heritage requirements, and obtaining any additional approvals, authorities and permissions, DEW (Crown Lands on behalf of the Minister) is supportive of the proposed upgrade and expansion development on Crown land.



Accordingly, the Department has indicated in-principle support to granting landowner consent subject to the other identified matters being adequately addressed. This is not at variance to what position Council might take as lessor/custodian in the same circumstances, in the absence of any community objection to granting a lease.

It is anticipated that significant additional work, costs, and additional supporting information would be required, including from the proponent on the detail of their proposal, to enable the further work that is required to inform more definitive responses from the Department, as well as to address the other Council matters identified in the August 2022 report.

A letter dated 14 April 2023 was emailed to the Blue Lake Golf Club as proponent requesting that the club confirm in writing its agreement to pay or reimburse Council's costs associated with the further investigation of the club's proposed car park extension, consistent with their executed lease.

This request being on the basis of, and noting, that:

- *Clause 21.1 of the Blue Lake Golf Club Lease provides:*
The Lessee must, on request, pay or reimburse to the Council:
21.1.4 all costs including legal and other expenses incurred by the Council in connection with the ..., revision, ... of this Lease;
- *as the proponent, the Blue Lake Golf Club would be expected to engage any non-legal consultancies (i.e. native vegetation, heritage, planning/development) as required for this proposal.*
- *that the undersigned (Council's Manager Governance and Property) is not aware of any valid extinguishing act to have occurred over the subject land, including as part of tenure investigations relating to the First Nations of the South East Native Title Claim. In the absence of any such proof Council has no information to provide to it's lawyers to support an application for Crown consent.*
- *Should the Blue Lake Golf Club wish to make further enquiries on native vegetation implications for their proposal, the following were provided for further information:*
A list of native vegetation consultants can be found [here](#)
Further information on Native Vegetation Branch processes can be found on their [website](#)

Having been asked to provide a response by 12 May 2023, the club had initially not responded at the time this report was prepared. However, a telephone conversation with a club representative on 2 June 2023 confirmed that they were in receipt of the 12 May email following-up a response to the letter, but had been unable to respond because they were unclear about any cost impacts which the letter requested.

Accordingly, it is unclear whether the Blue Lake Golf Club, as proponent, are prepared to underwrite the investigation costs or other expenses necessarily incurred in association with their proposal.

Further, a car parking demand assessment would assist in determining whether the perceived need for additional car parking is to support the primary use of the leased land for golfing purposes, or the ancillary (business) purpose associated with operating the Bistro.

Verbal comment from the 2 June telephone conversation indicate that the larger car park design was to accommodate users of the Crater Lakes path network (i.e. walkers and mountain bikers). This has not however been formally articulated in the Tonkin design report nor other correspondence to Council.

As at 15 June 2023 no further response had been received from the Blue Lake Golf Club.



Crown Land considerations - Status

Having received the feedback from Crown Lands, the extent to which heritage, native vegetation and native title implications might constrain the proposed development remains inconclusive, requiring further preparatory and investigative work to inform the Department in this regard. The Department's expectation being that applicants conduct such work, at unspecified but likely significant cost.

Also noting, the seemingly favourable in-principle position of the Minister's representative is conditional upon the satisfactory resolution of those abovementioned matters.

Notwithstanding any heritage or native vegetation implications, which are considered more likely to be able to be overcome, of particular relevance is the status of native title on the land. Whilst not an authoritative position the ordinary commencing position is that Native Title subsists in Crown Land unless it has been validly extinguished by a past act.

The complexities associated with native title, its extinguishment and potential re-instatement are not a matter that can be easily summarised for the purpose of this report. Suffice to say that a claim of extinguishment necessitates relevant evidence, and as indicated by Crown Lands, Council's engagement of legal representation to prove and seek Crown Lands confirmation of extinguishment.

However in the circumstances, where the subject land appears to present as an area of native vegetation with no apparent extinguishing act having occurred, and no Council records identified in this regard from recent research undertaken in conjunction with the First Nations of the South East Native Title claim, at this stage Council has not uncovered any information with which to engage its lawyers to reasonably pursue such an assertion.

The subject land is outside the area of development associated with the golf course and former landfill operating near that location, which activities would likely have extinguished native title.

Whilst not a final position, the non-extinguishment of native title would likely be fatal to the progression of this proposal.

Noting however that the subject land is actually Crown (and not Council owned) Land, Council being merely the custodian and the Blue Lake Golf Club's landlord in that capacity. Council has not always been custodian of the Crater Lakes land parcel, and it may be that as historical owner the Crown might have other records that could shed light on this matter. But that is not apparent from the response received referring Council to engage its lawyers.

Progress of Proposal

Noting all of the above, should Council seek to further this car park extension proposal, the following is recommended:

- That the golf club agreement be sought, as proponent, to reimburse any expenses incurred by Council in the further investigation of their proposal, and to engage and coordinate any consultancies and reports necessary to inform further enquiries
- That, before incurring any further costs, the proposal be considered as part of the Crater Lakes Activation Plan preparation and review/amendment of the Crater Lakes Community Land Management Plan and associated stakeholder (including landowner and native title holder) engagement and community consultation, to determine whether there is broader support for the proposal on community land

This approach would be consistent with the community land provisions of the Local Government Act 1999 which envisage such community involvement in the proposed use and development of



community land, and Council's responsibility to manage community land in accordance with a relevant management plan, rather than retrospective amendment of official plans to accommodate an existing or introduced use.

Further, this process will enable the need for car parking at this location, for golf club and potentially broader purposes, to be assessed.

Alternatively, rather than being considered and investigated as part of the overall Crater Lakes Activation Plan activities, Council might form the position that this proposal should be progressed as its own discreet activity, or that whilst a good proposal is one that should be considered as part of subsequent activities after the greater Crater Lakes Activation Plan work is completed, but taking into account the (yet to be determined) wider implications associated with the subject site.

Regardless the recommendation is for Council Officers to work along side the Blue Lake Golf Club to see if we can step through the investigations required so the Club has a little more cost and process certainty.

LEGAL IMPLICATIONS

At this stage, legal implications associated with the car park extension proposal remain uncertain, with significant preliminary work to be undertaken.

Council should note the community land provisions of the Local Government Act 1999 in relation to managing community land in accordance with a relevant community land management plan, and the appropriate involvement of landowner and native title stakeholders in the preparation stages of such plans.

Further, Council should note the community land exceptions that provide that an official plan or policy, such as the Crater Lakes Conservation Management Plan, will prevail over any inconsistent provision in a community land management plan.

The emphasis being on the appropriate order of activities to support a proposal, which as presented in the August 2022 report is not a linear process, but does require consideration to the basis on which Council decision making should be informed. In this case on the content of an appropriately amended community land management plan upon which community, landowner and native title holder consultation has been conducted in accordance with the legislative provisions.

This process has commenced with preparatory work to support the Crater Lakes Activation Plan and a Blue Lake (War War) Community Land Management Plan. However as a complex site with numerous stakeholders to be conducted appropriately these processes do not occur swiftly.

STRATEGIC PLAN

N/A

COUNCIL POLICY

N/A

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

To be determined

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

To be determined



RESOURCE IMPLICATIONS

The cost of native title consultation in South Australia can vary depending on various factors such as the complexity of the case, the duration of the consultation, and the specific services required. Native title consultation typically involves engaging with Indigenous communities, conducting research, providing legal advice, and assisting with negotiation processes. The costs can include fees for legal professionals, researchers, community engagement specialists, travel expenses, and administrative costs. As such it will be extremely difficult to come up with an accurate indication of the costs involved.

Since we cannot provide precise information regarding additional costs specifically associated with the BLGC's involvement in the consultation, it is unlikely that they will agree to fully compensate the council for all expenses as outlined in the lease agreement. Therefore, we suggest collaborating with the club to mutually assess the extent, methodology, and expenses involved in the advancement of their proposed project.

VALUE FOR MONEY

N/A

RISK IMPLICATIONS

Refer Proposal section of report

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

To be determined

IMPLEMENTATION STRATEGY

To be determined

CONCLUSION AND RECOMMENDATION

This report recommends that this their proposal be considered as part of the Crater Lakes Activation Plan preparation and review/amendment of the Crater Lakes Community Land Management Plan and associated stakeholder (including landowner and native title holder) engagement and community consultation, to determine whether there is broader support for the proposal on community land.

Additionally, the report recommends that Council Staff work in partnership with the Blue Lake Golf Club to mutually assess the extent, methodology, and expenses involved in the advancement of their proposed project

Finally, the report recommends that the Blue Lake Golf Club be responsible for covering any costs related to obtaining legal or professional advice on their behalf subject to their agreement and acknowledgement of the costs associated with the advice before proceeding.

ATTACHMENTS

Nil



19.2 DRAFT SAROC ANNUAL BUSINESS PLAN - COUNCIL FEEDBACK – REPORT NO. AR23/34346

Committee:	Council
Meeting Date:	20 June 2023
Report No.:	AR23/34346
CM9 Reference:	AF22/378
Author:	Sarah Philpott, Chief Executive Officer
Authoriser:	Sarah Philpott, Chief Executive Officer
Summary:	This report seeks Council’s feedback on the Draft SAROC Annual Business Plan
Strategic Plan Reference:	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR23/34346 titled ‘Draft SAROC Annual Business Plan - Council Feedback’ as presented on 20 June 2023 be noted.
2. That Council adopts the draft response attached to this report, for submission in response to the “Draft SAROC Annual Business Plan” with the following additions/amendments:
 - xx
 - xx
 - xx
3. That the Mayor and/or CEO be authorised to provide Council’s response on the “Draft SAROC Annual Business Plan” to the LGA



TYPE OF REPORT

Corporate

BACKGROUND

The South Australian Regional Organisation of Councils (SAROC) operates within the strategic framework of the Local Government association of SA (LGASA), and is a committee of the LGA. SAROC represents regional councils and represents the interests of regional councils and their local communities.

SAROC has prepared a draft 23/24 Annual Business Plan (ABP) to establish priorities and guide their efforts over the forthcoming financial year. As the attached circular and draft ABP show, there are many activities and the consultation process is therefore specifically aiming to provide a clear focus and have asked that member Councils provide feedback on those items which are of the highest priority.

The four broad SAROC priorities are:

- Liveability
- Regional Housing
- Regional Health
- Regional Skills and Workforce

PROPOSAL

A draft response to the Draft ABP is attached for Council's consideration. This response has considered Council's current advocacy and partnership priorities as well as those matters which have been identified by way of resolution or are strategic objectives within Council's plans. Councillors will see that the consultation document has established a priority order. Council feedback on the proposed response will be incorporate into the submission prior to it being provided to the LGA.

LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN

SAROC's key priorities around liveability, regional housing, regional health and regional skills and workforce have a strong alignment to Council's strategic directions.

Of particular relevance is Goal 2 "Our location"

Goal 2.2 "Regional Collaboration"

2.2.4 Working with other local government areas to develop cross regional plans and initiatives

2.2.5 Advocating for key initiatives with State and Commonwealth Government

Council's strategic plan also identifies specific objectives that align. For instance (and for the purposes of illustration only), Goal 3 "Our Diverse Economy" identifies "appealing and affordable housing for growth" as a key driver of community and economic success.

COUNCIL POLICY

Council has previously considered and advocated on a number of the specific priorities identified in the SAROC ABP. In addition to those outlined in the Strategic Plan, the current Partnership Priorities and Advocacy 2021-2022 document identifies specific focus areas which include housing, health, liveability and workforce considerations. The current document can be located at the link below, noting that an update to the document is currently underway.



<https://cdn.mountgambier.sa.gov.au/docs/City-of-Mount-Gambier-2021-2022-Partnership-Priorities-and-Advocacy-web.pdf>

ECONOMIC IMPLICATIONS

Regional advocacy via SAROC may assist Council in achieving our economic outcomes. There are a number of regional development priorities contained within the SAROC ABP.

ENVIRONMENTAL IMPLICATIONS

The current priorities in the Draft SAROC ABP have some focus on environmental outcomes, with items such as climate change and native vegetation management evident within the Draft.

SOCIAL IMPLICATIONS

Liveability, housing and health are key objectives of the draft SAROC ABP and are strongly aligned to Council's work in strengthening communities.

CULTURAL IMPLICATIONS

The SAROC ABP draft is less focussed on cultural outcomes, instead focussing on economic matters and critical social factors such as health and housing.

RESOURCE IMPLICATIONS

This report has limited resource implications, beyond the work undertaken by the CEO and Mayor in considering the draft and developing the submission.

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

As with any advocacy activity, there are potential risks to sector wide reputation. The risks are minimal however to Council given the strong alignment with Council's existing priorities.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

SAROC are engaging with regional councils on their Draft ABP. The Mayor and CEO have undertaken an initial analysis in preparation of the draft response, and Council is being consulted by way of this report. Council and Executive have been previously advised of the draft ABP document by way of prior circulation in order to provide sufficient time to look over the ABP.

IMPLEMENTATION STRATEGY

Once Council has provided feedback and approved the submission to be provided to the LGA, the Mayor and/or CEO will provide the submission to the LGA before the due date of Monday 10 July 2023.

CONCLUSION AND RECOMMENDATION

A draft submission in response to the SAROC Draft ABP is provided for Council's feedback and authority is sought to subsequently submit that final to the LGA.

ATTACHMENTS

1. Letter to all Regional Councils - SAROC Draft 2023-2024 Annual Business Plan Consultation
[↓](#)



2. Draft SAROC Annual Business Plan 2023-2024 - Consultation Version [↓](#)
3. Consultation Feedback Document - SAROC Draft Annual Business Plan 2023-2024 [↓](#)





The voice of local government.

In reply please quote our reference: ECM 792567 JM

15 May 2023

All SAROC Regional Grouping Mayors and Chief Executive Officers

Via email to all SAROC Regional Grouping Mayors and Chief Executive Officers

Dear Mayors and Chief Executive Officers

Consultation – draft SAROC 2023-24 Annual Business Plan

Regional councils play an essential role in the liveability, sustainability and wellbeing of regional South Australia and the South Australian Regional Organisation of Councils (SAROC) is a strong, united voice for these councils, representing their shared interests for the benefit of the sector and local communities. As a committee of the Local Government Association of SA (LGA), SAROC represents these councils and provides an important regional lens on key issues for the sector.

SAROC operates within the strategic framework of the LGA and has prepared a draft 2023-24 Annual Business Plan (ABP) to guide activities for the next financial year.

In drafting this ABP, it is clear there are too many objectives and actions requested of the LGA Secretariat and resources are now spread too thin. Many of the actions within the draft ABP are based on previous decisions of General Meetings, LGA Board or SAROC and all with the best of intentions.

While the broader role of SAROC will be considered as part of the LGA Constitution Review, we are currently required to prepare an ABP and consult with member councils by June. The challenge for SAROC now is to refine the objectives and activities further. To inform and assist with this process we now seek councils' input into the draft ABP. While meeting our member consultation requirements, critically this will support the SAROC committee to refine the final document and ensure a focussed ABP will deliver real outcomes for the sector.

We therefore now invite and look forward to your input and feedback on the priorities, objectives and actions proposed to be included in the ABP.

The following four higher level priorities have been identified to help guide the activities and actions of SAROC in 2023-24:

1. Liveability
2. Regional housing
3. Regional health
4. Regional skills and workforce

While the LGA Secretariat is not resourced to undertake all the actions and resolve all the issues within these priorities, assistance with prioritising will ensure we can undertake advocacy, leadership, policy initiation and review on behalf of LGA member councils and their communities.

In addition, SAROC aims to engage with and build the capacity of regional councils as part of the LGA's Membership Proposition and Communications Strategy and is discussing various opportunities to support this in the sector.

148 Frome Street Adelaide SA 5000 | GPO Box 2693 Adelaide SA 5001 | T 08 8224 2000 | W lga.sa.gov.au

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SAROC is keen to hear from members on the objectives and actions that are of the highest priority and would most support members to achieve their own strategic objectives or add the most value to councils and their communities.

We welcome your feedback in both ranking objectives and actions, and you may also like to provide additional commentary including on what you think is not there but should be.

Consultation process and timeline

A Consultation document summarising the objectives and actions is attached for your response.

Please provide your response by **5:00pm, Monday 10 July 2023** to the LGA Secretariat via Jenny McFeat (jenny.mcfeat@lga.sa.gov.au).

SAROC will consider feedback received and a final draft of the revised ABP at its meeting on 20 July 2023.

There will be multiple opportunities for councils to have input into the review of the LGA Constitution and ancillary documents, and further information will be sent to councils once that separate project scope has been finalised and consultant engaged. The ABP is a requirement of the current governance framework for SAROC and your input at this time is appreciated.

As SAROC considers its activities for the next financial year, it is important that we have a strong, united voice for regional councils and represent your shared interests within the sector, your input is therefore invaluable. Following consultation with member councils, SAROC will resolve a focussed, achievable agenda and ensure that sufficient resources are available to achieve quality, timely outcomes on the selected priorities.

On behalf of the SAROC committee, I would like to thank you in advance for engaging with SAROC as we prepare for work throughout the year ahead.

Kind regards

A handwritten signature in black ink, appearing to be 'L. Stephens', is written over a light blue horizontal line.

Mayor Leon Stephens

Chairperson – South Australian Regional Organisation of Councils (SAROC)

Phone: 08 8224 2000

Email: lgasa@lga.sa.gov.au

Attach: ECM 792440 – Consultation feedback document – SAROC draft Annual Business Plan 2023-24
ECM 791371 – Draft for consultation – SAROC Annual Business Plan 2023-24





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SAROC Annual Business Plan 2023-24

May 2023

Document Set ID: 791371
Version: 6 - Version Date: 16/05/2023



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Foreword

Draft

I have great pleasure in presenting the South Australian Regional Organisation of Councils (SAROC) committee's 2023-24 Annual Business Plan.

Regional councils play an essential role in the liveability, sustainability and wellbeing of regional South Australia and SAROC is a strong, united voice for these councils, representing their shared interests for the benefit of the sector and local communities.

As a committee of the LGA, SAROC supports the LGA Board of Directors to advocate, assist and advance sector issues for regional councils. Working with our partners in the regions, State and Federal Governments, industry bodies and other stakeholders SAROC provides leadership, engagement and capacity building which benefits councils and their communities.

Working within the LGA's strategic framework, SAROC recognises the importance of remaining agile and supporting the LGA Secretariat to balance the delivery of outcomes for the benefit of all members. To assist SAROC has identified 4 strategic priorities that we think are critical to regional communities and which we can support regional councils in multiple, effective ways. These priorities will guide our work over the next year:

1. Liveability
2. Regional housing
3. Regional health
4. Regional skills and workforce

Member councils within the SAROC Regional Grouping have been consulted on the ABP and the objectives and actions that will support our members.

I commend this Annual Business Plan to you and look forward to working with our members and partners to achieve our objectives, while remaining agile enough to deal with new issues as they emerge providing ongoing leadership and support to our regional councils.

Mayor Leon Stephens

Chair of the South Australian Regional Organisation of Councils

Introduction

The object of the Local Government Association (LGA) is to achieve public value through the promotion and advancement of the interests of local government by:

1. Advocating to achieve greater influence for local government in matters affecting councils and communities.
2. Assisting member councils to build capacity and increase sustainability through integrated and coordinated local government.
3. Advancing local government through best practice and continuous improvement.

The South Australian Regional Organisation of Councils (SAROC) is established as a committee of the LGA and is responsible to the LGA for the discharge of its functions. SAROC is a strong, united voice for regional councils and represents their shared interests for the benefit of regional communities.

SAROC supports the LGA Board of Directors to provide advocacy, policy initiation and review, leadership, engagement and capacity building for the benefit of regional South Australian councils and their communities.

The role of SAROC is to provide a forum for regional advocacy, develop policy consideration for the sector and provide strategic advice to the LGA Board, leadership, engagement and capacity building for the SAROC region. The SAROC region is the combined local government area of each LGA Member listed in Appendix 1.

The table below summarises these roles, which will drive its strategic objectives and underpin achievement of its purpose, consistent with the LGA Strategic Management Framework.

Role	SAROC will:
Regional Advocacy	Represent members' interests on issues that matter to all regional councils to the LGA, State and Federal Government and with key stakeholders.
Policy Initiation and Review	Consider policy that is of strategic importance to all regional councils. Review items of business put forward by member councils and advise on policy matters as requested by the LGA.
Leadership	Initiate actions and lead activities that provide benefit to all regional councils. Develop and maintain relationships with the State and Federal Governments.
Engagement and Capacity Building in the Region(s)	Engage with members within the SAROC Regional Grouping and keep them informed of the activities of SAROC. Actively promote communication between members and between members and the LGA.



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SAROC Guiding principles:

SAROC has developed the following guiding principles to operate under, we will:

1. Be a strong partner and voice representing the LGAs regional members.
2. Work closely with key stakeholders on matters of joint interest.
3. Prioritise and address issues that are common to all regional members.
4. Carefully consider items of business from any regional member council or items raised independently by SAROC members, for consideration by the LGA Board of Directors or at a General Meeting
5. Collaborate closely with the LGA and Greater Adelaide Regional Organisation of Councils (GAROC).
6. Be nimble, agile and responsive to the needs of regional councils.

Our stakeholders & partners

SAROC recognises that to be successful and deliver value for regional councils on behalf of the LGA Board we, and the LGA Secretariat on our behalf, need to work in close collaboration and engagement with our key stakeholders and partners including:

- Regional councils
- GAROC Committee
- Regional Local Government Associations
- State Government and its agencies
- Federal Government and its agencies
- Regional Development Australia
- Members of Parliament
- Other peak bodies, associations and statutory authorities

As a committee of the LGA, SAROC operates within the LGA Strategic Plan 2021-2025 and prepares an annual plan within that framework. SAROC supports the LGA to 'advocate, assist and advance' the interests of local government.

SAROC Budget

To support the delivery of its Annual Business Plan (ABP), SAROC and GAROC each receive an allocation of \$100,000 from the Local Government Research and Development Scheme. GAROC also receives an additional allocation of \$40,000 in lieu of the funding allocation made to Regional LGAs to enable the delivery of capacity building activities via regional groupings of councils.

The budget/resources allocated to items within the SAROC ABP indicate whether it is a carryover from a previous resolution of SAROC (project underway) or whether it will be approved with the adoption of this ABP.

Terms of Reference

As a committee of the LGA, SAROC operates in accordance with the Terms of Reference (ToR) given effect in January 2020. Accordingly, SAROC will assess its performance against the ToR and include this assessment as part of the annual report provided to the Board by September each year.



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There is also a review of the LGA Constitution and ancillary documents underway, including the SAROC ToR. The SAROC committee will contribute to this review as will member councils through the consultation process. This work is imminent and will be significantly undertaken in the 2023-24 financial year.



2023-24 Strategic themes and objectives

In accordance with the LGA Constitution and its terms of reference, SAROC will fulfil its functions in a manner consistent with the 'LGA Strategic Management Framework'. The SAROC annual plan has therefore been developed linking the LGA's strategic objectives outlined in the LGA Strategic Plan 2021-2025, objectives/initiatives identified through the LGA Advocacy Plan and Policy Manual, and annual planning input from SAROC members, and consultation with member councils.

These priorities will help guide the activities and actions SAROC in 2023-24.

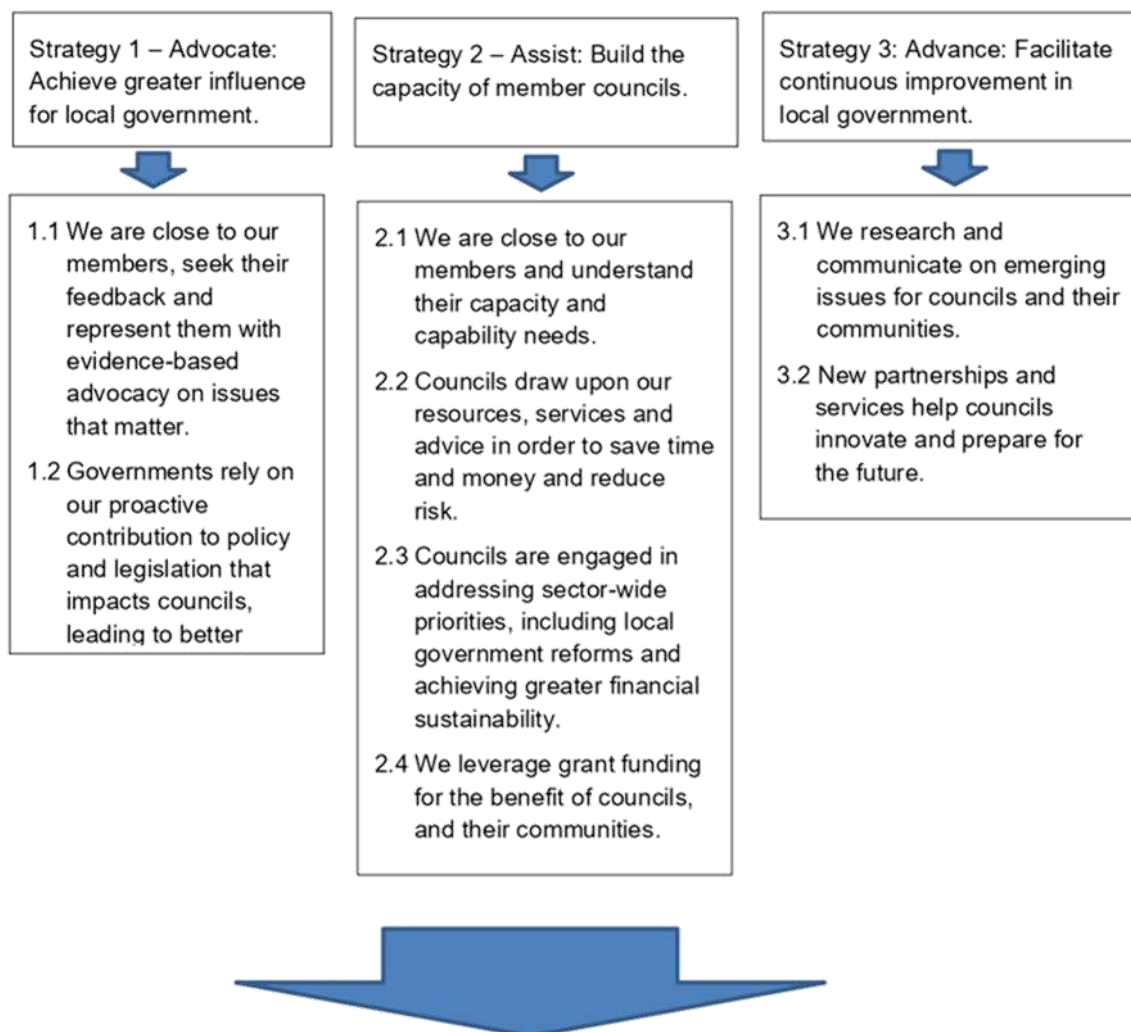
The engagement activities which may be coordinated through SAROC (e.g. workshops, networking, leadership forums) are consistent with the LGA Communications Strategy 2021-2024.

Each of the priorities are interconnected which provides an opportunity to focus on these areas delivering on outcomes that will have a direct, positive benefit for our regional members.

SAROC Priorities	Related Key LGA Strategies from 2021-2025 LGA Strategic Plan	Related Key LGA Outcome from 2021-2025 LGA Strategic Plan
1. Liveability 2. Regional Housing 3. Regional Health 4. Regional skills & workforce	<p>Strategy 1 – Advocate: Achieve greater influence for local government.</p> <p>Strategy 2 – Assist: Build the capacity of member councils.</p> <p>Strategy 3: Advance: Facilitate continuous improvement in local government.</p>	<p>1.1 We are close to our members, seek their feedback and represent them with evidence-based advocacy on issues that matter.</p> <p>1.2 Governments rely on our proactive contribution to policy and legislation that impacts councils, leading to better outcomes for communities.</p> <p>2.1 We are close to our members and understand their capacity and capability needs.</p> <p>2.2 Councils draw upon our resources, services and advice in order to save time and money and reduce risk.</p> <p>2.3 Councils are engaged in addressing sector-wide priorities, including local government reforms and achieving greater financial sustainability</p> <p>2.4 We leverage grant funding for the benefit of councils, and their communities.</p> <p>3.1 We research and communicate on emerging issues for councils and their communities.</p> <p>3.2 New partnerships and services help councils innovate and prepare for the future.</p>

Graphically this can be shown as:

LGA Strategic Plan 2021-2025



SAROC Annual Strategic Objectives 2023-24

SAROC Priorities			
Liveability	Regional Housing	Regional Health	Regional Skills & Workforce



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Priority 1: Liveability

Objective – Advocate for State and Federal Government funding, initiatives and legislation that assists with growth and development of regional South Australia.

Objective - To continue to advocate to Federal/State governments to recognise the specific needs of regional councils when developing and implementing regional economic development strategies and associated policy, programs and commitments that impact on the regions. These needs include a focus on social impacts and improved digital connectivity, infrastructure, access to services and utilities, health, housing and jobs.

Objective – To continue to advocate to Federal/State governments for the decentralisation of South Australia's population to support regional South Australia. Successful regions make successful states.

Objective – To continue to advocate for increased State and Federal government funds for the maintenance and upgrade of regional roads (Road Safety strategies and Action Plans).

Objective – To continue to advocate that South Australia's planning system reflects leading practice and that the Planning and Design Code and associated instruments deliver quality planning and design outcomes that improve the amenity, liveability, social connectivity and sustainability of communities.

Objective – Advocate for State and Federal Government funding to support investment in climate-ready infrastructure to protect against and repair damage from sea-level rise, flooding, fire and extreme weather.

Objective – Pursue opportunities to work collaboratively with government agencies and other organisations with aligned goals and values on projects, programs and campaigns that will assist local government action to mitigate the social, economic, and physical impacts of climate change.

Actions	Timing	Budget / Resources	Link to SAROC role
1. Advocacy and support for member councils with the implementation of South Australia's Regional Development Strategy.	Ongoing	LGA Secretariat	Leadership Regional Advocacy
2. Advocate for specific funding commitments from State and Federal Government that assist regional councils and communities to recover from	Ongoing	LGA Secretariat	Regional Advocacy

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centralisation of SA population and support decentralisation initiatives.			
3. Liaise with Federal and State Government, Regional Development Australia Boards and key regional stakeholders to support regional economies and advocate for public service representation in regional communities.	Ongoing	LGA Secretariat	Leadership Regional advocacy
4. Assist councils with funding submissions on priority Mobile Phone Blackspot funding.	Ongoing	LGA Secretariat	Leadership
5. Incorporate funding requests in State and Federal Budget submissions for more, well-placed mobile phone towers and improved digital connectivity – fast and reliable NBN / internet and batteries.	Ongoing	LGA Secretariat	Leadership Regional advocacy
6. Appointment of a LGA Climate Change Policy Officer to provide guidance to member councils and coordinate access to resources to understand climate risks and the prioritisation of risk reduction action.	Ongoing	\$120,000 R&D Application – awaiting approval \$50,000 from SAROC for 2023-24 (joint with GAROC)	Leadership Regional advocacy
7. Supporting advocacy via ALGA to increase federal Financial Assistance Grants and secure long-term certainty of supplementary road funding for SA.	Ongoing	LGA Secretariat	Leadership Regional advocacy
8. Incorporate advocacy for increased State Government funding for the maintenance and upgrade of safe and high-quality regional roads into LGA's State Budget submissions.	Ongoing	LGA Secretariat	Leadership Regional advocacy
9. Support member councils with implementation of Regional Plans.	Ongoing	LGA Secretariat	Leadership

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10. Engage on SPC lead projects of regional significance and provide advocacy on behalf of the sector.	Ongoing	LGA Secretariat	Leadership Regional advocacy
11. Host forums and workshops to facilitate exchange of information between councils, Department of Investment and Trade and the State Planning Commission.	Ongoing	LGA Secretariat	Leadership Regional advocacy
12. Collaborate with State Govt on opportunities created by the decarbonisation of the economy and the Local Government sector's role (forms part of State-Local Government Economic Development Accord).	Ongoing	LGA Secretariat	Leadership Regional advocacy
13. Finalisation and implementation of LGA Model Waste Documents (suite of tendering materials).	December 2023	LGA Secretariat - \$35,000 carryover from 2022-23	Leadership
14. Investigate Native Vegetation Act 1991 (SA), Native Vegetation Regulations 2017 and relevant guidelines to consider effect on councils particularly from road safety/function and cost perspective (as per SAROC resolution 2 March 2023).	June 2024	\$35,000 proposed	Leadership Regional advocacy Policy initiation and review

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Strategic Priority 2: Regional housing			
Objective - Develop roadmap with State and Federal Governments for increasing regional housing supply that includes better incentives for private development in regional areas and alternative funding models for affordable housing projects and associated infrastructure, including a process to secure government funds.			
Objective – Advocate for national plan to end homelessness by 2030.			
Actions	Timing	Budget / Resources	Link to SAROC role
1. Continue to lobby for State Govt / Local Govt / Industry forum to include development of response to statewide housing supply and affordability.	Ongoing	LGA Secretariat	Regional Advocacy Leadership
2. Continue to work with Office for Regional Housing (ORH) and council staff to assist with collation and format of data on regional housing shortages (supply and demand factors).	Ongoing	LGA Secretariat	Leadership
3. Liaise with ORH, and support member councils, on wider regional housing advocacy/assistance initiatives to support increased housing development.	Ongoing	LGA Secretariat	Leadership
4. Ongoing advocacy to the Federal Government including their National Housing Supply and Affordability Council targeted at ensuring South Australian councils and stakeholders receive appropriate grant funding and concessions/subsidies to increase housing supply.	Ongoing	LGA Secretariat	Regional Advocacy Leadership
5. Ongoing collaboration with the State Government and the South Australian Alliance to End Homelessness through the Local Government Homelessness Network.	Ongoing	LGA Secretariat Assisted by \$20,000 from GAROC	Leadership

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Priority 3: Regional health			
Objective – Continue to advocate to the Federal and State Governments for the provision of improved health services in regional areas.			
Objective – Establish a formal role for the sector to shape state-wide and community-based initiatives to better address medical workforce shortages in regional areas.			
Objective – Advocate for improved and equitable primary health services in regional Australia to attract and retain General Practitioners and so there is less reliance on local government intervention (front-line medical services) to detriment of preventative health activities.			
Objective – Secure additional State Government investment to provide ongoing sustainable and equitable funding for councils to deliver immunisation services.			
Objective – Continue to support councils with capability building for community wellbeing in alignment with LGA/Wellbeing - SA Public Health Partnership Authority Agreement.			
Actions	Timing	Budget / Resources	Link to SAROC role
1. Advocate for measures to improve regional access to primary health care services with consideration given to measures included in the Regional Health Workforce toolkit.	Ongoing	LGA Secretariat	Leadership Regional advocacy
2. Coordinate Early Childhood funding and support – including Grants, advocacy on issues arising from Royal Commission on Early Childhood.	Ongoing	LGA Secretariat	Leadership Regional advocacy
3. Monitor outcomes of Australian Government's review of Medicare system and scope potential advocacy opportunities through State and Federal Government policy reforms.	June 2024	LGA Secretariat	Leadership Regional advocacy Policy initiation and review

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4. Advocacy through new Service Level Agreement and updating MoU with State Government – review of school-based immunisation funding and models.	Ongoing	LGA Secretariat	Leadership Regional advocacy
5. Development and delivery of learning sessions, tools and resources, informed and co-designed with councils, advice and support to councils and State Government regarding community wellbeing, in partnership with Wellbeing SA.	To June 2024	Co-funded by Wellbeing SA and LGA (R&D)	Leadership Regional advocacy Policy initiation and review
6. Lobbying for State Government leadership to provide ongoing operational support to ensure an effective response to hoarding and squalor in SA.	June 2024	LGA Secretariat - \$30,000 Carryover from 2022-23	Regional advocacy

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Priority 4: Regional skills & workforce			
Objective – Advocate and implement strategies to support the Local Government sector with addressing skills and capability needs.			
Objective - Establish networks and relationships with education sector to raise awareness of local government careers and education hub options.			
Objective – Establish networks and relationships with industry training providers to inform integrated solutions and advocacy to address skills shortages in regional areas.			
Objective – Establish a formal role for the sector to shape state-wide and community-based initiatives to better address medical workforce shortages in regional areas.			
Objective – Collaborate with State Government to build Climate Risk Capacity in regional councils to increase skills, knowledge and capacity for councils to take local action on emission reductions and adaptation strategies.			
Actions	Timing	Budget / Resources	Link to SAROC role
1. Support councils with strategies including workforce planning, remuneration benchmarking for critical roles and local-government specific training programs.	Ongoing	LGA Secretariat	Leadership Regional advocacy
2. Advocate for funding for and assist to coordinate or facilitate regional skills showcase as pilot for potential rolling program of events across regional SA.	Ongoing	Subject to funding	Leadership
3. Collaborate with State Government and industry groups on guidance and training for councils to better understand carbon accounting, carbon reduction planning, offsetting, and procuring carbon neutral products and services (focus on high emissions services like waste management and road building and maintenance).	Ongoing	LGA Secretariat	Leadership Policy initiation and review

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4. Advocate for an investigation into the benefits of establishing (or extending) the <u>Rural Workforce Agency Victoria</u> model to South Australia.	Ongoing	LGA Secretariat	Leadership Regional advocacy
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Strategic and Annual Plan Implementation and Review

Under SAROC's Terms of Reference, the Committee is required to develop an Annual Business Plan (ABP) which supports the delivery of the Strategic Plan and present it to the Board of Directors for approval by June each year.

In accordance with the LGA Constitution and structure of the SAROC as a committee of the LGA, the Strategic Plan is that of the LGA.

SAROC will assess its performance against the ABP each quarter; and provide an Annual Report to the LGA Board of Directors by September each year summarising its performance against the ABP strategic objectives and actions.

The SAROC 2023-24 ABP provides the specific actions against which the activities of SAROC may be monitored.



Appendix 1

List of Regional Groupings of Members within SAROC

Regional Grouping of Members	Members
Southern & Hills Councils	Alexandrina Council Mount Barker District Council City of Victor Harbor District Council of Yankalilla Kangaroo Island Council
Legatus Councils	Adelaide Plains Council The Barossa Council Barunga West Council Clare & Gilbert Valleys Council Copper Coast Council Regional Council of Goyder Light Regional Council District Council of Mount Remarkable Northern Areas Council District Council of Orroroo Carrieton District Council of Peterborough Wakefield Regional Council Yorke Peninsula Council The Flinders Ranges Council
Eyre Peninsula Councils	District Council of Ceduna District Council of Cleve District Council of Elliston District Council of Franklin Harbor District Council of Kimba District Council of Streaky Bay District Council of Tumby Bay Wudinna District Council District Council of Lower Eyre Peninsula City of Port Lincoln



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Limestone Coast Councils	District Council of Grant Kingston District Council City of Mount Gambier Naracoorte Lucindale Council District Council of Robe Tatiara District Council Wattle Range Council
Murraylands and Riverland Councils	District Council of Loxton Waikerie Mid Murray Council District Council of Karoonda East Murray Coorong District Council Southern Mallee District Council Berri Barmera Council Renmark Paringa Council The Rural City of Murray Bridge
Spencer Gulf Cities	Port Augusta City Council Port Pirie Regional Council City of Whyalla





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148 Frome St
Adelaide SA 5000
GPO Box 2693
Adelaide SA 5001
T (08) 8224 2000
E lgasa@lga.sa.gov.au

www.lga.sa.gov.au

Consultation Document – draft SAROC Annual Business Plan 2023-24

The South Australian Regional Organisation of Councils (SAROC) Annual Business Plan (ABP) has been developed linking the LGA's strategic objectives outlined in the LGA Strategic Plan 2021-2025, objectives/initiatives identified through the LGA Advocacy Plan and Policy Manual, and annual planning input from SAROC members, and consultation with member councils.

The priorities and objectives will help guide the activities and actions of SAROC in 2023-24. In addition to this work, a review of the SAROC Terms of Reference will be undertaken as part of the LGA Constitution Review.

This document has been prepared to assist LGA Member Councils in the SAROC Regional Grouping to provide feedback on the Priorities, Objectives and Actions contained within the ABP before it is approved as a final document by SAROC and then the LGA Board (*this page can be removed from your submission*).

A summary of the priorities and their strategic alignment is below:

SAROC Priorities	Related Key LGA Strategies from 2021-2025 LGA Strategic Plan	Related Key LGA Outcome from 2021-2025 LGA Strategic Plan
1. Liveability 2. Regional Housing 3. Regional Health 4. Regional Skills and Workforce	Strategy 1 – Advocate: Achieve greater influence for local government. Strategy 2 – Assist: Build the capacity of member councils. Strategy 3: Advance: Facilitate continuous improvement in local government.	1.1 We are close to our members, seek their feedback and represent them with evidence-based advocacy on issues that matter. 1.2 Governments rely on our proactive contribution to policy and legislation that impacts councils, leading to better outcomes for communities. 2.1 We are close to our members and understand their capacity and capability needs. 2.2 Councils draw upon our resources, services and advice in order to save time and money and reduce risk. 2.3 Councils are engaged in addressing sector-wide priorities, including local government reforms and achieving greater financial sustainability. 2.4 We leverage grant funding for the benefit of councils, and their communities. 3.1 We research and communicate on emerging issues for councils and their communities. 3.2 New partnerships and services help councils innovate and prepare for the future.



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Member Council - Consultation document - Draft 2023-24 SAROC Annual Business Plan

Name of Council: City of Mount Gambier
(please add your council's name and complete the green shaded area with your feedback)





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SAROC Priority 1: Liveability	Please rank the objectives from the first column in order of priority for your council – use 1, 2, 3 etc
<u>Objective</u> – Advocate for State and Federal Government funding, initiatives and legislation that assists with growth and development of regional South Australia.	2
<u>Objective</u> - To continue to advocate to Federal/State governments to recognise the specific needs of regional councils when developing and implementing regional economic development strategies and associated policy, programs and commitments that impact on the regions. These needs include a focus on social impacts and improved digital connectivity, infrastructure, access to services and utilities, health, housing and jobs.	1
<u>Objective</u> – To continue to advocate to Federal/State governments for the decentralisation of South Australia's population to support regional South Australia. Successful regions make successful states.	3
<u>Objective</u> – To continue to advocate for increased State and Federal government funds for the maintenance and upgrade of regional roads (Road Safety strategies and Action Plans).	4
<u>Objective</u> – To continue to advocate that South Australia's planning system reflects leading practice and that the Planning and Design Code and associated instruments deliver quality planning and design outcomes that improve the amenity, liveability, social connectivity and sustainability of communities.	5
<u>Objective</u> – Advocate for State and Federal Government funding to support investment in climate-ready infrastructure to protect against and repair damage from sea-level rise, flooding, fire and extreme weather.	6
<u>Objective</u> – Pursue opportunities to work collaboratively with government agencies and other organisations with aligned goals and values on projects, programs and campaigns that will assist local government action to mitigate the social, economic, and physical impacts of climate change.	7





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Please add any other comments relating to the above objectives or related matters:

The City of Mount Gambier believes that all of the above are important. However, advocacy as per objective 1, 2 and 3 are critical to progress the investment in our regions. Council has been active in working on advocacy around regionalisation, aligned with both prior work from the National Farmers Federation and the Regional Australia Institute. SAROC may be interested in considering the Rebalancing the Nation agenda from the Regional Australia Institute which clearly identifies issue of liveability and the contribution that the regions make to the overall economic and social outcomes of our state and Country.

Roads funding is of critical importance to regional areas.

Actions for SAROC Priority 1 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
1. Advocacy and support for member councils with the implementation of South Australia's Regional Development Strategy.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments:	5
2. Advocate for specific funding commitments from State and Federal Government that assist regional councils and communities to recover	Ongoing	LGA Secretariat	Regional advocacy	Yes Comments:	1





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Actions for SAROC Priority 1 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
from centralisation of SA population and support decentralisation initiatives.				As per the comments to the previous section, investment in the regions needs to reflect the economic output that is generated from regions and invest appropriately in logistical, economic and community infrastructure that drives regional growth.	
3. Liaise with Federal and State Government, Regional Development Australia Boards and key regional stakeholders to support regional economies and advocate for public service representation in regional communities.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments:	2
4. Assist councils with funding submissions on priority Mobile Phone Blackspot funding.	Ongoing	LGA Secretariat	Leadership Regional advocacy	No Comments: Council believes that blackspot funding is critical and a priority. However,	





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Actions for SAROC Priority 1 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
				whether SAROC has a specific role in funding submissions as opposed to advocacy is the question. Policy and advocacy for this work is important and perhaps the more appropriate role for this level of organisation.	
5. Incorporate funding requests in State and Federal Budget submissions for more, well-placed mobile phone towers and improved digital connectivity – fast and reliable NBN / internet and batteries.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments: For the reasons outlined above in 4 Note there is also a role for local regions of councils eg LCLGA in this work	
6. Appointment of a LGA Climate Change Policy Officer to provide guidance to member councils and coordinate access to resources to	Ongoing	\$120,000 R&D Application – awaiting approval	Leadership Regional advocacy	Yes Comments:	





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Actions for SAROC Priority 1 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
understand climate risks and the prioritisation of risk reduction action.		\$50,000 from SAROC for 2023-24 (joint with GAROC)			
7. Supporting advocacy via ALGA to increase federal Financial Assistance Grants and secure long-term certainty of supplementary road funding for SA.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments: Council supports the ALGA position with regards to returning to 1% of federal revenues for Financial Assistance Grants and supports bi-partisan commitment to road funding programs	3
8. Incorporate advocacy for increased State Government funding for the maintenance and upgrade of safe and high-quality regional roads into LGA's State Budget submissions.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments: Advocacy for regional road funding and maintenance is	4





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Actions for SAROC Priority 1 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
				a critical priority for the regions. While the City of Mount Gambier has only limited State Government roads directly within the City, there are essential road corridors and logistical requirements for safe and well maintained roads throughout our region.	
9. Support member councils with implementation of Regional Plans.	Ongoing	LGA Secretariat	Leadership	No Comments: Given this is focussed on implementation, Council has indicated no, however, the advocacy and support around the State processes and approaches is important	





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Actions for SAROC Priority 1 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
10. Engage on SPC lead projects of regional significance and provide advocacy on behalf of the sector.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Unsure Comments: We are unsure if this is more on a region by region basis rather than SAROC	
11. Host forums and workshops to facilitate exchange of information between councils, Department of Investment and Trade and the State Planning Commission.	Ongoing	LGA Secretariat	Leadership Regional advocacy	unsure Comments: We believe this is a valuable thing to do, however not sure that it is a SAROC priority. It may be conducted more at LCLGA or LGA level.	
12. Collaborate with State Govt on opportunities created by the decarbonisation of the economy and the Local Government sector's role (forms	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments:	





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Actions for SAROC Priority 1 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
part of State-Local Government Economic Development Accord).				This is an important area where local government can support state and federal targets on decarbonisation of the economy	
13. Finalisation and implementation of LGA Model Waste Documents (suite of tendering materials).	December 2023	LGA Secretariat - \$35,000 carryover from 2022-23 ABP	Leadership	Yes Comments: Waste and circular economy are important drivers of environment and economic outcomes. Any resource sharing for documentation to assist all councils in procuring these services effectively is worthwhile.	





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Actions for SAROC Priority 1 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
14. Investigate Native Vegetation Act 1991 (SA), Native Vegetation Regulations 2017 and relevant guidelines to consider effect on councils particularly from road safety/function and cost perspective (as per SAROC resolution 2 March 2023).	June 2024	\$35,000	Leadership Regional advocacy Policy initiation and review	Yes Comments: This is a lower priority for this Council however it is a very important issue for colleagues in LCLGA councils.	





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SAROC Priority 2: Regional Housing	Please rank the objectives in the first column in order of priority for your council – use 1, 2, 3 etc
<u>Objective</u> - Develop roadmap with State and Federal Governments for increasing regional housing supply that includes better incentives for private development in regional areas and alternative funding models for affordable housing projects and associated infrastructure, including a process to secure government funds.	1
<u>Objective</u> – Advocate for national plan to end homelessness by 2030.	2
<p>Please add any other comments relating to the above objectives or related matters:</p> <p>These are both critical issues (homelessness and housing availability) which the City of Mount Gambier has previous advocated for. Housing remains a priority for the regions in terms of homeless, rental availability, social and affordable housing, and housing for key workers, which has a significant social and economic impact.</p>	





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Actions for SAROC Priority 2 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
1. Continue to lobby for State Govt / Local Govt / Industry forum to include development of response to state-wide housing supply and affordability.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments:	1
2. Continue to work with Office for Regional Housing (ORH) and council staff to assist with collation and format of data on regional housing shortages (supply and demand factors).	Ongoing	LGA Secretariat	Leadership	Yes Comments:	5
3. Liaise with ORH, and support member councils, on wider regional housing advocacy/assistance initiatives to support increased housing development.	Ongoing	LGA Secretariat	Leadership	Yes Comments:	2
4. Ongoing advocacy to the Federal Government including their National Housing Supply and Affordability Council targeted at ensuring South Australian councils and stakeholders receive appropriate grant funding and concessions/subsidies to increase housing supply.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments:	3





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Actions for SAROC Priority 2 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional feedback as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
5. Ongoing collaboration with the State Government and the South Australian Alliance to End Homelessness through the Local Government Homelessness Network.	Ongoing	LGA Secretariat assisted by \$20,000 from GAROC	Leadership	Yes Comments:	4





The voice of local government.

SAROC Priority 3: Regional Health	Please rank the objectives in the first column in order of priority for your council – use 1, 2, 3 etc
<u>Objective</u> – Continue to advocate to the Federal and State Governments for the provision of improved health services in regional areas.	1
<u>Objective</u> – Establish a formal role for the sector to shape state-wide and community-based initiatives to better address medical workforce shortages in regional areas.	3
<u>Objective</u> – Advocate for improved and equitable primary health services in regional Australia to attract and retain General Practitioners and so there is less reliance on local government intervention (front-line medical services) to detriment of preventative health activities.	2
<u>Objective</u> – Secure additional State Government investment to provide ongoing sustainable and equitable funding for councils to deliver immunisation services.	5
<u>Objective</u> – Continue to support councils with capability building for community wellbeing in alignment with LGA/Wellbeing - SA Public Health Partnership Authority Agreement.	4
<p>Please add any other comments relating to the above objectives or related matters:</p> <p>Availability of appropriate health services for the regions is another critical ingredient in liveable cities and health and wellbeing outcomes. The City of Mount Gambier has advocacy over the past few years in the areas of mental health, drug and alcohol support, radiation services, emergency services, availability of GPs and specialists and preventative and public health measures. Alongside housing, this is a foundational issue which disproportionately impacts regional community members as evidences by health outcomes.</p>	





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Actions for SAROC Priority 3 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional comments as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
1. Advocate for measures to improve regional access to primary health care services with consideration given to measures included in the Regional Health Workforce toolkit.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments:	1
2. Coordinate Early Childhood funding and support – including Grants, advocacy on issues arising from Royal Commission on Early Childhood.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments:	3
3. Monitor outcomes of Australian Government's review of Medicare system and scope potential advocacy opportunities through State and Federal Government policy reforms.	June 2024	LGA Secretariat	Leadership Regional advocacy Policy initiation and review	Yes Comments:	5
4. Advocacy through new Service Level Agreement and updating MoU with State Government – review of school-based immunisation funding and models.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments:	





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Actions for SAROC Priority 3 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional comments as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
5. Development and delivery of learning sessions, tools and resources, informed and co-designed with councils, advice and support to councils and State Government regarding community wellbeing, in partnership with Wellbeing SA.	To June 2024	Co-funded by Wellbeing SA and LGA (R&D)	Leadership Regional advocacy	Yes Comments:	2
6. Lobbying for State Government leadership to provide ongoing operational support to ensure an effective response to hoarding and squalor in SA.	June 2024	LGA Secretariat - \$30,000 Carryover from 2022-23	Regional advocacy	Yes Comments:	4





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SAROC Priority 4: Regional Skills and Workforce	Please rank the objectives in the first column in order of priority for your council – use 1, 2, 3 etc
<u>Objective</u> – Advocate and implement strategies to support the Local Government sector with addressing skills and capability needs.	2
<u>Objective</u> - Establish networks and relationships with education sector to raise awareness of local government careers and education hub options.	4
<u>Objective</u> – Establish networks and relationships with industry training providers to inform integrated solutions and advocacy to address skills shortages in regional areas.	1
<u>Objective</u> – Establish a formal role for the sector to shape state-wide and community-based initiatives to better address medical workforce shortages in regional areas.	3
<u>Objective</u> – Collaborate with State Government to build Climate Risk Capacity in regional councils to increase skills, knowledge and capacity for councils to take local action on emission reductions and adaptation strategies.	5
<p>Please add any other comments relating to the above objectives or related matters:</p> <p>Local government as an employer struggles to attract and retain key staff/skills.</p>	





The voice of local government.

Actions for SAROC Priority 4 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional comments as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
1. Support councils with strategies including workforce planning, remuneration benchmarking for critical roles and local-government specific training programs.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Yes Comments:	1
2. Advocate for funding for and assist to coordinate or facilitate regional skills showcase as pilot for potential rolling program of events across regional SA.	Ongoing	Subject to funding	Leadership	Yes Comments:	
3. Collaborate with State Government and industry groups on guidance and training for councils to better understand carbon accounting, carbon reduction planning, offsetting, and procuring carbon neutral products and services (focus on high emissions services like waste management and road building and maintenance).	Ongoing	LGA Secretariat	Leadership Policy initiation and review	Yes Comments:	





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Actions for SAROC Priority 4 objectives	Timing	Budget / Resources	Link to SAROC role	Council comment – please advise if action is a priority from your council's perspective by selecting yes or no. Please add additional comments as preferred underneath your selection of yes or no.	If the action is a priority for your council, can you please rank using 1-5?
4. Advocate for investigation into benefits of establishing (or extending) the <u>Rural Workforce Agency Victoria</u> model to South Australia.	Ongoing	LGA Secretariat	Leadership Regional advocacy	Unsure Comments: We are not familiar with this model so cannot add any comment of value	



19.3 REVIEW OF COUNCIL DELEGATIONS – REPORT NO. AR21/12069

Committee:	Council
Meeting Date:	20 June 2023
Report No.:	AR21/12069
CM9 Reference:	AF22/378
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	This report provides for a review of Council delegations to the Chief Executive Officer as required to be conducted with 12 months of a periodic election under section 44(6a) of the Local Government Act 1999.
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. AR21/12069 titled 'Review of Council Delegations' as presented on 20 June 2023 be noted.
2. That Council grants the delegation of powers and functions of the Council as provided in for in the published tables accompanying Council Report No. AR21/12069 to the identified delegate(s) pursuant to section 44 of the Local Government Act 1999, excepting that the functions and powers of the Council:
 - (a) 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;
 - (b) acting as an enforcement agency under the Food Act 2001 are delegated pursuant to section 91 of the Food Act;
 - (c) acting as a road manager under the Heavy Vehicle National Law are delegated pursuant to section 22B of the Heavy Vehicle National Law (South Australia) Act 2013;
 - (d) acting as a relevant authority under the Safe Drinking Water Act 2011 are delegated pursuant to section 43 of the Safe Drinking Water Act; and
 - (e) under the Supported Residential Facilities Act 1992 are delegated pursuant to section 9(2) of the Supported Residential Facilities Act.
3. The delegations granted pursuant to:
 - (a) the Local Government Act to the Council's Chief Executive Officer, in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act;
 - (b) the Fire and Emergency Services Act;
 - (c) the Food Act;



- (d) the Heavy Vehicle National Law (South Australia) Act;
- (e) the Safe Drinking Water Act;
- (f) the Supported Residential Facilities Act; and

may, unless indicated by resolution or in the published tables accompanying Council Report No. AR23/12069, be further sub-delegated by the Chief Executive Officer or delegate, noting delegations under the Fire and Emergency Services Act are only permitted to a Fire Prevention Officer.

Noting: no sub-delegation is permitted under the Environment Protection Act.

4. Planning, Development and Infrastructure Act Delegations

- (a) In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (in published tables accompanying Report No. AR21/12069 and titled '*Instrument A*') are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- (b) In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the Instrument of Delegation (in published tables accompanying Report No. AR21/12069 and titled '*Instrument B*') are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- (a) Such powers and functions delegated in resolution 4 (a) and (b) may be further sub-delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 and Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the relevant Instrument of Delegation.

5. Road Traffic Act Sub-Delegations and Authorisations

Pursuant to the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961 (Act), Council:

- (a) authorises the employees of the Council named in the published tables accompanying Council Report No. AR21/12069 titled '*Instrument of Authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013)*' to exercise the powers under sections 17 and 20 of the Road Traffic Act as conferred on or delegated to the Council by the Minister for Transport and Infrastructure, subject to:
 - (i) the conditions set out in the Instrument of General Approval and Delegation.
 - (ii) the making of a written instrument of authorisation approved by the Chief Executive Officer on behalf of Council.
- (a) is of the opinion that the following person(s) is (or are) experienced traffic engineering practitioners and are hereby authorised for the purpose of preparing and endorsing a Traffic Impact Statement in accordance with Clause A.7 of the Instrument of General Approval and Delegation.
 - Abdullah Mahmud



- Andrew Thompson
- (b) is of the opinion that the following person(s) has (or have) an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans for the purpose of Clause A.7 of the Instrument of General Approval and Delegation:
 - Abdullah Mahmud
 - Andrew Thompson.
- (c) sub-delegates to any person occupying or acting in the position Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing:
 - (i) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose of the event) be closed to traffic for a specified period; and
 - (ii) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the following provisions of the Australian Road Rules:
 - rule 221: using hazard warning lights;
 - rule 230: crossing a road – general;
 - rule 231 crossing a road at pedestrian lights;
 - rule 232: crossing a road at traffic lights;
 - rule 234: crossing a road on or near a crossing for pedestrians;
 - rule 237: getting on or into a moving vehicle (provided that the speed of the vehicle does not exceed 5 km/h);
 - rule 238: pedestrians travelling along a road (except in or on a wheeled recreational device or toy);
 - rule 250: riding on a footpath or shared path;
 - rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h);
 - rule 265: wearing of seat belts by passengers 16 years old or older (provided that the speed of the vehicle does not exceed 25 km/h);
 - rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h);
 - rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h)
 - rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and
 - rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).
 - (iii) The sub-delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval, including:
 - *all conditions imposed on Council under Clause G in relation to the closure of a road or the grant of an exemption for an event; and,*
 - not directing the closure of a road or granting an exemption for an event on a road that runs into, intersects, or is otherwise likely to affect traffic on



- a road that is under the care, control and management of another Council or the Commissioner for Highways; and,
- *no other person may be authorised to exercise the powers conferred on Council pursuant to Clause G; and,*
- *the power delegated to Council pursuant to Clause G may not be further delegated to a person or position other than the Chief Executive Officer.*

6. The delegations granted in resolutions (2) to (5) above are subject to the following conditions and limitations:

- (a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
- (b) the delegate must exercise a delegated function or power in accordance with and due regard to:
 - (i) applicable legislative and other legal requirements; and
 - (ii) relevant policies and guidelines adopted by the Council;
- (c) 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 financial sub-delegation 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;
 - (iv) section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c);
- (d) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
- (e) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
- (f) These delegations will come into operation on Wednesday 21 June 2023 and remain in force until varied or revoked by resolution of the Council.
- (g) Previous delegations granted by the Council of the powers and functions delegated under these resolutions are revoked with effect from Wednesday 21 June 2023.



TYPE OF REPORT

Legislative

BACKGROUND

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

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

Council last conducted a full review of delegations in March 2021, coinciding with newly released Local Government Association (“LGA”) delegations framework and implementation of a delegation management (software) system. Subsequent delegation updates having been made in May and December 2021, May 2022, and more recently in February 2023.

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

Council may review its delegations at any time, and must review all delegations within 12 months of each periodic election.

With further recent changes to *Local Government Act 1999* delegations arising from Local Government Reform that took effect in conjunction with the November 2022 elections, it is timely to present the full review of delegations as is required within 12 months of the election.

The current changes include 25 new and 3 amendments to *Local Government Act 1999* delegations and one new and one amendment to *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014* delegations (refer published tables accompanying this report). Members may enquire with the Manager Governance and Property to view the specific changes.

Delegations to the Chief Executive Officer recommended with this report are otherwise unchanged from those previously endorsed by Council and consistent with the LGA template delegations (refer published tables accompanying this report).

PROPOSAL

Instruments of delegation for the delegation of powers and functions by the Council to the Chief Executive Officer based on Local Government Association template delegations are contained in the published tables accompanying this report, with the statutory instruments included summarised in the covering ‘*Delegable Powers and Functions Legislation Index*’.

This report, recommendations and accompanying delegation tables identify:

- a) the statutory powers to delegate the powers or functions contained in the delegation tables;
- b) the statutory basis for any power to sub-delegate a delegated power or function;
- c) the conditions and limitations applying to the exercise of a delegated power or function; and
- d) in the accompanying tables for each Act or Regulation under which a delegation is granted:
 - i. The delegated power or function; and
 - ii. The identity of the delegate or delegates in respect of that power or function.

With the exceptions of delegations under the *Planning, Development and Infrastructure Act 2016* in recommendation 4, delegations and authorisations under the *Road Traffic Act 1961* in recommendation 5, and delegations under other Acts specified in recommendations 2 and 3, delegations to the Chief Executive Officer (and sub-delegations by the Chief Executive Officer) are made pursuant to the *Local Government Act 1999*.



It should be noted that Council is prohibited under section 44(3) of the *Local Government Act 1999* from delegating:

- a) power to make a by-law or to determine that a by-law applies only within a part or parts of the area of the council;
- b) power to declare rates or a charge with the character of a rate;
- c) power to borrow money or to obtain other forms of financial accommodation;
- d) power to adopt or revise a strategic management plan of the council;
- (da) power to adopt or revise an annual business plan or budget of the council;
- e) power to approve expenditure of money on works, services or operations of the council not contained in a budget adopted by the council;
- g) power to approve payment or reimbursement of expenses that may be paid at the discretion of the council and for which the council has not adopted a formal policy or made specific financial provision;
- h) power to establish a subsidiary, or to participate in the establishment of a regional subsidiary;
- i) power to make an application or recommendation, or to report or to give a notice, to the Governor or the Minister, being an application, recommendation, report or notice for which provision is made by or under this or another Act;
- j) power to fix, vary or revoke a fee under section 188(1)(d) to (h);
- (ja) the power to revoke the classification of land as community land under section 194;
- k) a power or function excluded from delegation by the regulations.

Further, Council must not delegate:

- a) the power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the council; or
- b) the power to declare and levy a building upgrade charge under a building upgrade agreement, except to the chief executive officer and, despite subsection (4)(b), the chief executive officer cannot subdelegate these powers.

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

Delegations under the former *Development Act 1993* and replacement *Planning, Development and Infrastructure Act 2016* have been dealt with separately to delegations under other Acts in recent years during the staged implementation of the *Planning, Development and Infrastructure Act 2016*, and subsequent establishment of a Council Assessment Panel and transition to a Regional Assessment Panel under that Act.

With amended administrative arrangements now operational under this Act, the making of associated delegations will now be dealt with collectively with delegations under other Acts, except where any periodical updates arise which may be addressed independently from time to time.

Council may note that since the establishment of the Council Assessment Panel and Regional Assessment Panel with its Ministerially appointed Assessment Manager, Panel and Assessment Manager corresponding delegations are dealt with separately under those arrangements by the Assessment Manager and Panel, and do not form part of Council's scheme of delegations.

Authorisations and sub-delegation under the Road Traffic Act 1961

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

The General Approval permits the Council to:

- e) sub-delegate the powers under section 33(1) of the Road Traffic Act; and



- f) authorise employees of the Council to exercise the powers under sections 17 and 20 of the Road Traffic Act.

An instrument of sub-delegation and an instrument of authorisation are included with the published delegation tables accompanying this report.

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

Effective date and conditions/limitations of Delegations

If the Council resolves to grant the recommended delegations, then it is proposed that:

- delegations will come into operation on the day following the date of the Council resolution, or such other future time as specified in the resolution.
- previous delegations of powers and functions will be revoked from the date on which the delegations in the attached instrument of delegation come into operation.

Recommendation 6 of this report also includes several general 'housekeeping' conditions and limitations relating to delegations made to the Chief Executive Officer.

Council should note that any conditions or limitations imposed on the 'head' delegation to the Chief Executive Officer will be a restriction on the making of any sub-delegation to other officers. (i.e. the Chief Executive Officer cannot further delegate a power not delegated to them, nor delegate a power without any condition or limitation imposed on their head delegation power).

Having been based on the LGA template delegations, it is recommended that Council make the delegations to the Chief Executive Officer in this form, and should the Council seek to further review the head delegations or any conditions or limitations in further detail, to do so in due course having resolved the delegations in their current updated form.

Once reviewed and adopted, this will fulfil the requirement in section 44(6a) of the *Local Government Act 1999* to review the delegations in force within 12 months after the conclusion of the November 2022 periodic election.

An extract of delegations (and sub-delegations by the Chief Executive Officer) will be published on the Council website <https://www.mountgambier.sa.gov.au/council/governance/registers>.

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 delegations are made in accordance with the relevant legislation.

Further, the use of delegations (and sub-delegations) are the manner in which Council is able to perform its many and diverse transactions and obligations necessarily undertaken on a daily basis, including its strategic and policy objectives, without which local government could not operate efficiently or effectively.

Council uses the template delegations and processes as provided by the Local Government Association, as 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.

It is a requirement under section 44(6a) of the *Local Government Act 1999* to review the delegations in force within 12 months after the conclusion of the November 2022 periodic election. The review contained in this report will fulfil this statutory requirement.

STRATEGIC PLAN

Nil



COUNCIL POLICY

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

The making of delegations (and sub-delegations) enables the Council to give effect to the strategic and policy objectives of Council through the many and diverse transactions and activities undertaken by the administration on a daily basis.

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

VALUE FOR MONEY

The use of delegations (and sub-delegations) enables the Council, Chief Executive Officer and other Council officers to direct decision making to an appropriate (sub)delegate to enable efficient and effective administration of the many, 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 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 significantly and administrative resources associated with the formalities of presenting matters to a higher authority for decision will increase.

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

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

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

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil



ENGAGEMENT AND COMMUNICATION STRATEGY

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

Council is however required to publish the delegation register on a website, and so once made, an extract of delegations (and sub-delegations made by the Chief Executive Officer) will be published on the Council website <https://www.mountgambier.sa.gov.au/council/governance/registers>.

IMPLEMENTATION STRATEGY

Once delegations are made by Council, the Chief Executive Officer will also make sub-delegations to other officers, with all (sub)delegations recorded in a delegation (software) register, electronic records management system, notified to sub-delegates, and published on the Council website <https://www.mountgambier.sa.gov.au/council/governance/registers>.

CONCLUSION AND RECOMMENDATION

Having enabled the Council to review all head delegation instruments as published to accompany this report, this report includes recommendations for the making of delegations to the Chief Executive Officer under the Local Government Act 1999 and other Acts, and sub-delegations and authorisations under the Road Traffic Act 1961.

ATTACHMENTS

1. Delegations Instruments - Review 20/06/2023 [↓](#)





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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Burial and Cremation Act 2013

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





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
				cemetery or crematorium
409363	Burial and Cremation Act 2013	section 24(2)	Provide notice of proposed closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409364	Burial and Cremation Act 2013	section 24(5)	Provide details of representations or submissions to the Minister regarding the proposed closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409365	Burial and Cremation Act 2013	section 24(8)(a)	Discharge unexercised interment rights and provide a refund by agreement with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409366	Burial and Cremation Act 2013	section 24(8)(b)	Discharge unexercised interment rights and issue a new interment right by agreement with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409367	Burial and Cremation Act 2013	section 24(9)(a)	Discharge interment rights and issue a new interment right with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409368	Burial and Cremation Act 2013	section 24(9)(b)	Remove and re-inter human remains by agreement with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409369	Burial and Cremation Act 2013	section 24(9)(c)	Remove and reposition a memorial by agreement with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409370	Burial and Cremation Act 2013	section 24(10)	Referral of matter for mediation if agreement cannot be reached on the discharge of an interment right on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409371	Burial and Cremation Act 2013	section 24(11)	Pay for mediation with respect to the discharge of an interment right on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409372	Burial and Cremation Act 2013	section 24(12)(a)	Offer land as a gift on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409373	Burial and Cremation Act 2013	section 24(12)(b)	Demolish, remove, relocate or replace a grave on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409374	Burial and Cremation Act 2013	section 24(14)	Prepare an inventory prior to closure of a cemetery or natural burial ground identifying all graves and memorial, a record of all inscriptions and other particulars on memorials and a photograph of each memorial	relevant authority for cemetery or crematorium
409375	Burial and Cremation Act 2013	section 24(15)	Make the inventory of graves and memorials available to the public	relevant authority for cemetery or crematorium
409376	Burial and Cremation Act 2013	section 25(1)	Petition the Minister to have trust on which land is held by council which was formerly a cemetery or natural burial ground determined and the land dedicated as park lands	council
409377	Burial and Cremation Act 2013	section 25(5)	Pay costs of advertising or inquiry related to the determination of a trust and dedication of land as park lands	council
409378	Burial and Cremation Act 2013	section 25(4)(a)	Remove memorials if a closed cemetery is dedicated as park lands	relevant authority for cemetery or crematorium
409379	Burial and Cremation Act 2013	section 25(4)(b)	Relocate memorials if a closed cemetery is dedicated as park lands	relevant authority for cemetery or





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
				crematorium
409380	Burial and Cremation Act 2013	section 25(4)(c)	Replace memorials if a closed cemetery is dedicated as park lands	relevant authority for cemetery or crematorium
409381	Burial and Cremation Act 2013	section 26(2)	Convert a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council into a public park or garden	relevant authority for cemetery or crematorium
409382	Burial and Cremation Act 2013	section 26(3)	Give notice of intention to convert a cemetery into a public park where the cemetery is not on land held on trust by the council or that includes land under the care, control and management of a council	relevant authority for cemetery or crematorium
409383	Burial and Cremation Act 2013	section 26(6)(a)	Remove memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	relevant authority for cemetery or crematorium
409384	Burial and Cremation Act 2013	section 26(6)(b)	Relocate memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	relevant authority for cemetery or crematorium
409385	Burial and Cremation Act 2013	section 26(6)(c)	Replace memorials a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	relevant authority for cemetery or crematorium
409386	Burial and Cremation Act 2013	section 27(1)(a)	Construct roads and pathways for purpose of converting closed cemetery into a public park or garden	relevant authority for cemetery or crematorium
409387	Burial and Cremation Act 2013	section 27(1)(b)	Erect or construct buildings for purpose of converting closed cemetery into a public park or garden	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

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





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409397	Burial and Cremation Act 2013	section 30(3)	Determine capacity of interment site	relevant authority for cemetery or crematorium
409398	Burial and Cremation Act 2013	section 30(5)	Carry out a lift and deepen procedure	relevant authority for cemetery or crematorium
409399	Burial and Cremation Act 2013	section 32(1)	Renew interment right	relevant authority for cemetery or crematorium
409400	Burial and Cremation Act 2013	section 32(1)	Fix renewal fee	relevant authority for cemetery or crematorium
409401	Burial and Cremation Act 2013	section 32(2)	Provide notice of interment right expiry	relevant authority for cemetery or crematorium
409402	Burial and Cremation Act 2013	section 32(3)	Provide statement in plain English setting out rights and responsibilities in regard to an interment right to person renewing interment right	relevant authority for cemetery or crematorium
409403	Burial and Cremation Act 2013	section 33(1)	Transfer an interment right	relevant authority for cemetery or crematorium
409404	Burial and Cremation Act 2013	section 33(1)(a)	Determine consideration for transfer of interment right	relevant authority for cemetery or crematorium
409405	Burial and Cremation Act 2013	section 33(3)	Record interment right transfer in register	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409406	Burial and Cremation Act 2013	section 34(1)	Receive surrendered interment right	relevant authority for cemetery or crematorium
409407	Burial and Cremation Act 2013	section 34(2)	Provide a refund on the surrender of an unexercised interment right	relevant authority for cemetery or crematorium
409408	Burial and Cremation Act 2013	section 37(1)	Keep a register of interment rights	relevant authority for cemetery or crematorium
409409	Burial and Cremation Act 2013	section 37(2)	Record information in the interment rights register	relevant authority for cemetery or crematorium
409410	Burial and Cremation Act 2013	section 38(1)(a)	Reuse an interment site on expiry of an interment right	relevant authority for cemetery or crematorium
409411	Burial and Cremation Act 2013	section 38(1)(b)	Remove a memorial on expiry of an interment right	relevant authority for cemetery or crematorium
409412	Burial and Cremation Act 2013	section 38(2)(a)	Give notice of intention to reuse an interment site by public advertisement	relevant authority for cemetery or crematorium
409413	Burial and Cremation Act 2013	section 38(2)(b)	Give notice of intention to reuse an interment site by notice to the personal representative of the deceased	relevant authority for cemetery or crematorium
409414	Burial and Cremation Act 2013	section 39(2)	Deal with and dispose of a memorial in accordance with the Burial and Cremation Act	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409415	Burial and Cremation Act 2013	section 40	Enter into an agreement with an interment right holder to maintain memorial	relevant authority for cemetery or crematorium
409416	Burial and Cremation Act 2013	section 41(1)	Provide notice requiring repair, removal or reinstatement of memorial	relevant authority for cemetery or crematorium
409417	Burial and Cremation Act 2013	section 41(2)	Carry out repair, removal or reinstatement work	relevant authority for cemetery or crematorium
409418	Burial and Cremation Act 2013	section 41(2)	Recover costs of work repairing, removing or reinstating a memorial	relevant authority for cemetery or crematorium
409419	Burial and Cremation Act 2013	section 41(3)	Carry out repair, removal or reinstatement work	relevant authority for cemetery or crematorium
409420	Burial and Cremation Act 2013	section 41(3)	Recover costs of work repairing, removing or reinstating a memorial	relevant authority for cemetery or crematorium
409421	Burial and Cremation Act 2013	section 42(1)	Remove and dispose of memorial where interment right has expired	relevant authority for cemetery or crematorium
409422	Burial and Cremation Act 2013	section 42(1)(c)	Give notice of intention to remove and dispose of a memorial on expired interment site by public advertisement and notice affixed to the memorial	relevant authority for cemetery or crematorium
409423	Burial and Cremation Act 2013	section 42(1)(d)	Give notice of intention to remove and dispose of a memorial on expired interment site by public notice to owner of memorial	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

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





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			Act	
409433	Burial and Cremation Act 2013	section 46(4)	Cause work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	council
409434	Burial and Cremation Act 2013	section 46(5)	Recover costs of work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	council
409435	Burial and Cremation Act 2013	section 47(1)	Apply for review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	relevant authority for cemetery or crematorium
409436	Burial and Cremation Act 2013	section 47(1)	Make submissions on a review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition	council
409437	Burial and Cremation Act 2013	section 48(1)	Receive land used as a cemetery or natural burial ground on trust	council
409438	Burial and Cremation Act 2013	section 49(1)	Assume administration of cemetery or natural burial ground	council
409439	Burial and Cremation Act 2013	section 49(1)(c)	Agree to transfer administration of cemetery or natural burial ground	council
409440	Burial and Cremation Act 2013	section 50(1)	Allow access to of cemetery, natural burial ground or crematorium	relevant authority for cemetery or crematorium
409441	Burial and Cremation Act 2013	section 50(2)	Require person to leave cemetery, natural burial ground or	relevant authority for





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			crematorium	cemetery or crematorium
409442	Burial and Cremation Act 2013	section 51(1)	Deal with land used as a cemetery or natural burial ground in ordinary course of commerce	relevant authority for cemetery or crematorium
409443	Burial and Cremation Act 2013	section 51(2)	Discharge interment rights prior to dealing with land used as a cemetery or natural burial ground in ordinary course of commerce	relevant authority for cemetery or crematorium
409444	Burial and Cremation Act 2013	section 51(2)(a)	Provide refund to holder of an interment right on the discharge of that right in order to deal with land used as a cemetery or natural burial ground in ordinary course of commerce	relevant authority for cemetery or crematorium
409445	Burial and Cremation Act 2013	section 51(2)(b)	Issue new interment right to holder of an interment right on the discharge of that right in order to deal with land used as a cemetery or natural burial ground in ordinary course of commerce	relevant authority for cemetery or crematorium
409446	Burial and Cremation Act 2013	section 52	Deal with land which was a cemetery or natural burial ground closed in accordance with the Burial and Cremation Act in ordinary course of commerce	council
409447	Burial and Cremation Act 2013	section 53(1)	Keep registers and plan prescribed by Burial and Cremation Act	relevant authority for cemetery or crematorium
409448	Burial and Cremation Act 2013	section 53(3)	Keep records prescribed by Burial and Cremation Act	relevant authority for cemetery or crematorium
409449	Burial and Cremation Act 2013	section 53(4)	Make registers prescribed by Burial and Cremation Act publicly available	relevant authority for cemetery or





Burial and Cremation Act 2013

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





Burial and Cremation Regulations 2014

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





Burial and Cremation Regulations 2014

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409466	Burial and Cremation Regulations 2014	regulation 21(1)	Dispose of name plate, metal or plastic fitting, any other object removed from the exterior of coffin or any other thing in possession due to cremation	relevant authority for cemetery or crematorium
409467	Burial and Cremation Regulations 2014	regulation 21(3)	Ensure nameplate is provided to person holding the relevant cremation permit or a person authorised by that person	relevant authority for cemetery or crematorium
409468	Burial and Cremation Regulations 2014	regulation 22	Fence the cemetery or natural burial ground	relevant authority for cemetery or crematorium
409469	Burial and Cremation Regulations 2014	regulation 24(1)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the driving of the vehicle	relevant authority for cemetery or crematorium
409470	Burial and Cremation Regulations 2014	regulation 24(2)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the parking of the vehicle	relevant authority for cemetery or crematorium
409471	Burial and Cremation Regulations 2014	regulation 25	Authorise removal, damage, defacement or interference of fixtures, structure or grounds within the cemetery or natural burial ground	relevant authority for cemetery or crematorium
409472	Burial and Cremation Regulations 2014	regulation 26(a)	Cause removal of unattached ornament, empty flower container, broken masonry, decayed or broken wreath or dead flowers from the cemetery or natural burial ground	relevant authority for cemetery or crematorium
409473	Burial and Cremation Regulations 2014	regulation 26(b)	Cause pruning, cutting down or removal of plants within the cemetery or natural burial ground	relevant authority for cemetery or crematorium
409474	Burial and Cremation Regulations 2014	regulation 27	Require a person to leave the cemetery or natural burial ground	relevant authority for cemetery or crematorium





By-Law Delegation

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





Community Titles Act 1996

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





Cost of Living Concessions Act 1986

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





Crown Land Management Act 2009

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409483	Crown Land Management Act 2009	section 18A(1)	Seek the consent of the Minister to the exclusion of dedicated land from classification as community land		council





Disability Inclusion Act 2018

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





Disability Inclusion Act 2018

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
624087	Disability Inclusion Act 2018	section 23Q(1)	Provide to the Senior Authorising Officer such information relating to a specified person that the Senior Authorising Officer reasonably requires		State authority
624088	Disability Inclusion Act 2018	section 23Q(2)	Provide the information to the Senior Authorising Officer in the manner and within the period specified in the notice		State authority
624089	Disability Inclusion Act 2018	section 23Q(3)	Participate in consultation with the Senior Authorising Officer regarding a refusal or failure to comply with a notice		State authority
409494	Disability Inclusion Act 2018	section 26(1)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act		State authority
409495	Disability Inclusion Act 2018	section 26(2)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act		State authority
409496	Disability Inclusion Act 2018	section 27(2)	Provide information or documents prescribed by section 27 of the Disability Inclusion Act to another person or body		State authority





Disability Inclusion Regulations 2019

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





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409504	Dog and Cat Management Act 1995	section 25A(1)	Appoint authorised persons		council
409505	Dog and Cat Management Act 1995	section 25A(2)	Impose conditions on appointment of an authorised person		council
409506	Dog and Cat Management Act 1995	section 25A(3)	Revoke appointment or revoke or vary conditions of an authorised person		council
409507	Dog and Cat Management Act 1995	section 25B(1)	Issue identity card to an authorised person		council
409508	Dog and Cat Management Act 1995	section 25C(c)	Enter into an arrangement with another council in relation to the exercise of authorised officer powers		council
409509	Dog and Cat Management Act 1995	section 26(1)(a)	Maintain a register of dogs		council
409510	Dog and Cat Management Act 1995	section 26(1)(ab)	Provide information to the Dog and Cat Management Board		council
409511	Dog and Cat Management Act 1995	section 26(1)(ac)	Maintain other registers		council
409512	Dog and Cat Management Act 1995	section 26(1)(ad)	Make registers publicly available		council
409513	Dog and Cat Management Act 1995	section 26(1)(ae)	Limit inspection of register		council
409514	Dog and Cat Management Act 1995	section	Appoint a Registrar		council





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
		26(1)(b)			
409515	Dog and Cat Management Act 1995	section 26(1)(c)	Make arrangements for the issue and replace certificates of registration and registration discs		council
409516	Dog and Cat Management Act 1995	section 26(1)(d)	Make arrangements for the exercise of functions and powers of an authorised person		council
409517	Dog and Cat Management Act 1995	section 26(1)(e)	Make arrangements for the detention of dogs and cats		council
409518	Dog and Cat Management Act 1995	section 26(1)(f)	Make arrangements for fulfilling other obligations under the Dog and Cat Management Act		council
409519	Dog and Cat Management Act 1995	section 26(3)	Expend money in the administration or enforcement of the Dog and Cat Management Act		council
409520	Dog and Cat Management Act 1995	section 26(4)	Keep separate account of moneys received and expended under the Dog and Cat Management Act		council
409521	Dog and Cat Management Act 1995	section 26(5)	Pay moneys into the Dog and Cat Management Fund		council
409522	Dog and Cat Management Act 1995	section 26(6)(a)	Charge fees for the provision of register extracts		council
409523	Dog and Cat Management Act 1995	section	Charge fees for receipt and		council





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
		26(6)(ab)	management of information		
409524	Dog and Cat Management Act 1995	section 26(b)(i)	Charge fees for registration of dogs or businesses		council
409525	Dog and Cat Management Act 1995	section 26(b)(ii)	Charge fees for late payment of registration		council
409526	Dog and Cat Management Act 1995	section 26(b)(iii)	Charge fees for meeting requirements under the Dog and Cat Management Act		council
409527	Dog and Cat Management Act 1995	section 26(7)	Provide a percentage rebate as provided for by the Dog and Cat Management Act		council
409528	Dog and Cat Management Act 1995	section 26A(1)	Prepare a dog and cat management plan		council
409529	Dog and Cat Management Act 1995	section 26A(3)	Present dog and cat management plan to Dog and Cat Management Board		council
409530	Dog and Cat Management Act 1995	section 26A(5)	Amend dog and cat management plan		council
409531	Dog and Cat Management Act 1995	section 33(4)(c)	Approve boarding kennel		council
409532	Dog and Cat Management Act 1995	section 39	Rectify the register		council
409533	Dog and Cat Management Act 1995	section 41(1)(c)	Fix fee for application under Part 4, Dog and Cat Management Act		council
409534	Dog and Cat Management Act 1995	section	Recover cost of giving effect to		council





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
		47(5)	order if an order has been contravened and authorised person takes steps to effect the order		
409535	Dog and Cat Management Act 1995	section 50(1)(a)	Make a Destruction Order		council
409536	Dog and Cat Management Act 1995	section 50(1)(b)	Make a Control (Dangerous Dog) Order		council
409537	Dog and Cat Management Act 1995	section 50(1)(c)	Make a Control (Menacing Dog) Order		council
409538	Dog and Cat Management Act 1995	section 50(1)(d)	Make a Control (Nuisance Dog) Order		council
409539	Dog and Cat Management Act 1995	section 50(1)(e)	Make a Control (Barking Dog) Order		council
409540	Dog and Cat Management Act 1995	section 50(2)(b)	Approve a place to detain dogs		council
409541	Dog and Cat Management Act 1995	section 52(a1)	Determine manner and form of application for the council to make an order under Division 3, Part 5, Dog and Cat Management Act		council
409542	Dog and Cat Management Act 1995	section 52(1)(a)	Ascertain owners or persons responsible for a dog		council
409543	Dog and Cat Management Act 1995	section 52(1)(b)	Provide notice of proposed order to each owner or person responsible for a dog		council





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409544	Dog and Cat Management Act 1995	section 52(2)(b)	Note order in register		council
409545	Dog and Cat Management Act 1995	section 52(3)	Provide notice of order to each owner or person responsible for a dog		council
409546	Dog and Cat Management Act 1995	section 52(4)	Revoke order		council
409547	Dog and Cat Management Act 1995	section 52(5)	Note revocation of order in register		council
409548	Dog and Cat Management Act 1995	section 52(6)	Note order made by Dog and Cat Management Board in register		council
409549	Dog and Cat Management Act 1995	section 53(1)	Issue directions to each owner or person responsible for a dog regarding complying with order		council
409550	Dog and Cat Management Act 1995	section 56(1)	Receive prescribed information from an owner or person responsible for a dog subject to an order		council
409551	Dog and Cat Management Act 1995	section 56(2)	Receive information from an owner or person responsible for a dog subject to an order regarding moving the dog into or out of the council area		council
409552	Dog and Cat Management Act 1995	section 59A(1)	Make a Prohibition Order		council





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409553	Dog and Cat Management Act 1995	section 59A(2)	Approve place to detain dog		council
409554	Dog and Cat Management Act 1995	section 59A(5)(b)	Record a Prohibition Order		council
409555	Dog and Cat Management Act 1995	section 59A(6)	Revoke a Prohibition Order		council
409556	Dog and Cat Management Act 1995	section 59A(7)	Note revocation of a Prohibition Order in register		council
409557	Dog and Cat Management Act 1995	section 59A(8)(c)	Note order made by Dog and Cat Management Board in register		council
409558	Dog and Cat Management Act 1995	section 61(4)	Consider making an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous		council
409559	Dog and Cat Management Act 1995	section 61(4)	Consider applying to Magistrates Court for an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous		council
409560	Dog and Cat Management Act 1995	section 61(6)	Recover cost of microchipping or desexing dog		council
409561	Dog and Cat Management Act 1995	section 64(2)(c)	Nominate facility for the detention of cats		council





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409562	Dog and Cat Management Act 1995	section 64B(1)	Cause a detained dog or cat to be microchipped or desexed		council
409563	Dog and Cat Management Act 1995	section 64B(2)	Recover cost of microchipping or desexing a dog or cat		council
409564	Dog and Cat Management Act 1995	section 64D(1)(b)(ii)	Receive notice of destruction, injury, seizure or detention of dog or identified cat		council
409565	Dog and Cat Management Act 1995	section 72	Responding to South Australian Civil and Administrative Tribunal review of council decision		council
409566	Dog and Cat Management Act 1995	section 88A(4)	Receive a statutory declaration from the owner of a vehicle who has received an expiation notice or an expiation reminder given under the Expiration of Offences Act 1996		council
409567	Dog and Cat Management Act 1995	section 89	Lay a complaint regarding offence under Dog and Cat Management Act		council





Dog and Cat Management Regulations 2017

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





Electricity Act 1996

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409579	Electricity Act 1996	section 4(1)	Authorise a person to exercise powers conferred on a council officer under the Electricity Act		council
409580	Electricity Act 1996	section 47(3)	Agree with an electricity entity to the carrying out of work on public land		council
409581	Electricity Act 1996	section 47(7)	Refer a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister		council
409582	Electricity Act 1996	section 47(9)(a)	Make representations to the Minister in relation to a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister		council
409583	Electricity Act 1996	section 47(9)(b)	Agree to settle a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work		council
409584	Electricity Act 1996	section 55(1a)	Comply with the requirements of a vegetation clearance scheme		council
409585	Electricity Act 1996	section 55(3)	Carry out vegetation clearance work in relation to vegetation planted or nurtured contrary to the principles of vegetation clearance.		council
409586	Electricity Act 1996	section 55(3)	Recover the cost of carrying out vegetation clearance work under section 55(3) from a person who planted or nurtured the vegetation		council
409587	Electricity Act 1996	section 55A(1)	Agree a vegetation clearance scheme with an electricity entity		council





Electricity Act 1996

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409588	Electricity Act 1996	section 55A(4)	Modify a vegetation clearance scheme by written agreement with the electricity entity		council
409589	Electricity Act 1996	section 55B(2)	Ask the Technical Regulator to determine a vegetation clearance scheme dispute under Division 2, Part 5		council
409590	Electricity Act 1996	section 55C(2)(c)	Apply to the Technical Regulator for a decision not to determine a vegetation clearance scheme dispute under Division 2, Part 5		council
409591	Electricity Act 1996	section 55D(2)(a)	Consent to the Technical Regulator conferring on the council the duty to keep vegetation clear of public powerlines		council
409592	Electricity Act 1996	section 55M	Enforce a vegetation clearance scheme with an electricity entity as a contract		council
409593	Electricity Act 1996	section 56(1)	Make an arrangement with an electricity entity conferring on the council a specified role in relation to vegetation clearance around public powerlines outside of prescribed areas		council
409594	Electricity Act 1996	section 58A(2)	Agree to contribute to the cost of undergrounding powerlines in the council area on the basis determined by the Minister		council
409595	Electricity Act 1996	section 58A(5)	Participate in consultation with, and provide proposals to, the Minister in respect of the undergrounding of powerlines		council
409596	Electricity Act 1996	section 58A(8)	Participate in consultation with the Minister in respect of a variation of the program for undergrounding of powerlines		council





Electricity (Principles of Vegetation Clearance) Regulations 2021

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409570	Electricity (Principles of Vegetation Clearance) Regulations 2021	regulation 4(1)	Take reasonable steps to keep vegetation clear of powerlines		council
409571	Electricity (Principles of Vegetation Clearance) Regulations 2021	regulation 4(2)	Inspect overhead powerlines and clear vegetation		council
409572	Electricity (Principles of Vegetation Clearance) Regulations 2021	regulation 4(4)	Seek approval of the Technical Regulator to keep vegetation clear of powerlines in accordance with the principles set out in regulation 4(2)(b)(ii)		council
409573	Electricity (Principles of Vegetation Clearance) Regulations 2021	regulation 7(3)	Make submissions to the Technical Regulator regarding an exemption application		council
409574	Electricity (Principles of Vegetation Clearance) Regulations 2021	regulation 8(2)	Agree a vegetation scheme with an electricity entity governing the way in which the entity will carry out its duty to clear vegetation in the council area or part of the council area		council
409575	Electricity (Principles of Vegetation Clearance) Regulations 2021	regulation 8(5)(b)	Agree with the electricity entity to vary or revoke a vegetation scheme		council
409576	Electricity (Principles of Vegetation Clearance) Regulations 2021	regulation 8(6)	Enforce a vegetation clearance scheme with an electricity entity as a contract		council
409577	Electricity (Principles of Vegetation Clearance) Regulations 2021	regulation 10(5)(c)	Agree with an objector as to how an objection regarding the council's intention to enter land is to be resolved		council





Electricity (Principles of Vegetation Clearance) Regulations 2021

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409578	Electricity (Principles of Vegetation Clearance) Regulations 2021	regulation 10(8)	Give notice of intention to enter private land to carry out work under Part 5 of the Act, including a statement of rights of the owner or occupier to lodge an objection under regulation 10		council





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

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





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
409609	Environment Protection Act 1993	section 14(c)	Approve the use by the Environment Protection Authority of the services of council officers or employees			council
409610	Environment Protection Act 1993	section 18A(2)	Request the Minister to declare the council as an administering agency under the Environment Protection Act			council
409611	Environment Protection Act 1993	section 18A(3)	Participate in consultation with the Minister as to whether the council will cease to be an administering agency under the Environment Protection Act			council
409612	Environment Protection Act 1993	section 18A(3)	Request the Minister to declare that the council will cease to be an administering agency under the Environment Protection Act			council
409613	Environment Protection Act 1993	section 18B(1)	Administering and enforcing the Environment Protection Act in the council area	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409614	Environment Protection Act 1993	section 18C(1)	Delegate a function conferred on the administering agency under	COUNCIL NOT ADMINISTERING AGENCY		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
			Division 1A, Part 3			
409615	Environment Protection Act 1993	section 18D	Report to the Environment Protection Authority on performance of functions under Division 1A, Part 3	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409616	Environment Protection Act 1993	section 59(1)	Enter into an environment performance agreement with the Minister			public authority
409617	Environment Protection Act 1993	section 59(4)	Approve provision for the remission of rates or taxed payable to the council in an environment performance agreement			council
409618	Environment Protection Act 1993	section 85(3)	Appoint authorised officers			council
409619	Environment Protection Act 1993	section 85(4)	Impose conditions on the appointment of an authorised officer			council
409620	Environment Protection Act 1993	section 85(5)	Revoke the appointment of an authorised officer			council
409621	Environment Protection Act 1993	section 85(5)	Vary or revoke the conditions applying to the appointment of an authorised officer			council
409622	Environment Protection Act 1993	section 87(8)(b)	Agree with another council that an authorised officer may exercise power in the			council





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
			other council's area			
409623	Environment Protection Act 1993	section 87(9)	Make good any damage caused by an authorised officer exercising powers under section 87			council
409624	Environment Protection Act 1993	section 93(1)	Issue an environment protection order	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409625	Environment Protection Act 1993	section 93(2a)	Provide notice to the authority under the Natural Resource Management Act 2004	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409626	Environment Protection Act 1993	section 93(5)	Confirm an emergency environment protection order by issuing and serving a written environment protection order	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409627	Environment Protection Act 1993	section 93(7)	Revoke or vary an environment protection order	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409628	Environment Protection Act 1993	section 94(1)	Apply to the Registrar General for registration of an environment protection order as a charge on land	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409629	Environment Protection Act 1993	section 94(4a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of	COUNCIL NOT ADMINISTERING AGENCY		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
			the charge and obligations of the owners and occupiers			
409630	Environment Protection Act 1993	section 94(6)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409631	Environment Protection Act 1993	section 95(1)	Take action required by an environment protection order which has not been undertaken by the recipient of that order	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409632	Environment Protection Act 1993	section 95(2)	Authorise a person to take action on behalf of the council under section 95(1)	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409633	Environment Protection Act 1993	section 95(3)(a)	Issue an instrument of authority to a person authorised under section 95(2) who is not an authorised officer	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409634	Environment Protection Act 1993	section 95(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 95 as a debt from the person who failed to comply with the environment protection order	COUNCIL NOT ADMINISTERING AGENCY		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
409635	Environment Protection Act 1993	section 95(4a)	Recover from the person to whom an environment protection order was issued an amount prescribed by regulation as being recoverable in respect to the registration of an order as a charge on land or the cancellation of such registration	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409636	Environment Protection Act 1993	section 95(5)(a)	Fix a period by notice within which an amount recoverable by the council under section 95 must be paid	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409637	Environment Protection Act 1993	section 96(1)	Issue an information discovery order	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409638	Environment Protection Act 1993	section 96(4)	Vary or revoke an information discovery order	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409639	Environment Protection Act 1993	section 97(1)	Take action to obtain information required by an information discovery order or a condition of an environment authorisation if person to whom order was issued or condition applies fails to do so	COUNCIL NOT ADMINISTERING AGENCY		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
409640	Environment Protection Act 1993	section 97(2)	Authorise a person to take action on behalf of the council under section 97(1)	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409641	Environment Protection Act 1993	section 97(3)(a)	Issue an instrument of authority to a person authorised under section 97(2) who is not an authorised officer	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409642	Environment Protection Act 1993	section 97(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 97 as a debt from the person who failed to provide the information	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409643	Environment Protection Act 1993	section 99(1)	Issue a clean-up order	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409644	Environment Protection Act 1993	section 99(2a)	Give notice to the relevant authority under the Natural Resources Management Act 2004 of proposed issuing or variation of a clean-up order	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409645	Environment Protection Act 1993	section 99(5)	Confirm an emergency clean-up order by issuing a written clean-up order	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409646	Environment Protection Act 1993	section 99(7)	Vary or revoke a clean-up order	COUNCIL NOT ADMINISTERING		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				AGENCY		
409647	Environment Protection Act 1993	section 101(1)	Apply to the Registrar General for registration of a clean-up order as a charge on land	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409648	Environment Protection Act 1993	section 101(5a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409649	Environment Protection Act 1993	section 101(8)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409650	Environment Protection Act 1993	section 102(1)	Take action required by a clean-up order if the person to whom the order was issued fails to do so	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409651	Environment Protection Act 1993	section 102(2)	Authorise a person to take action on behalf of the council under section 102(1)	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409652	Environment Protection Act 1993	section 102(3)(a)	Issue an instrument of authority to a person authorised under section 102(2)	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409653	Environment Protection	section 103(1)	Recover reasonable costs	COUNCIL NOT		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
	Act 1993		and expenses incurred in council taking action on non-compliance with a clean-up order	ADMINISTERING AGENCY		
409654	Environment Protection Act 1993	section 103(2a)	Recover an amount prescribed by regulation in respect of a registration of a clean-up order on land or the cancellation of that registration	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409655	Environment Protection Act 1993	section 103(3)(a)	Fix a period by notice within which an amount recoverable by the council under section 103 must be paid	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409656	Environment Protection Act 1993	section 104(1)(d)	Apply for an order from the Environment, Resources and Development Court against a person who committed a contravention of the Environment Protection Act or a repealed environment law for payment of the reasonable costs and expenses of the council in taking action to prevent or mitigate environmental harm			public authority
409657	Environment Protection Act 1993	section 104(7)(a)	Apply for an order under section 104	COUNCIL NOT ADMINISTERING		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				AGENCY		
409658	Environment Protection Act 1993	section 104(7)(b)	Apply for an order under section 104			council
409659	Environment Protection Act 1993	section 109(3a)	Provide details of actions taken by the council which must be included in the register to the Authority	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409660	Environment Protection Act 1993	section 116(a)	Waive the payment of the whole or part of a fee or levy or refund the whole or part of a fee or levy	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409661	Environment Protection Act 1993	section 116(b)	Allow the payment a fee or levy by instalments	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409662	Environment Protection Act 1993	section 120	Require the verification of information by statutory declaration	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409663	Environment Protection Act 1993	section 120A	Apply to the court for an order that a convicted person pay to the council the reasonable costs and expenses incurred in carrying out an investigation or taking action as a result of a false or misleading report	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409664	Environment Protection Act 1993	section 130	Advise a person who submits a report to the	COUNCIL NOT ADMINISTERING		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
			council of the action which the council has taken or proposes to take in respect of the allegation	AGENCY		
409665	Environment Protection Act 1993	section 135(1)	Issue a notice requiring a person who has contravened the Environment Protection Act to pay a fee fixed by, or calculated in accordance with, the regulations or the reasonable costs and expenses incurred by the council in taking action to ensure that the person has complied with requirements imposed as a consequence of the contravention or in taking sample or conducting tests, examination or analyses	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409666	Environment Protection Act 1993	section 135(2)	Fix the period for payment of an amount under section 135	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409667	Environment Protection Act 1993	section 135(3)(a)	Extend the period for payment of an amount under section 135	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409668	Environment Protection Act 1993	section 135(3)(b)	Waive or reduce the amount for payment of an amount under section 135	COUNCIL NOT ADMINISTERING AGENCY		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
409669	Environment Protection Act 1993	section 135(8)	Recover an unpaid amount under section 135 as a debt	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409670	Environment Protection Act 1993	section 138(1)	Exercise the powers of a mortgagee under the Real Property Act 1886 in regard to a default on the payment of money secured by the mortgage in the event that there is a default in the payment of an amount subject to a charge on land in favour of the council	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409671	Environment Protection Act 1993	section 139(1)(a)	Execute a certificate certifying as to a matter relating to an environmental authorisation of other authorisation under the Environment Protection Act	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409672	Environment Protection Act 1993	section 139(1)(b)	Execute a certificate certifying as to a matter relating to the appointment of non-appointment of a person as an authorised officer or analyst or otherwise under the Environment Protection Act	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409673	Environment Protection Act 1993	section 139(1)(c)	Execute a certificate certifying as to a matter relating to a delegation or	COUNCIL NOT ADMINISTERING AGENCY		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
			authority under the Environment Protection Act			
409674	Environment Protection Act 1993	section 139(1)(d)	Execute a certificate certifying as to a matter relating to a notice, order, requirement or direction under the Environment Protection Act	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409675	Environment Protection Act 1993	section 139(1)(e)	Execute a certificate certifying as to a matter relating to any other decision of the council	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409676	Environment Protection Act 1993	section 139(1)(f)	Execute a certificate certifying as to a matter relating to the receipt or non-receipt of a notification or information required to be given to the Environment Protection Authority or Minister under the Environment Protection Act	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409677	Environment Protection Act 1993	section 139(2)	Execute a certificate detailing the costs and expenses incurred by the council and the purpose for which the costs and expenses were incurred			public authority
409678	Environment Protection Act 1993	section 140(3a)(b)	Certify a code, standard or other document for the	COUNCIL NOT ADMINISTERING		administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
			purposes of legal proceedings	AGENCY		





Environment Protection Regulations 2009

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





Environment Protection (Air Quality) Policy 2016

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
409597	Environment Protection (Air Quality) Policy 2016	clause 6(1)	Issue a burning permit	COUNCIL NOT ADMINISTERING AGENCY		administering agency (as the relevant council delegate)
409599	Environment Protection (Air Quality) Policy 2016	clause 16(1)	Fix a testing point in premises to evaluate emissions from the premises	COUNCIL NOT ADMINISTERING AGENCY		administering agency
409598	Environment Protection (Air Quality) Policy 2016	clause 6(2)	Determine the manner and form for applying for a burning permit	COUNCIL NOT ADMINISTERING AGENCY		administering agency (as the relevant council delegate)





Environment Protection (Noise) Policy 2007

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409600	Environment Protection (Noise) Policy 2007	clause 4(2)	Participate in consultation with the Environment Protection Authority regarding what land uses are principally promoted by relevant development Plan provisions		council
409601	Environment Protection (Noise) Policy 2007	clause 4(4)	Participate in consultation with the Environment Protection Authority regarding in what land use category a land use principally promoted by relevant Development Plan provisions falls		council





Environment Protection (Used Packaging Materials) Policy 2012

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





Environment Protection (Waste to Resources) Policy 2010

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





Expiation of Offences Act 1996

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409680	Expiation of Offences Act 1996	section 5(1)	Give an expiation notice to an alleged offender		issuing authority
409681	Expiation of Offences Act 1996	section 5(3)(a)	Provide that an offence against a regulation or by-law for which the Council may impose a penalty may be expiated		issuing authority
409682	Expiation of Offences Act 1996	section 5(3)(b)	Fix an expiation fee for an offence against a regulation or by-law for which the Council may impose a penalty may be expiated		issuing authority
409683	Expiation of Offences Act 1996	section 8(1)	Receive notice from alleged offender electing to be prosecuted for an offence		issuing authority
409684	Expiation of Offences Act 1996	section 8A(1)	Receive application from person in receipt of an expiation notice seeking review on grounds that the offence is trifling		issuing authority
409685	Expiation of Offences Act 1996	section 8A(2)	Require applicant to provide further information		issuing authority
409686	Expiation of Offences Act 1996	section 8A(3)	Require application to be verified by a statutory declaration		issuing authority
409687	Expiation of Offences Act 1996	section 8A(4)	Determine application		issuing authority
409688	Expiation of Offences Act 1996	section 8A(5)	Withdraw expiation notice if satisfied that the offence is trifling		issuing authority
409689	Expiation of Offences Act 1996	section 11(1)	Issue an expiation reminder notice to alleged offender		issuing authority
409690	Expiation of Offences Act 1996	section 11A(1)	Assess acceptability of statutory declaration or other document provided by alleged		issuing authority





Expiation of Offences Act 1996

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			offender		
409691	Expiation of Offences Act 1996	section 12	Accept a later payment of amount due under an expiation notice		issuing authority
409692	Expiation of Offences Act 1996	section 16(1)	Withdraw an expiation notice in prescribed circumstances		issuing authority
409693	Expiation of Offences Act 1996	section 16(2)	Refund expiation fee or instalment paid if expiation notice is withdrawn		issuing authority
409694	Expiation of Offences Act 1996	section 16(5)	Prosecute offence following withdrawal of expiation notice		issuing authority
409695	Expiation of Offences Act 1996	section 16(6)	Withdraw expiation notice if alleged offender has not received notice during expiation period due to error of issuing authority, postal service or email		issuing authority
409696	Expiation of Offences Act 1996	section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice		issuing authority
409697	Expiation of Offences Act 1996	section 17(3)	Pay half of expiation fee for offence reported by the police or another officer of the Crown into the Consolidated Account		issuing authority
409698	Expiation of Offences Act 1996	section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information		issuing authority





Fences Act 1975

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





Fines Enforcement and Debt Recovery Act 2017

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409699	Fines Enforcement and Debt Recovery Act 2017	section 9(2)	Pay prescribed fee to Chief Recovery officer for a determination under section 9		issuing authority
409700	Fines Enforcement and Debt Recovery Act 2017	section 20(4)	Receive notice of an arrangement between the Chief Recovery Officer and an alleged offender		issuing authority
409701	Fines Enforcement and Debt Recovery Act 2017	section 20(18)	Receive notice from the Chief Recovery Officer of the termination or an arrangement with an alleged offender		issuing authority
409702	Fines Enforcement and Debt Recovery Act 2017	section 20(19)(c)	Receive notice from the Chief Recovery Officer of the reinstatement of an arrangement with an alleged offender		issuing authority
409703	Fines Enforcement and Debt Recovery Act 2017	section 22(1)	Provide to the Chief Recovery Officer prescribed particulars to enable enforcement of an expiation notice against an alleged offender		issuing authority
409704	Fines Enforcement and Debt Recovery Act 2017	section 22(2)	Pay prescribed fee to Chief Recovery Officer for enforcement of an expiation notice		issuing authority
409705	Fines Enforcement and Debt Recovery Act 2017	section 22(16)	Receive notice from the Chief Recovery Officer of an enforcement determination		issuing authority
409706	Fines Enforcement and Debt Recovery Act 2017	section 23(3)	Participate in proceedings reviewing an enforcement determination of the Chief Recovery Officer		issuing authority





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
485333	Fire and Emergency Services Act 2005	section 81(13a)	Appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005		rural council councils with a designated urban bushfire risk area
409707	Fire and Emergency Services 2005	section 4A(3)	Participate in consultation with the South Australian Fires and Emergency Services Commission (SAFES Commission) regarding designation of an area of urban bushfire risk within council area		council
409708	Fire and Emergency Services 2005	section 71C	Enter an arrangement with the State Bushfire Coordination Committee for the use of council staff, equipment or facilities		council
409709	Fire and Emergency Services 2005	section 72D	Enter an arrangement with a bushfire management committee for the use of council staff, equipment or facilities		council
409710	Fire and Emergency Services 2005	section 73A(7)(b)(iv)	Participate in consultation with a bushfire management committee regarding creation or amendment of a bushfire management area plan which includes the council area		council
485334	Fire and Emergency Services 2005	section 81(13b)	Apply to the Chief Officer of the South Australian Country Fire Service (SACFS Chief Officer) for an exemption from the requirement to appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005		rural council councils with a designated urban bushfire risk area
409712	Fire and Emergency Services 2005	section 87(1)	Require a person to remove flammable debris on or in the vicinity of, a road as a result of work carried on by that person		rural council councils with a designated urban bushfire risk area





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
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 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 SACFS Chief Officer to withdraw council function and powers		rural council councils with a designated 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 SACFS 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 SACFS 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 SACFS Chief Officer regarding proposed appointment of a fire control officer for a designated area of the State which includes the council area		council





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409721	Fire and Emergency Services 2005	section 105	Pay any fine recovered for a summary offence under Part 4A committed in the council area where the complaint has been laid by the council into the general revenue of the council		council
409722	Fire and Emergency Services 2005	section 105A	Appoint an authorised person for the purposed of Part 4A of the Fire and Emergency Services Act		council
409723	Fire and Emergency Services 2005	section 105B(1)	Appoint a fire prevention officer by a rural council or a council with a designated urban bushfire risk area		council
409724	Fire and Emergency Services 2005	section 105B(4)	Apply to SACFS 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	section 105F(5)	Issue notice to owner of land who has failed		authorised person





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Services 2005		to take reasonable steps to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land to remedy the default or protect the land or property		
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 SACFS Chief Officer alleging a failure of the council to comply with section 105G(1)		council
409733	Fire and Emergency Services 2005	section 105G(6)	Receive notice of requirements from the Minister		council





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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
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	section 105J(7)	Authorise a person to carry out		council





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Services 2005		requirements of a notice under section 105F(6) on behalf of an authorised person if the owner of land fails to comply		
409744	Fire and Emergency Services 2005	section 105J(8)	Recover the reasonable costs and expenses incurred in taking action under section 105J(6)		authorised person
409745	Fire and Emergency Services 2005	section 129	Erect a siren for the purpose of giving warning of the outbreak or threat of fire or an emergency		council





Fire and Emergency Services Regulations 2021

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





Fire and Emergency Services Regulations 2021

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			road where a fire lit by the council under regulation 49(1)(a) is burning		
485045	Fire and Emergency Services Regulations 2021	regulation 64(b)	Make representations in relation to a fire or other emergency to the South Australian Fire and Emergency Services Commission or an emergency services organisation		council





Food Act 2001

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409760	Food Act 2001	section 29	Elect to charge a person with a summary offence		council
409761	Food Act 2001	section 42(2)	Approve the removal or interference with a thing to which a seizure order relates		enforcement agency
409762	Food Act 2001	section 42(3)(a)(i)	Authorise the release of a thing seized under a seizure order		enforcement agency
409763	Food Act 2001	section 42(3)(a)(ii)	Order that food or any other perishable thing be forfeited to the enforcement agency		enforcement agency
409764	Food Act 2001	section 42(3)(a)(ii)	Receive food or any other perishable thing being forfeited to the enforcement agency by order of the enforcement agency		enforcement agency
409765	Food Act 2001	section 42(3)(b)(i)	Receive food or any other perishable thing being forfeited to the enforcement agency by court order		enforcement agency
409766	Food Act 2001	section 42(3)(d)	Deal with food or any other perishable thing in accordance with a determination of the Minister		enforcement agency
409767	Food Act 2001	section 42(3)(e)	Dispose of a thing forfeited to the enforcement agency under pursuant to section 42		enforcement agency
409768	Food Act 2001	section 52(2)	Pay compensation if there were no grounds for the council's Chief Executive Officer to make a prohibition order under section 46		enforcement agency
409769	Food Act 2001	section 52(3)	Send written notification of determination as to the payment of compensation to each applicant for compensation		enforcement agency
409770	Food Act 2001	section 79(1)(a)	Determine the priority classification of individual food businesses in its council area for the application of any requirements of the regulations relating to food safety programs		enforcement agency





Food Act 2001

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409771	Food Act 2001	section 79(1)(b)	Determine the frequency of auditing of any food safety programs required by the regulations in relation to food businesses in the council area		enforcement agency
409772	Food Act 2001	section 79(3)	Provide written notification to the proprietor of a food business in the council area of the priority classification of its business, the food safety audit frequency and the date by which a food safety program required by the regulations must be implemented		enforcement agency
409773	Food Act 2001	section 79(4)	Change the priority classification of a food business in the council area		enforcement agency
409774	Food Act 2001	section 79(5)	Provide written notification to the proprietor of a change to the priority classification of the proprietor's food business		enforcement agency
409775	Food Act 2001	section 81(1)	Receive a report from a food safety auditor of the results of any audit or assessment carried out by the food auditor for the purposes of the Act		enforcement agency
409776	Food Act 2001	section 81(6)	Receive a report from a food safety auditor recommending that the priority classification of a food business be changed		enforcement agency
409777	Food Act 2001	section 81(7)	Provide a copy of any report received from a food safety auditor of the results of any audit or assessment carried out by the food auditor to the proprietor of the food business audited or assessed		enforcement agency
409778	Food Act 2001	section 86(1)	Receive written notice of information specified in the Food Safety Standards from a food business proposed to be conducted in the council area		enforcement agency





Food Act 2001

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





Food Regulations 2017

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





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409792	Freedom of Information Act 1991	section 9(1a)	Publish an up-to-date information statement containing the information listed in section 9(2) in the manner prescribed by the regulations		agency
409793	Freedom of Information Act 1991	section 10(1)	Cause copies of the most recent information statement and each policy document to be available for inspection and purchase by members of the public		agency
409794	Freedom of Information Act 1991	section 15	Take reasonably practicable steps to assist the applicant to provide information to enable the document to which the application related be identified		agency
409795	Freedom of Information Act 1991	section 16(1)	Transfer an application for access to a document to another agency		agency
409796	Freedom of Information Act 1991	section 16(3)	Notify the applicant of the transfer of the application for access to a document to another agency		agency
409797	Freedom of Information Act 1991	section 17(1)	Request the applicant to pay a reasonable amount by way of advance deposit if the cost of dealing with an application is likely to exceed the application fee		agency
409798	Freedom of Information Act 1991	section 17(2)	Request the applicant to pay a reasonable amount by way of further advance deposit if the cost of dealing with an application is likely to exceed the application fee and advance deposit already paid		agency
409799	Freedom of Information Act 1991	section 18(1)	Refuse to deal with an application if the work involved in dealing with the application would substantially and unreasonably divert the		agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			council's resources from their use by the council in exercise of its functions.		
409800	Freedom of Information Act 1991	section 18(2)	Assist an applicant to amend the application so that the work involved in dealing with the application would not substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.		agency
409801	Freedom of Information Act 1991	section 18(2a)	Refuse to deal with an application if the application is part of a pattern of conduct that amounts to an abuse of the right of access or is made for a purpose other than to obtain access to information		agency
409802	Freedom of Information Act 1991	section 18(3)	Refuse to deal with an application if the council has requested payment of an advance deposit and payment of the deposit has not been made within the period specified in the request		agency
409803	Freedom of Information Act 1991	section 18(4)	Refund any amount of advance deposit which exceeds the council's costs of dealing with the application, if the council refuses to deal with the application		agency
409804	Freedom of Information Act 1991	section 18(5)	Provide notice to the applicant that the council is refusing to deal with the application		agency
409805	Freedom of Information Act 1991	section 19(1)	Determine: (a) whether access to a document is to be given, deferred or refused; (b) any charge payable in respect of giving access; and (c) any charge payable for dealing with the		agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			application		
409806	Freedom of Information Act 1991	section 20(1)	Refuse access to a document		agency
409807	Freedom of Information Act 1991	section 21(1)	Defer access to a document		agency
409808	Freedom of Information Act 1991	section 22(1)	Determine the form of access to a document		agency
409809	Freedom of Information Act 1991	section 22(2)	Determine to provide access to a document in a form other than that requested by the applicant		agency
409810	Freedom of Information Act 1991	section 22(4)	Agreeing with an applicant the form of access to a document		agency
409811	Freedom of Information Act 1991	section 22(5)	Refuse to give access to a document if a charge payable in respect of the application, or giving access to the document, has not been paid		agency
409812	Freedom of Information Act 1991	section 23(1)	Notify an applicant to the agency's determination or, if relevant, that the agency does not hold the document		agency
409813	Freedom of Information Act 1991	section 25(2)	Obtain the views of the government of the Commonwealth or of another State or a council (including a council constituted under the law of another State) as to whether a document is an exempt document		agency
409814	Freedom of Information Act 1991	section 25(2)	Provide view as to whether a document is an exempt document		council





Freedom of Information Act 1991

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





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	1991		concerning trade secrets, of a commercial value or concerning the business, professional, commercial or financial affairs of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document		
409821	Freedom of Information Act 1991	section 27(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review		agency
409822	Freedom of Information Act 1991	section 28(2)	Notify a person that access to a document containing information concerning research that is being, or is intended to be, carried out by or on behalf of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document		agency
409823	Freedom of Information Act 1991	section 28(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review		agency
409824	Freedom of Information Act	section 29(3)	Confirm, vary or reverse a determination under		agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	1991		Part 3 following an application for an internal review		
409825	Freedom of Information Act 1991	section 29(4)	Refund any application fee paid in respect of the internal review if the agency varies or reverses a determination so that access to a document is given		agency
409826	Freedom of Information Act 1991	section 33	Take reasonably practicable steps to assist an applicant to provide information to enable the identification of an agency's document to which access has been given		agency
409827	Freedom of Information Act 1991	section 34(a)	Amend records in accordance with an application under section 30		agency
409828	Freedom of Information Act 1991	section 34(a)	Refuse to amend records in accordance with an application under section 30		agency
409829	Freedom of Information Act 1991	section 35	Refuse an application to amend records		agency
409830	Freedom of Information Act 1991	section 36(1)	Notify applicant of determination regarding an application to amend records or that the agency does not hold the record		agency
409831	Freedom of Information Act 1991	section 37(2)	Add to the agency's record a notation specifying that the applicant claims that the record is incomplete, incorrect, out-of-date or misleading and including any information which the applicant claims is required to bring the record up-to-date		agency
409832	Freedom of Information Act 1991	section 37(2)	Notify the applicant of the nature of the notation		agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409833	Freedom of Information Act 1991	section 37(3)(a)	Provide a statement to a person to whom the agency discloses information stating that the person to whom the information relates claims that the information is incomplete, incorrect, out-of-date or misleading and setting out the particulars of the notation added to its records in compliance with section 37(2)		agency
409834	Freedom of Information Act 1991	section 37(3)(b)	Provide a statement as to the reasons for the agency's refusal to amend the records in accordance with the notation		agency
409835	Freedom of Information Act 1991	section 38(3)	Confirm, vary or reverse a determination under Division 1, Part 4 following an internal review		agency
409836	Freedom of Information Act 1991	section 39(5)(c)(i)	Participate in a settlement between the participants to a review		agency
409837	Freedom of Information Act 1991	section 39(5)(c)(ii)	Request a suspension of the proceedings under section 39 to allow an opportunity for a settlement to be negotiated		agency
409838	Freedom of Information Act 1991	section 39(7)	Cooperate in a process proposed by a relevant review authority for the purposes of the conduct of an external review		agency
409839	Freedom of Information Act 1991	section 39(9)(a)	Advise a relevant review authority for the purposes of the conduct of an external review that a determination of the agency was made on grounds of the public interest		agency
409840	Freedom of Information Act 1991	section 40(1)	Apply to South Australian Civil and Administrative Tribunal for a review of a determination by the relevant review authority on an external review on a question of law		agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409841	Freedom of Information Act 1991	section 40(7)	Advise South Australian Civil and Administrative Tribunal that a determination of the agency was made on grounds of the public interest		agency
409842	Freedom of Information Act 1991	section 41(1)	Apply to South Australian Civil and Administrative Tribunal to receive evidence and hear argument in the absence of the public, the other party to the review and the party's representative in respect of a restricted document		agency
409843	Freedom of Information Act 1991	section 53(2a)	Waive, reduce or remit a fee or charge		agency
409844	Freedom of Information Act 1991	section 53(3)	Review a fee or charge on application of the person required to pay the fee or charge and if appropriate reduce the fee or charge		agency
409845	Freedom of Information Act 1991	section 53(5)	Recover a fee or charge as a debt		agency
409846	Freedom of Information Act 1991	section 54AA(a)	Furnish information to the Minister as required by notice in the Gazette		agency
409847	Freedom of Information Act 1991	section 54AA(b)	Comply with requirement of the Minister regarding furnishing and keeping records		agency
409848	Freedom of Information Act 1991	clause 3(b), Schedule 1	Provide notice that information would be protected from disclosure under a corresponding law of the Commonwealth or another State		council
409849	Freedom of Information Act 1991	clause 13(2)(b)(iii),	Approve a term of a contract which contains matter the disclosure of which would constitute		agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
		Schedule 1	a breach of contract or found an action for breach of confidence		
409850	Freedom of Information Act 1991	clause 13(6), Schedule 1	Notify the Minister of the approval of a term of a contract in accordance with clause 13(2)(b)(iii)		agency





Freedom of Information (Fees and Charges) Regulations 2018

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





Gas Act 1997

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





Graffiti Control Act 2001

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





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

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





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Australia) Act 2013)		the payment of a fee		
409873	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 160(1)	Require a condition on the mass or dimension authority that: (a) except in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition is imposed on the authority; or (b) in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition of a type prescribed by the national regulations is imposed on the authority		road manager
409874	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 160(2)(a)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition		road manager
409875	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 161(1)	Require a condition on the mass or dimension authority that a stated travel condition is imposed on the authority		road manager
409876	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 161(2)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to		road manager





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			the condition		
409877	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 162(1)	Request the Regulator to impose a stated vehicle conditions on a mass or dimension authority		road manager
409878	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 167(2)(b)	Provide notice of objection to the Regulator in relation to a proposed replacement authority		road manager
409879	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 167(2)(b)	Seek an extension of time in which to lodge a notice of objection to a proposed replacement authority		road manager
409880	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 167(2)(b)	Provide notice to Regulator that the road manager gives or refuses consent to a proposed replacement authority		road manager
409881	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 169(1)	Consent to the grant of a mass or dimension authority for a trial period		road manager
409882	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 170(3)	Lodge an objection with the Regulator in respect of the renewal of a mass or dimension authority for a further trial period		road manager
409883	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 174(2)	Request the Regulator to amend the mass or dimension authority or cancel the authority		road manager
409884	Heavy Vehicle National Law (schedule to	section	Consent to an amendment of a		road manager





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	the Heavy Vehicle National Law (South Australia) Act 2013)	176(4)(c)	mass or dimension authority requested by the holder of the permit		
409885	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 178(2)	Request the Regulator to amend or cancel a mass or dimension authority		road manager
409886	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 611(2)	Apply for a compensation order		road manager
409887	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 612(2)(c)	Issue a certificate for the purposes of the assessment of a compensation order		road manager
409888	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 613(1)	Provide a copy of a certificate to be submitted under section 612(2)(c) in a proceeding for a compensation order to the defendant at least 28 days prior to the date fixed for the hearing or the proceeding		public authority
409889	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 643(2)	Undertake an internal review of a reviewable decision		road manager
409890	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 645(5)	Provide notice of internal review decision and reasons for decision to the Regulator		road manager
409891	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 646(6)(a)(ii)	Agree with the Regulator a longer period for undertaking an internal review		road manager





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

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





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409862	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 29(4)(c)	Consent to an amendment to an HML permit sought by the holder of the permit		road manager
409863	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 31(2)	Request the Regulator to amend or cancel an HML permit		road manager
409864	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 41(1)	Consent to the declaration by the regulator of areas, roads and routes and major roads under regulation 40		road manager





Independent Commission Against Corruption Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
573912	Independent Commission Against Corruption Act 2012	section 18E(3)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration		public authority
409892	Independent Commission Against Corruption Act 2012	section 18B(4)(a)	Report to the Office for Public Integrity in accordance with the directions issued under section 18B of the Independent Commissioner Against Corruption Act		public authority
409893	Independent Commission Against Corruption Act 2012	section 18B(4)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption in public administration		public authority
409894	Independent Commission Against Corruption Act 2012	section 18E(3)(a)	Produce a specified document or document relating to specified matter		public authority
409895	Independent Commission Against Corruption Act 2012	section 18F(1)(b)	Act on a referral from the Office for Public Integrity		public authority
409896	Independent Commission Against Corruption Act 2012	section 28	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the person heading the investigation requires, verify the statement by statutory declaration		public authority
409897	Independent Commission Against Corruption Act 2012	section 34(1)	Undertake a joint investigation with the Independent Commission Against Corruption		public authority
409898	Independent Commission Against Corruption Act 2012	section 34(3)	Provide comments to the Independent Commission Against Corruption with respect to the terms of a notice issued under section 34(1) of the Independent Commission Against Corruption Act		public authority
409899	Independent Commission	section	Act on a referral from the Independent Commission		public authority





Independent Commission Against Corruption Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Against Corruption Act 2012	36(1)(b)	Against Corruption		
409900	Independent Commission Against Corruption Act 2012	section 36(4)	Comply with direction or guidance given by the Independent Commission Against Corruption		public authority
573914	Independent Commission Against Corruption Act 2012	section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption		public authority
409901	Independent Commission Against Corruption Act 2012	section 36(8)	Provide comments to the Independent Commission Against Corruption		public authority
573915	Independent Commission Against Corruption Act 2012	section 39A	Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter		public authority
409905	Independent Commission Against Corruption Act 2012	section 40(2)	Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council		public authority
409906	Independent Commission Against Corruption Act 2012	section 41(1)	Comply with recommendations of the Independent Commission Against Corruption		public authority
409907	Independent Commission Against Corruption Act 2012	section 41(4)	Provide comments to the Independent Commission Against Corruption		public authority
409908	Independent Commission Against Corruption Act 2012	section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commission Against Corruption Act		public authority
610159	Independent Commission Against Corruption Act 2012	section 56A(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or		public authority/ prosecution authority





Independent Commission Against Corruption Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			proceedings, proceedings for the imposition of a penalty and any disciplinary investigation or action		
573916	Independent Commission Against Corruption Act 2012	Clause 9(6), Schedule 4	Act on a referral of the inspector		public authority





Joint Criminal Rules 2022

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
639012	Joint Criminal Rules 2022	rule 62.1	File an Information		public authority





Labour Hire Licensing Act 2017

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





Land and Business (Sale and Conveyancing) Act 1994

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





Landscape South Australia Act 2019

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





Landscape South Australia Act 2019

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409931	Landscape South Australia Act 2019	section 67(1)	Pay contribution to the costs of the regional landscape board performing its functions		council
409932	Landscape South Australia Act 2019	section 67(2)	Pay contribution to the costs of the regional landscape board performing its functions		council
409933	Landscape South Australia Act 2019	section 69(10)	Apply to the regional landscape board for a refund of an amount of the regional landscape levy		council
409934	Landscape South Australia Act 2019	section 72(6)(a)	Enter an arrangement with the regional landscape board for service of a notice to be effected as part of any other notice serviced by the council		public authority
409935	Landscape South Australia Act 2019	section 72(6)(b)	Enter an arrangement with the regional landscape board for the collection of a levy to be effected by the council		public authority
409936	Landscape South Australia Act 2019	section 101(6)	Make a submission to the Minister regarding proposed declaration of a prescribed water resource		relevant authority
409937	Landscape South Australia Act 2019	section 103(3)	Appoint the Minister, a regional landscape board, a designated entity, a council or a council subsidiary in place of the council as the 'relevant authority'		relevant authority
409938	Landscape South Australia Act 2019	section 104(3)	Grant a person a water management authorisation or permit to undertake an activity prescribed in sections 104(3)(e) or 104(3)(f) of the Landscape South Australia Act (except in the case of the discharge of water into a watercourse for the purpose of		relevant authority





Landscape South Australia Act 2019

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			running the water down the watercourse for storage in a reservoir or other facility)		
409939	Landscape South Australia Act 2019	section 107(1)	Issue a notice to the owner of land in respect of an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act		relevant authority
409940	Landscape South Australia Act 2019	section 107(2)(b)	Enter land and take action specified in a notice issued under section 107(1) of the Landscape South Australia Act		relevant authority
409941	Landscape South Australia Act 2019	section 112(1)	Approve a form of application in respect of a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act		relevant authority
409942	Landscape South Australia Act 2019	section 112(6)	Specify conditions on a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act		relevant authority
409943	Landscape South Australia Act 2019	section 112(9)	Vary, suspend or revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act		relevant authority
409944	Landscape South Australia Act 2019	section 112(10)	Vary a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act		relevant authority





Landscape South Australia Act 2019

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409945	Landscape South Australia Act 2019	section 112(11)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act		relevant authority
409946	Landscape South Australia Act 2019	section 112(12)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act		relevant authority
409947	Landscape South Australia Act 2019	section 112(13)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act		relevant authority
409948	Landscape South Australia Act 2019	section 112(14)	Serve notice of the variation or revocation of a permit		relevant authority
409949	Landscape South Australia Act 2019	section 113(2)	Give notice of an application for a permit in accordance with the regulations		relevant authority
409950	Landscape South Australia Act 2019	section 113(3)	Receive representations in relation to the granting or refusal of a permit		relevant authority
409951	Landscape South Australia Act 2019	section 113(4)	Forward a copy of representations in relation to the granting or refusal of a permit to the applicant and allow the applicant an opportunity to respond in writing		relevant authority
409952	Landscape South Australia Act 2019	section 113(6)	Allow a person who made a representation regarding the granting or refusal of a permit the opportunity to appear personally or by representative before the authority		relevant authority
409953	Landscape South Australia Act 2019	section	Allow an applicant to appear personally or		relevant authority





Landscape South Australia Act 2019

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 2019	113(7)	by representative before the authority		
409954	Landscape South Australia Act 2019	section 113(8)(a)	Give notice to each person who made a representation to the authority of the authority's decision and the person's appeal rights under the Landscape South Australia Act		relevant authority
409955	Landscape South Australia Act 2019	section 113(8)(b)	Give notice to the Environment, Resources and Development Court of the authority's decision and the names and addresses of persons who made representations under section 113 of the Landscape South Australia Act		relevant authority
409956	Landscape South Australia Act 2019	section 113(13)	Provide for inspection and purchase written representations made under section 113 of the Landscape South Australia Act and the written response of the applicant		relevant authority
409957	Landscape South Australia Act 2019	section 202(4)	Agree with the Minister that an officer of the council may be appointed as an authorised officer		council
409958	Landscape South Australia Act 2019	section 219(3)	Receive notice from the Minister of a proposed management agreement that provides for the remission of council rates and provide submissions to the Minister on the proposed agreement		council
610205	Landscape South Australia Act 2019	clause 89(4)(e) Schedule 5	Consent to property, assets, rights or liabilities vesting in or attaching to the Council		authority





Landscape South Australia (General) Regulations 2020

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





Landscape South Australia (Water Management) Regulations 2020

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





Liquor Licensing Act 1997

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409959	Liquor Licensing Act 1997	section 22(1)	Apply to the Court for a review of a decision of the Commissioner in relation to an application for or in relation to a licence		council
409960	Liquor Licensing Act 1997	section 37(5)	Participate in consultation with the Minister in relation to any proposed regulations declaring an area to be a prescribed area for the purposes of section 37 of the Liquor Licensing Act		prescribed body
409961	Liquor Licensing Act 1997	section 69(3)(e)	Approval of an application for the extension of a trading area where the relevant area is under the control of the council		council
409962	Liquor Licensing Act 1997	section 106(2)(b)	Lodge a complaint under section 106(1) regarding unduly offensive, annoying, disturbing or inconvenient activity, noise or behaviour relating to licensed premises		council
409963	Liquor Licensing Act 1997	section 106(4)	Request that the matter proceed direct to a hearing		council
409964	Liquor Licensing Act 1997	section 106(5)	Request that the Commissioner determine the matter		council
409965	Liquor Licensing Act 1997	section 106(6)(a)	Make submissions in regard to the matter to the Commissioner or Court		council
409966	Liquor Licensing Act 1997	section 120(2)(c)	Lodge a complaint under section 120(1) alleging that proper grounds for disciplinary action exist against a specified person		council
409967	Liquor Licensing Act 1997	section 128E(1)	Prepare a draft local liquor accord		council
409968	Liquor Licensing Act 1997	section 128H(3)	Request a variation of a local liquor accord		council





Liquor Licensing Act 1997

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409969	Liquor Licensing Act 1997	section 128H(5)	Request the Commissioner to add or remove the council as a party to a local liquor accord		council
409970	Liquor Licensing Act 1997	section 128H(6)	Request the Commissioner to terminate a local liquor accord		council
409971	Liquor Licensing Act 1997	section 128H(7)	Seek the consent of the other parties to a local liquor accord prior to request the Commissioner to terminate the local liquor accord		council
409972	Liquor Licensing Act 1997	section 131(1ab)	Prohibit the consumption or possession or both of liquor in a public place within the council area during a specified period by notice published in the Gazette		council
409973	Liquor Licensing Act 1997	section 131(1ad)	Provide a copy of notice published under section 131(1ab) to the Commissioner of Police		council
409974	Liquor Licensing Act 1997	section 131(1c)	Vary or revoke a notice published under section 131(1ab)		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	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
574148	Local Government Act 1999	section 7(ba)	Determine appropriate financial contribution to be made by ratepayers to resources of the council		council
410023	Local Government Act 1999	section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community		council
410024	Local Government Act 1999	section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards		council
410025	Local Government Act 1999	section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity		council
410026	Local Government Act 1999	section 7(f)	Provide infrastructure for the council's community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area)		council
410027	Local Government Act 1999	section 7(g)	Promote the council area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism		council
410028	Local Government	section 7(h)	Establish or support organisations or programs that		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999		benefit people in the council area or local government generally		
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
410036	Local Government Act 1999	section 12(5)	Initiate the preparation of a presentation review report and form the opinion a person is qualified to address the representation and governance issues		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
638769	Local Government Act 1999	Section 12(7)	Undertake public consultation		council
410045	Local Government Act 1999	section 12(11)	Finalise the council report		council
638770	Local Government Act 1999	section 12(11a)	Refer the report to Electoral Commissioner		council
638771	Local Government Act 1999	section 12(11e)(a)	Take such action as is necessary (including by altering report)		council
638772	Local Government Act 1999	section 12(11e)(b)	Comply with requirements of section 12(7)		council
638773	Local Government Act 1999	section 12(11e)(c)	Refer the report to the Electoral Commissioner under section 12(12)		council
410051	Local Government Act 1999	section 12(12)	Refer report to the Electoral Commissioner		council
638774	Local Government Act 1999	section 12(12a)	Include with the report copies of any written submissions if received		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 section 12(7) (unless determine alteration of report is of a minor nature		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			only)		
410056	Local Government Act 1999	section 12(24)	Undertake a review within period specified by the Electoral Commissioner		council
410057	Local Government Act 1999	section 13(1)	Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or altering the name of a ward		council
410058	Local Government Act 1999	section 13(2)(a)	Give public notice of the proposal to change the council from a municipal council to a district council or vice versa, alter the name of the council or the name of the area of the council, or alter the name of a ward		council
410059	Local Government Act 1999	section 13(2)(b)	Invite written submissions		council
410060	Local Government Act 1999	section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area		council
410061	Local Government Act 1999	section 13(2)(c)	Give any person who makes a written submission in response to an invitation an opportunity to appear personally or by representative before the council or a council committee to be heard on the submission		council
410062	Local Government Act 1999	section 28(1)(c)	Refer a proposal for the making of a proclamation under Chapter 3 of the Local Government Act to the South Australian Local Government Grants Commission		council
410063	Local Government	section	Participate in consultation with the South Australian		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	31(2)(b)	Local Government Grants Commission on the appointment of an investigator		
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	\$2,000 - CSO, EACRS, CELO, SD&EC, SVSO, TO, CEVO, CO, SCEMO, EACI, WT&SO, Caretaker, PROPSO, PROCURES, EACCG, HR&WHS, Store \$5,000 - C&MES, TLLO, RACCC, TLLP, C&YSC, SDRG, TLCE, TLGI, M&CC, C&MC, C&MWS1, C&MWS2, ESC, P&GC, TLC, WTS&RMC, WTS&RMS,	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
				WMC, TLFA, TLISERV, HR&RC, TLWORK, TLCS&A, TLEC, SD&RecC, SSO, TLAM, FAC \$10,000 - MLCD, MRACC, MDS, ASM, MESE, MOE, MWR, MGP, MANFIN, MOD, MOI \$100,000 - GMCCG, GMCRS \$250,000 - GMCI	
410069	Local Government Act 1999	section 41(1)	Establish a committee		council
410070	Local Government Act 1999	section 41(2)	Determine the role of the committee		council
410071	Local Government Act 1999	section 41(3)	Determine the membership of the committee		council
410072	Local Government Act 1999	section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member		council
410073	Local Government Act 1999	section 41(6)	Appoint the principal member as an ex officio member of the committee		council
410074	Local Government Act 1999	section 41(8)	Determine the reporting and other accountability requirements applying to a committee		council
410075	Local Government Act 1999	section 42(3)	Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary		council
410076	Local Government Act 1999	section 43(3)	Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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
410081	Local Government Act 1999	section 45(1)	Nominate a place as the council's principal office		council
410082	Local Government Act 1999	section 45(2)	Determine the hours during which the principal office of the council will be open for the transaction of business		council
410083	Local Government Act 1999	section 45(3)	Consult with the local community regarding the manner, places and times at which the council's offices will be open to the public and any significant changes to these arrangements		council
410084	Local Government Act 1999	section 46(1)	Engage in a commercial enterprise or activity in the performance of the council's functions		council
410085	Local Government Act 1999	section 46(2)(a)	Establish a business in connection with a commercial project		council
410086	Local Government Act 1999	section 46(2)(b)	Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project		council
410087	Local Government Act 1999	section 47(2)(b)	Participate in the formation of, or become a member of, a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest		council
410088	Local Government	section	Develop and maintain prudential management		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	48(aa1)	policies, practices and procedures for the assessment of projects		
410089	Local Government Act 1999	section 48(1)	Obtain a report addressing the prudential issues set out in section 48(2)		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; (c) the use of local goods and services; and (d) the sale or disposal of land or other assets.		council
410094	Local Government Act 1999	section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act		council
410097	Local Government Act 1999	section 50(1)	Prepare and adopt a public consultation policy		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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)(e)	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
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		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			councils at the time the contract was made or lease was entered		
657210	Local Government Act 1999	section 68(3b)	Apply to SACAT for an order disqualifying member of the council from the office of member under the Local Government Act		council
410108	Local Government Act 1999	section 70(a1)	Publish prescribed details contained in the Register		council
657211	Local Government Act 1999	section 75F(1)	Prepare and adopt behavioural support policies		council
657212	Local Government Act 1999	section 75F(5)	Alter or substitute a behavioural support policy		council
657213	Local Government Act 1999	section 75F(6)	Undertake public consultation before adopting, altering or substituting a behavioural support policy		council
657214	Local Government Act 1999	section 75F(7)(a)	Review the operation of the behavioural support policies and consider whether to adopt additional behavioural support policies		council
657215	Local Government Act 1999	section 75F(7)(b)	Consider whether to adopt behavioural support policies		council
410111	Local Government Act 1999	section 77(1)	Provide reimbursement of prescribed expenses of a member of council		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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410117	Local Government Act 1999	section 80A(1)	Prepare a training and development policy for members		council
657216	Local Government Act 1999	section 80A(2b)	Suspend a member from office of member of the council for failure to comply with the prescribed mandatory requirements		council
657217	Local Government Act 1999	section 80A(2e)	Revoke the suspension if satisfied the member has complied with the prescribed mandatory requirements and give public notice of the revocation		council
657218	Local Government Act 1999	section 80A(2f)	Apply to SACAT for an order disqualifying the member from office of member of the council		council
410118	Local Government Act 1999	section 80A(3)	Alter or substitute a training and development policy for members		council
657219	Local Government Act 1999	section 80B(1)(a)	Suspend a member subject to a relevant interim intervention order from the office of member of the council where person protected by the order is another member		council
657220	Local Government Act 1999	section 80B(3)	Revoke a suspension		council
657221	Local Government Act 1999	section 80B(9)	Apply to SACAT for an order disqualifying the member from the office of member of the council		council
410121	Local Government Act 1999	section 84(3)	Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410123	Local Government Act 1999	section 88(3)	Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting		council
410124	Local Government Act 1999	section 89(1)(b)	Determine procedures to apply to a meeting of a council committee		council
574149	Local Government Act 1999	section 90A(1)	Hold or arrange for the holding of an information or briefing session to which more than 1 member of the council is invited to attend or be involved in for the purposes of providing information or a briefing		council
574150	Local Government Act 1999	section 90A(4)	Order that an information or briefing session be closed to the public		council
574151	Local Government Act 1999	section 90A(5)	If an order under section 90A(4) of the Local Government Act is made, to make a record of the matters specified in section 90A(5)		council
574152	Local Government Act 1999	section 90A(7)	Comply with the requirements of the regulations regarding the publication of prescribed information		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
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	section 92(2)	Review code of practice		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999				
410136	Local Government Act 1999	section 92(3)	Alter or substitute a new code of practice		council
610331	Local Government Act 1999	section 92(5)	Undertake public consultation on proposed code, alterations or substitute code		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
610332	Local Government Act 1999	section 97(6)(b)	Determine a person has appropriate qualifications or experience in human resource management		council
410146	Local Government Act 1999	section 98(3)	Invite applications including by advertising on website and take other action		council
610333	Local Government Act 1999	section 98(3)	Determine website to advertise invitation for applications		council
610334	Local Government Act 1999	section 98(4a)(a)	Appoint at least one person to selection panel not being a member or employee		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
610335	Local Government Act 1999	section 98(7)(b)	Determine a person has appropriate qualifications or experience in human resource management		council
610336	Local Government Act 1999	section 102A(3)(b)	Determine a person has appropriate qualifications or experience in human resource management		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
657222	Local Government Act 1999	section 120A(1)	Prepare and adopt employee behavioural standards		council
657223	Local Government Act 1999	section 120A(4)	Alter or substitute employee behavioural standards		council
657224	Local Government Act 1999	section 120A(5)	Consult with any registered industrial association that represents interests of employees of councils before adopting, altering or substituting employee behavioural standards		council
657225	Local Government Act 1999	section 120A(6)a)	Review the operation of the employee behavioural standards		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
657226	Local Government Act 1999	section 120A(6)(b)	Consider whether to adopt employee behavioural standards		council
410154	Local Government Act 1999	section 122(1)	Develop a strategic management plan		council
410155	Local Government Act 1999	section 122(1a)(a)	Develop a long-term financial plan		council
410156	Local Government Act 1999	section 122(1a)(b)	Develop an infrastructure and asset management plan		council
624233	Local Government Act 1999	section 122(1c)	Provide information relating to long-term financial plan and infrastructure and asset management plan to designated authority		council
624234	Local Government Act 1999	section 122(1e)	Provide to the designated authority all relevant information on the matters specified in this section in accordance with guidelines determined by designated authority		council
624235	Local Government Act 1999	section 122(1h)	Ensure advice provided by designated authority and any response of the Council is published in the Council's annual business plan (draft and adopted) in the relevant financial year and subsequent financial year (until next relevant financial year)		council
624236	Local Government Act 1999	section 122(1j)	Provide to the designated authority within time and in manner specified in notice information the designated authority reasonably requires.		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		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			involved in the development and review of the council's strategic management plans		
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
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
410169	Local Government Act 1999	section 124(1)(a)	Keep accounting records		council
410170	Local Government Act 1999	section 125	Implement and maintain appropriate policies, practices and procedures of internal control		council
410171	Local Government Act 1999	section 127(1)	Prepare financial statements, notes and other statement or documents as required by the regulations		council
410172	Local Government	section	Provide statements to auditor		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	127(3)			
410173	Local Government Act 1999	section 127(4)	Submit a copy of audited statements to persons or bodies prescribed by the regulations		council
410176	Local Government Act 1999	section 128(2)	Appoint an auditor on the recommendation of the council's audit committee		council
410177	Local Government Act 1999	section 128(9)	Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report		council
410178	Local Government Act 1999	section 130A(1)	Request auditor or other suitably qualified person to examine a report on any matter relating to financial management, or the efficient and economy with which the council manages or uses its resources to achieve its objectives		council
410179	Local Government Act 1999	section 131(1)	Prepare annual report		council
410180	Local Government Act 1999	section 131(4)	Provide a copy of the annual report to each council member		council
410181	Local Government Act 1999	section 131(5)	Submit a copy of the annual report to the persons or bodies 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
574153	Local Government Act 1999	section 131A(1)	Provide to the Minister the material specified in Schedule 4 of the Local Government Act and any other information specified by the Minister		council
610337	Local Government Act 1999	section 132(1)(a)	Publish a document referred to in Schedule 5 of the Local Government Act on a website determined by		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			chief executive officer		
610338	Local Government Act 1999	section 132(1)(b)	Provide a printed copy of a document referred to in Schedule 5 of the Local Government Act		council
610339	Local Government Act 1999	section 132(3a)	Publish a document or part of a document on a website determined by the chief executive officer where an order under section 91(7) of the Local Government Act expires or ceases to apply		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 under the Local Government Act or other Acts	\$2,000 - CSO, EACRS, CELO, SD&EC, SVSO, TO, CEVO, CO, SCEMO, EACI, WT&SO, Caretaker, PROPSO, PROCURES, EACCG, HR&WHS, Store \$5,000 - C&MES, TLLO,	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
				RACCC, TLLP, C&YSC, SDRC, TLCE, TLGI, M&CC, C&MC, C&MWS1, C&MWS2, ESC, P&GC, TLC, WTS&RMC, WTS&RMS, WMC, TLFA, TLISERV, HR&RC, TLWORK, TLCS&A, TLEC, SD&RecC, SSO, TLAM, FAC \$10,000 - MLCD, MRACC, MDS, ASM, MESE, MOE, MWR, MGP, MANFIN, MOD, MOI \$100,000 - GMCCG, GMCRS \$250,000 - GMCI	
410193	Local Government Act 1999	section 139(1)	Invest money under the council's control		council
410194	Local Government Act 1999	section 139(5)	Obtain and consider independent and impartial advice regarding the investment of funds		council
410195	Local Government Act 1999	section 140	Review performance of investments at least annually		council
410196	Local Government Act 1999	section 141(1)	Accept a gift		council
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





Local Government Act 1999

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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			land		
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
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	section	Determine the manner and form of an application		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	159(1)	for a rebate of rates		
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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410226	Local Government Act 1999	section 167(1)	Adopt valuations		council
410227	Local Government Act 1999	section 167(6)	Publish a notice of the adoption of valuations in the Gazette		council
410228	Local Government Act 1999	section 168(1)	Request the Valuer-General to value land in the council area		council
410229	Local Government Act 1999	section 168(2)	Furnish information to the Valuer-General requested information		council
410230	Local Government Act 1999	section 168(3)(b)	Enter valuation into the assessment record		council
410231	Local Government Act 1999	section 168(3)(c)	Provide notice to the principal ratepayer in respect of land of the valuation of that land		council
410232	Local Government Act 1999	section 169(3)(b)	Allow an extension of time in which to object to the valuation of land		council
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	section	Participate in a review of a valuation of land by		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	169(15)	South Australian Civil and Administrative Tribunal		
410238	Local Government Act 1999	section 169(16)	Pay the prescribed fee to the Valuer-General		council
410239	Local Government Act 1999	section 170	Publish a notice of the declaration of a rate or service charge in the Gazette and a newspaper circulating in the council area		council
410240	Local Government Act 1999	section 173(5)	Determine a review of the outcome of a request to alter the assessment record		council
410241	Local Government Act 1999	section 173(6)	Provide written notice of decision on review		council
410242	Local Government Act 1999	section 173(7)	Participate in a review of decision of council		council
410243	Local Government Act 1999	section 174(1)	Provide the assessment record for inspection at the principal offices of the council		council
410244	Local Government Act 1999	section 174(2)	Provide for the purchase of an entry in the assessment record		council
410245	Local Government Act 1999	section 178(3)	Recover rates as a debt		council
410246	Local Government Act 1999	section 178(4)	Provide written notice requiring a lessee or licensee of land to pay rent or other consideration to the council under the lease or licence in satisfaction of the liability for rates		council
410247	Local Government Act 1999	section 178(6)	Remit a charge payable under section 178(5) of the Local Government Act in whole or in part		council
410248	Local Government	section	Adopt a valuation of land		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	179(2)			
410249	Local Government Act 1999	section 179(5)	Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land		council
410250	Local Government Act 1999	section 180(1)	Provide a rates notice to the principal ratepayer		council
410251	Local Government Act 1999	section 181(2)	Determine the day on which an instalment of rates falls due		council
410252	Local Government Act 1999	section 181(3)	Adjust the months in which instalments of rates are payable		council
410253	Local Government Act 1999	section 181(4)(b)	Agree with a principal ratepayer the dates on which instalments of rates are payable		council
410254	Local Government Act 1999	section 181(5)	Provide rates notice to principal ratepayer		council
410255	Local Government Act 1999	section 181(7a)	Agree with a principal ratepayer to vary the period for the provision of a rates notice		council
410256	Local Government Act 1999	section 181(9)	Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act		council
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		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			to the payment of separate rates or service rates		
410260	Local Government Act 1999	section 181(15)	Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year		council
410261	Local Government Act 1999	section 182(1)(a)	Postpone payment of rates		council
410262	Local Government Act 1999	section 182(1)(b)	Remit the whole or part payment of rates		council
410263	Local Government Act 1999	section 182(2)(a)	Impose a condition that the ratepayer pay interest on postponed rates		council
410264	Local Government Act 1999	section 182(2)(b)	Impose other conditions on the postponement of rates		council
410265	Local Government Act 1999	section 182(2)(c)	Revoke a postponement of rates		council
410266	Local Government Act 1999	section 182(3)	Postpone the payment of rates		council
410267	Local Government Act 1999	section 182(4)	Grant a remission of rates		council
410268	Local Government Act 1999	section 182(5)	Require a ratepayer to verify an entitlement to the remission of rates		council
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





Local Government Act 1999

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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	184(6)			
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 received in respect of the sale of land under section 184 of the Local Government Act as prescribed in section 184(11)		council
410286	Local Government Act 1999	section 184(12)	Deal with money under the Unclaimed Money Act 1891		council
410287	Local Government Act 1999	section 185(1)	Apply to the Minister who is responsible for the administration of the Crown Lands Act 1929 for an order under section 185 of the Local Government Act		council
410288	Local Government Act 1999	section 186(2)(a)	Repay an amount of overpaid rates		council
410289	Local Government Act 1999	section 186(2)(a)	Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates		council
410290	Local Government	section	Take action to recover an additional amount in		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	186(2)(b)	arrears payable on account of an alteration of the valuation or decision		
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 is held in credit against future liabilities for rates or charges on the land		council
410294	Local Government Act 1999	section 187A(5)(b)	Receive a report from the Ombudsman		council
410295	Local Government Act 1999	section 187B(5)	Receive a report from the Ombudsman		council
410296	Local Government Act 1999	section 187B(6)	Provide a written response to the Ombudsman and complainant		council
410297	Local Government Act 1999	section 187B(7)	Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest		council
410298	Local Government Act 1999	section 188(1)(a)	Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council		council
410299	Local Government Act 1999	section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request		council
410300	Local Government	section	Impose fees and charges for carrying out work at a		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	188(1)(c)	person's request		
410301	Local Government Act 1999	section 188(3)	Provide for: (a) specific fees and charges; (b) maximum fees and charges and minimum fees and charges; (c) annual fees and charges; (d) the imposition of fees or charges according to specified conditions or circumstances; (e) the variation of fees or charges according to specified factors; (f) the reduction, waiver or refund, in whole or in part, of fees or charges.		council
410302	Local Government Act 1999	section 188(5)(b)	Fix, vary or revoke fees and charges for the purposes of section 188(1)(a), 188(1)(b) and 188(1)(c) of the Local Government Act		council
410304	Local Government Act 1999	section 188(7)	Take reasonable steps to bring a variation of a fee or charge to the notice of a person who may be affected		council
410305	Local Government Act 1999	section 190	Agree to acquire land		council
410306	Local Government Act 1999	section 191(1)	Seek the Minister's consent to acquire land compulsorily		council
410307	Local Government Act 1999	section 191(1)	Acquire land compulsorily		council
410308	Local Government Act 1999	section 191(2)	Acquire land compulsorily		council
410309	Local Government	section	Publish a copy of a resolution under section 192(1)		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	192(4)	of the Local Government Act in the Gazette		
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
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	section	Prepare and adopt a management plan for the		Adelaide City





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	196(1a)	Adelaide Park Lands		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
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	Conditions & Limitations	Capacity of Council
410331	Local Government Act 1999	section 202(1)	Grant a lease or licence over community land	PROPSO - Able to grant licence only with duration of 2 years and less	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
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
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	section	Publish a declaration under section 210 of the		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	210(5)	Local Government Act in the Gazette		
410344	Local Government Act 1999	section 210(7)	Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General		council
410345	Local Government Act 1999	section 211(1)(a)	Enter an agreement with the Commissioner of Highways or other authority that has the care, control and management of a highway		council
410346	Local Government Act 1999	section 211(1)(b)	Act in accordance with a notice issued by the Commissioner of Highways		council
410347	Local Government Act 1999	section 212(1)	Carry out roadwork in the council area		council
410348	Local Government Act 1999	section 212(1)	Enter an agreement with another council to carry out roadwork in that other council's area		council
410349	Local Government Act 1999	section 212(2)	Do anything reasonably necessary for, or incidental to, roadwork		council
410350	Local Government Act 1999	section 212(3)(b)	Consult with the Commissioner of Highways		council
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	section	Obtain the agreement of the owner of private land		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	212(3)(d)			
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 land		council
410358	Local Government Act 1999	section 214(2)(a)	Agree the amount of contribution to roadwork with another council		council
410359	Local Government Act 1999	section 214(2)(b)	Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council		council
410360	Local Government Act 1999	section 214(3)	Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations		council
410361	Local Government Act 1999	section 215(2)	Carry out roadwork to allow water from a road to drain into adjoining property		council
410362	Local Government Act 1999	section 215(4)	Give notice to the owner of land in regard to the proposed action to drain water into the land		council
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		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			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		
410365	Local Government Act 1999	section 217(2)(a)	Take action under an order issued under section 217(1) of the Local Government Act if it is not complied with by the owner of the structure or equipment		council
410366	Local Government Act 1999	section 217(2)(a)	Recover the cost of taking action under section 217(2)(a) of the Local Government Act as a debt from the owner of the structure or equipment		council
410367	Local Government Act 1999	section 218(1)	Issue an order requiring the owner of land adjoining a road to carry out specified work to construct, remove or repair a crossing place from the road to the land		council
410368	Local Government Act 1999	section 219(1)	Assign a name to a public or private road, or to a public place, or change the name of a public or private road, or a public place		council
410369	Local Government Act 1999	section 219(1a)	Assign a name to a public road created by land division		council
410370	Local Government Act 1999	section 219(2)(a)	Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council		council
410371	Local Government Act 1999	section 219(2)(b)	Consider any representations of an adjoining council in response to a notice under section 219(2)(a) of the Local Government Act		council
410372	Local Government	section	Notify the Registrar-General, the Surveyor-General		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	219(3)(a)	and the Valuer-General of the assignment of a road name or change of a road name		
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
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	section	Notify the Valuer-General of a decision to adopt,		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	220(4)	alter or substitute of a numbering system		
410383	Local Government Act 1999	section 220(6)	Request the owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the council		council
410384	Local Government Act 1999	section 221(1)	Grant an authorisation to alter a public road		council
410385	Local Government Act 1999	section 222(1)	Grant a permit authorising the use of a public road for business purposes		council
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
574154	Local Government Act 1999	section 224(2)	Comply with any requirements prescribed by the regulations in relation to attaching conditions under section 224(1) of the Local Government Act		council
410391	Local Government Act 1999	section 225(1)	Cancel an authorisation or permit		council
410392	Local Government Act 1999	section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit		council
410393	Local Government Act 1999	section 225(2)(b)	Consider any representation by the holder of an authorisation or permit		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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
410400	Local Government Act 1999	section 231(1)	Keep a register of public roads in the council area		council
410403	Local Government Act 1999	section 232	Plant vegetation on a road		council
410404	Local Government Act 1999	section 232	Authorise the planting of vegetation on a road		council
410405	Local Government Act 1999	section 233(2)	Take action to recover damages from a person who without the council's permission intentionally or negligently damages a road or structure belonging to the councils associated with a road		council
410406	Local Government Act 1999	section 234(1)	Remove and dispose of any structure, object or substance from a road		council
410407	Local Government Act 1999	section 234(2)	Recover the cost of acting under section 234(1) from the person who erected, placed or deposited the structure, object or substance on the road		council
410408	Local Government Act 1999	section 234(3)	Clear a road of wreckage, objects or material on the road as a result of a vehicle accident		council
410409	Local Government Act 1999	section 234(3)	Recover the cost of clearing the road from a driver of a vehicle involved in the accident		council
410410	Local Government Act 1999	section 234A(5)	Erect barricades or other traffic control devices as necessary to give effect to a resolution to exclude vehicles from a road or public place		council
410411	Local Government	section	Give public notice of a resolution under section		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	234A(6)	234A(1) or 234A(2) of the Local Government Act		
410412	Local Government Act 1999	section 236(2)	Apply to the court for an order that a person convicted of the offence under section 236(1) of the Local Government Act pay any costs incurred by the council in removing or disposing of the abandoned vehicle		council
410413	Local Government Act 1999	section 237(4)(a)	Notify the owner of a vehicle of the removal of the vehicle by written notice		council
410414	Local Government Act 1999	section 237(4)(b)	Notify the owner of a vehicle of the removal of the vehicle by public notice published in a newspaper circulating generally within the State		council
410415	Local Government Act 1999	section 237(5)	Sell a vehicle by public auction or public tender		council
410416	Local Government Act 1999	section 237(6)	Dispose of a vehicle		council
410417	Local Government Act 1999	section 237(7)	Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act		council
410418	Local Government Act 1999	section 238(3)	Erect a notice regarding access to or use of a particular piece of land under a council by-law in a prominent place or in the immediate vicinity of the land		council
410419	Local Government Act 1999	section 242(3)	Notify an applicant in writing of a decision or presumptive decision on an application which is subject to section 242 of the Local Government Act		council
410420	Local Government Act 1999	section 242(4)	Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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
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)	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 to the public in accordance with section 132(1)		council
410429	Local Government Act 1999	section 249(2)	Consider submissions made on a proposed by-law		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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
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	section	Order a person to do or refrain from doing a thing		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	255(3)(a)	prescribed in section 254(1) of the Local Government Act		
410444	Local Government Act 1999	section 255(3)(b)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act		council
410445	Local Government Act 1999	section 255(3)(c)	Determine not to proceed to make an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act		council
410446	Local Government Act 1999	section 255(7)	Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act		council
410447	Local Government Act 1999	section 255(8)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land		council
410448	Local Government Act 1999	section 255(11)	Vary an order		council
410449	Local Government Act 1999	section 255(12)	Make an order		council
410450	Local Government Act 1999	section 256(3)	Participate in a review of an order by the South Australian Civil and Administrative Tribunal		council
410451	Local Government Act 1999	section 257(1)	Take action required by an order made under section 255 of the Local Government Act		council
410452	Local Government Act 1999	section 257(2)	Authorise a person to take action under section 257(1) of the Local Government Act		council
410453	Local Government Act 1999	section 257(3)	Recover the costs of taking action under section 257(1) of the Local Government Act		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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 Part 2, 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 259(4)	Amend a policy		council
410461	Local Government Act 1999	section 259(5)	Take steps in section 259(2) and 259(3) prior to amending a policy		council
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	section	Issue an identity card to an authorised person		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	260(3)			
410467	Local Government Act 1999	section 260(5)	Revoke the appointment of an authorised person		council
657227	Local Government Act 1999	section 262A(3)	Deal with a complaint in accordance with the council's behavioural management policy		council
657228	Local Government Act 1999	section 262B(1)	Prepare and adopt a behavioural management policy		council
657229	Local Government Act 1999	section 262B(6)	Alter or substitute a behavioural management policy		council
657230	Local Government Act 1999	section 262B(7)	Review the operation of the behavioural management policy		council
657231	Local Government Act 1999	section 262D	Provide complainant with written reasons for refusal or determination		council
657232	Local Government Act 1999	section 262W(3)(b)(ii)	Provide report to the Panel detailing: <ul style="list-style-type: none"> • member's compliance with the Panel's requirement; or • council's compliance with Panel's requirement 		council
657233	Local Government Act 1999	section 263B(1)(a) and (3)	To act in accordance with a recommendation of the Ombudsman		council
657234	Local Government Act 1999	section 264(1)(a)	Authorise a person in writing for the purposes of this section to lodge a complaint with SACAT		council
410468	Local Government Act 1999	section 270(a1)	Develop and maintain policies, practices and procedures for dealing with requests for the		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			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
610340	Local Government Act 1999	section 270(2a)(b)	Allow an application to be made more than 6 months after the reviewable decision		council
610341	Local Government Act 1999	section 270(3a)	Reduce, waive or refund a fee		council
410470	Local Government Act 1999	section 270(4)	Refuse an application for the review of a decision		council
410472	Local Government Act 1999	section 270(6)	Amend policies, practices and procedures applying under section 270 of the Local Government Act		council
410473	Local Government Act 1999	section 270(8)	Initiate and consider a report for the purpose of section 270(8) of the Local Government Act		council
410474	Local Government Act 1999	section 271(1)	Make provision in a procedure under section 270 of the Local Government Act for disputes between a person and the council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation		council
410475	Local Government Act 1999	section 271(2)	Constitute panels of mediators, conciliators and evaluators		council
410476	Local Government Act 1999	section 271(7)	Pay costs of mediation, conciliation and evaluation		council
410477	Local Government Act 1999	section 271A(1)	Provide requested information to the Minister		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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
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)	Produce 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	section	Notify a lessee or licensee of land to pay the		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	281(1)	council rent or other consideration payable under the lease or licence in satisfaction of the landowner's liability to the council		
410489	Local Government Act 1999	section 281(2)(b)	Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act		council
410490	Local Government Act 1999	section 282(1)	Approve an occupier of land undertaking work		council
410491	Local Government Act 1999	section 294(1a)	Provide notice to an owner or occupier of land		council
410492	Local Government Act 1999	section 294(3)(a)	Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court		council
410493	Local Government Act 1999	section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for damage to any crops on land		council
410494	Local Government Act 1999	section 294(3)(c)(i)	Remedy damage to land caused by the council		council
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(7)	Comply with the relevant requirements of the Mining Act 1971		council
410498	Local Government Act 1999	section 296(1)	Recover the cost or a portion of the costs of works as a debt		council
410499	Local Government	section	Give notice of a valuation to the owner of land		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	296(3)			
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
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	clause 20(5),	Make submissions to the Stormwater Management		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	Schedule 1A	Authority		
410511	Local Government Act 1999	clause 20(6), Schedule 1A	Enter into an agreement with the Stormwater Management Authority for the repayment of costs and expenses of the authority by the council		council
410512	Local Government Act 1999	clause 24(1), Schedule 1A	Take action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under clause 20(a), schedule 1B of the Local Government Act by: (a) entering and occupying any land; (b) constructing, maintaining or removing any infrastructure; (c) excavating any land; (d) inspecting, examining or surveying any land and for that purpose: (i) fixing posts, stakes or other markers on the land; (ii) digging trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and (iii) removing samples for analysis; and (e) altering water table levels, stopping or reducing the flow of water in a watercourse, diverting water flowing in a watercourse to another watercourse or to a lake or controlling the flow of water in any other manner; (f) holding water in a watercourse or lake or by any other means; (g) diverting water to an underground aquifer, disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner; (h) deepening, widening or changing the course of		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
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	The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be sub-delegated by the Chief Executive Officer.	council
410521	Local Government Act 1999	clause 2(4), Schedule 1B	Agree to other parties entering a building upgrade agreement	The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be sub-delegated by the Chief Executive Officer.	council
410522	Local Government Act 1999	clause 4, Schedule 1B	Agree to vary or terminate a building upgrade agreement	The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be sub-delegated by the Chief Executive Officer.	council
410523	Local Government Act 1999	clause 6(1), Schedule 1B	Declare a building upgrade charge	The power to declare and	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
				levy a building upgrade charge under a building upgrade agreement may not, despite Section 44(4)(b) of the Local Government Act 1999, be sub-delegated by the Chief Executive Officer.	
410524	Local Government Act 1999	clause 6(2), Schedule 4B	Provide written notice of the declaration of a building upgrade charge	The power to declare and levy a building upgrade charge under a building upgrade agreement may not, despite Section 44(4)(b) of the Local Government Act 1999, be sub-delegated by the Chief Executive Officer.	council
410525	Local Government Act 1999	clause 6(4), Schedule 1B	Give notice of each payment of a building upgrade charge	The power to declare and levy a building upgrade charge under a building upgrade agreement may not, despite Section 44(4)(b) of the Local Government Act 1999, be sub-delegated by the Chief Executive Officer.	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





Local Government Act 1999

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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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(5)(a), Schedule 2	Furnish a copy of an amended charter for a subsidiary to the Minister		council
410543	Local Government Act 1999	clause 3(5)(b), Schedule 2	Publish a copy of an amended charter for a subsidiary on a website determined by the chief executive officer		council
410544	Local Government Act 1999	clause 3(5)(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		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			incompatibility between offices held concurrently		
410549	Local Government Act 1999	clause 5(9), Schedule 2	Act on advice of a board of management that the subsidiary owes a duty of confidence in regard to a matter		council
410550	Local Government Act 1999	clause 5(12), Schedule 2	Direct the board of management as to procedures		council
410551	Local Government Act 1999	clause 8(1), Schedule 2	Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan		council
410552	Local Government Act 1999	clause 8(4), Schedule 2	Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan		council
410553	Local Government Act 1999	clause 8(5), 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	Conditions & Limitations	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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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
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(4), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in an		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			annual review of the subsidiary's business plan		
410580	Local Government Act 1999	clause 24(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on the amendment of the subsidiary's business plan		council
410581	Local Government Act 1999	clause 25(2)(d), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a budget must be adopted by the subsidiary		council
410582	Local Government Act 1999	clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary		council
410583	Local Government Act 1999	clause 25(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on incurring spending prior to the adoption of a budget		council
410584	Local Government Act 1999	clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary		council
410585	Local Government Act 1999	clause 27(1), Schedule 2	Request the subsidiary to furnish information or records in the possession or control of the subsidiary to the council		council
410586	Local Government Act 1999	clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential		council
410587	Local Government Act 1999	clause 28(1), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a subsidiary must furnish to the constituent councils report on the work and operations of the subsidiary		council
410588	Local Government Act 1999	clause 28(3), Schedule 2	Incorporate a report under clause 28(1), Schedule 2 of the Local Government Act in the annual report		council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			of the council		
410589	Local Government Act 1999	clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee		council
410590	Local Government Act 1999	clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary		council
410591	Local Government Act 1999	clause 2(1), Schedule 6	Deliver a notice to the Registrar-General for the purpose of registering a charge over land		council
410592	Local Government Act 1999	clause 3(1)(b), Schedule 6	Exercise the powers of a mortgagee given by the Real Property Act 1886 under a mortgage in respect of which default has been made in payment of money secured by the mortgage		council
410593	Local Government Act 1999	clause 4(1), Schedule 6	Provide notice to the Registrar-General that the amount a charge relates to has been repaid and apply for the discharge of the charge		council





Local Government (Building Upgrade Agreements) Regulations 2017

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





Local Government (Financial Management) Regulations 2011

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





Local Government (General) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
610757	Local Government (General) Regulations 2013	regulation 8AB	Publish information listed in regulation 8AB of the Local Government (General) Regulations on a website determined by the chief executive officer as soon as practicable after the holding of an information or briefing session		council
410016	Local Government (General) Regulations 2013	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees		council





Local Government (Members Allowances and Benefits) Regulations 2010

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





Local Government (Procedures at Meetings) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410018	Local Government (Procedures at Meetings) Regulations 2013	regulation 6(3)	Review the operation of a code of practice under regulation 6 of the Local Government (Procedures at Meetings) Regulations		council





Local Government (Elections) Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
409982	Local Government (Elections) Act 1999	section 4(2)(d)	Fix a day for a poll		council
409983	Local Government (Elections) Act 1999	section 8(1)	Appoint a person or persons to the office or officer not filled by a supplementary election which has wholly or partially failed or been declared void		council
610803	Local Government (Elections) Act 1999	section 8(1a)	Appoint a person or persons to the office or officer that remain unfilled where not all vacancies are filled		council
409984	Local Government (Elections) Act 1999	section 9(1)	Hold a poll		council
409985	Local Government (Elections) Act 1999	section 9(3)	Fix a day as polling day for a poll by notice published on the council website		council
409986	Local Government (Elections) Act 1999	section 9(4)	Fix a day as the day on which the voters roll for the purposes of the poll closes		council
409987	Local Government (Elections) Act 1999	section 10(3)	Nominate a person as a deputy returning officer of the council area		council
409988	Local Government (Elections) Act 1999	section 10(9)	Participate in consultation with the Electoral Commissioner regarding the proposed removal of a deputy returning officer nominated by the council		council
409989	Local Government (Elections) Act 1999	section 12(b)	Provide information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area, and to advise its local community about the outcome of elections		council





Local Government (Elections) Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			and polls conducted in its area		
409990	Local Government (Elections) Act 1999	section 13A(2)(a)	Inform potential electors in the council area of the requirements to be enrolled on the voters roll		council
409991	Local Government (Elections) Act 1999	section 13A(2)(b)	Arrange advertising Informing potential electors in the council area of the requirements to be enrolled on the voters roll		council
409992	Local Government (Elections) Act 1999	section 15(14)	Provide copies of the voters roll for the council area for inspection at the principal office of the council		council
409993	Local Government (Elections) Act 1999	section 15(15)	Provide a copy of the voters roll to a nominated candidate for the election		council
409994	Local Government (Elections) Act 1999	section 55(1)	Participate in consultation with the returning officer regarding the use of a computer program to carry out steps involved in the recording, scrutiny or counting of votes in an election or poll		council
409995	Local Government (Elections) Act 1999	section 70(3)	Contest a petition to the Court by lodging a reply		council
409996	Local Government (Elections) Act 1999	section 75(1)(a)	Participate in proceedings as a party pursuant to an order of the Court		council
409997	Local Government (Elections) Act 1999	section 75(1)(b)	Apply to intervene in proceedings		council
409998	Local Government (Elections) Act 1999	section 75(3)	Intervene in proceedings in the manner and to the extent directed by the Court and on such other conditions as the court		council





Local Government (Elections) Act 1999

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			directs		
409999	Local Government (Elections) Act 1999	section 76	Engage counsel to represent the council in proceedings		council
410000	Local Government (Elections) Act 1999	section 77	Apply to the court to refer a question of law to the Court of Appeal		council
410001	Local Government (Elections) Act 1999	section 91A(1)	Prepare and adopt a caretaker policy		council
410002	Local Government (Elections) Act 1999	section 91A(3)	Apply in writing for an exemption from the prohibition against making a designated decision during an election period		council





Local Government (Forestry Reserves) Act 1944

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





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410594	Local Nuisance and Litter Control Act 2016	section 7(2)(a)	Take action to manage local nuisance and littering within the council area		council
410595	Local Nuisance and Litter Control Act 2016	section 7(2)(b)	Cooperate with any other person or body in the administration of the Act		council
410596	Local Nuisance and Litter Control Act 2016	section 7(2)(c)	Provide, or support the provision of, educational information within the council areas to help detect, prevent and manage local nuisance and littering		council
410597	Local Nuisance and Litter Control Act 2016	section 8	Include in the council's annual report details of the performance of the council during the year of functions conferred on it under the Act		council
410598	Local Nuisance and Litter Control Act 2016	section 12(3)	Appoint authorised officers		council
410599	Local Nuisance and Litter Control Act 2016	section 12(4)(a)	Determine conditions to apply to the appointment of authorised officers		council
410600	Local Nuisance and Litter Control Act 2016	section 12(6)	Revoke the appointment of an authorised officer		council
410601	Local Nuisance and Litter Control Act 2016	section 12(6)	Vary or revoke a condition applying to the appointment of an authorised officer or impose a further condition		council
410602	Local Nuisance and Litter Control Act 2016	section 13(2)	Issue an identity card to an authorised officer		council
410603	Local Nuisance and Litter Control Act 2016	section 15(a)	Agree in writing that an authorised officer appointed by another council may exercise powers under the Act in the council area		council
410604	Local Nuisance and	section 16(1)(a)	Hold a substance, material or thing seized		council





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Litter Control Act 2016		under Division 3, Part 3 of the Act pending proceedings		
410605	Local Nuisance and Litter Control Act 2016	section 16(1)(a)	Authorise the release of a substance, material or thing seized under Division 3, Part 3 of the Act		council
410606	Local Nuisance and Litter Control Act 2016	section 16(1)(d)	Receive a substance, material or thing forfeited pursuant to a court order		council
410607	Local Nuisance and Litter Control Act 2016	section 16(1)(e)(i)	Request the person entitled to recover a substance, material or thing to collect the substance, material or thing		council
410608	Local Nuisance and Litter Control Act 2016	section 16(1)(e)(ii)	Make reasonable attempts to locate the person entitled to recover a substance, material or thing to collect the substance, material or thing		council
410609	Local Nuisance and Litter Control Act 2016	section 16(1)(f)	Dispose of any substance, material or things forfeited to the council under section 16		council
410610	Local Nuisance and Litter Control Act 2016	section 19(1)	Declare a person to be exempt from the application of section 18		council
410611	Local Nuisance and Litter Control Act 2016	section 19(2)	Receive an application for an exemption under section 19		council
410612	Local Nuisance and Litter Control Act 2016	section 19(2)(b)	Specify any information the council requires to be provided with an application under section 19		council
410613	Local Nuisance and Litter Control Act 2016	section 19(4)	Determine conditions to apply to a declaration under section 19		council
410614	Local Nuisance and	section 19(5)	Vary or revoke a declaration under section		council





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Litter Control Act 2016		19		
410615	Local Nuisance and Litter Control Act 2016	section 19(6)	Specify a date of expiry in a declaration under section 19		council
410616	Local Nuisance and Litter Control Act 2016	section 19(7)	Publish a declaration under section 19 or any variations to a declaration on a website determined by the council		council
410617	Local Nuisance and Litter Control Act 2016	section 22(3)(a)(i)	Provide a bin or other receptacle for litter of a particular kind		council
410618	Local Nuisance and Litter Control Act 2016	section 22(3)(a)(ii)	Approve or authorise the disposal of litter in a manner other than in a bin or receptacle provided by the council		council
410619	Local Nuisance and Litter Control Act 2016	section 25(1)	Receive a citizen's notification from a person who reasonably suspects another person has committed an offence under Division 2, Part 4 of the Act		council
410620	Local Nuisance and Litter Control Act 2016	section 26(3)	Issue a notice to the owner of a vehicle for an alleged offence		council
410621	Local Nuisance and Litter Control Act 2016	section 29	Notify the Environment Protection Authority of a belief that an offence committed under section 18 of section 22 has, or may have, resulted in material environmental harm or serious environmental harm		council
410622	Local Nuisance and Litter Control Act 2016	section 30(1)(a)	Issue a nuisance abatement notice		council
410623	Local Nuisance and Litter Control Act 2016	section 30(1)(b)	Issue a litter abatement notice		council
410624	Local Nuisance and	section 30(7)	Issue and serve a notice confirming an		council





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Litter Control Act 2016		emergency notice		
410625	Local Nuisance and Litter Control Act 2016	section 30(8)	Vary or revoke a notice issued under section 30		council
410626	Local Nuisance and Litter Control Act 2016	section 31(1)	Take action required by a nuisance abatement notice or a litter abatement notice if the requirements of the notice has not been fulfilled		council
410627	Local Nuisance and Litter Control Act 2016	section 31(2)	Authorise a person to take action on behalf of the council if the requirements of a nuisance abatement notice or a litter abatement notice have not been fulfilled		council
410628	Local Nuisance and Litter Control Act 2016	section 31(3)(a)	Issue an instrument of authority to a person other than an authorised officer taking action on behalf of the council under section 31(1)		council
410629	Local Nuisance and Litter Control Act 2016	section 31(5)	Recover the reasonable costs and expenses incurred in taking action under section 31		council
410630	Local Nuisance and Litter Control Act 2016	section 31(6)	Fix a period within which an amount under section 31(5) must be paid to the council		council
410631	Local Nuisance and Litter Control Act 2016	section 32(4)	Participate as a party to any proceedings under section 32		council
410632	Local Nuisance and Litter Control Act 2016	section 33(6)(a)	Make an application to the Environment, Resources and Development Court for an order under section 33(1)		council
410633	Local Nuisance and Litter Control Act 2016	section 33(8)(a)	Serve a copy of an application under section 33 on the Minister		council





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410634	Local Nuisance and Litter Control Act 2016	section 33(9)(b)	Apply to the Environment, Resources and Development Court to join proceedings for an order under section 33(1) commenced by another person		council
410635	Local Nuisance and Litter Control Act 2016	section 33(14)	Apply to the Environment, Resources and Development Court for an interim order under section 33		council
410636	Local Nuisance and Litter Control Act 2016	section 33(19)	Apply to the Environment, Resources and Development Court to vary or revoke an order under section 33		council
410637	Local Nuisance and Litter Control Act 2016	section 34(1)	Agree with a person who the council is satisfied has contravened the Act a civil penalty in respect of the contravention		council
410638	Local Nuisance and Litter Control Act 2016	section 34(1)	Apply to the Environment, Resources and Development Court for an order for a civil penalty in respect of a contravention of the Act		council
410639	Local Nuisance and Litter Control Act 2016	section 34(3)(a)	Serve a notice on a person who the council is satisfied has contravened the Act advising the person that they may elect to be prosecuted for the contravention		council
410640	Local Nuisance and Litter Control Act 2016	section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration		council
410641	Local Nuisance and Litter Control Act 2016	section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration		council





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410642	Local Nuisance and Litter Control Act 2016	section 43(1)(d)	Commence proceedings for an offence against the Act		council
410643	Local Nuisance and Litter Control Act 2016	section 48(1)	Serve notice on a person who has contravened the Act requiring the person to pay the reasonable costs of the council taking prescribed action under the Act		council
410644	Local Nuisance and Litter Control Act 2016	section 48(3)(a)	Extend the time for payment of an amount payable under a notice under section 48(1)		council
410645	Local Nuisance and Litter Control Act 2016	section 48(3)(b)	Waive or reduce payment of an amount payable under a notice under section 48(1)		council
410646	Local Nuisance and Litter Control Act 2016	section 48(6)	Recover an amount payable under a notice under section 48(1) which is unpaid as a debt		council
410647	Local Nuisance and Litter Control Act 2016	section 50(4)	Execute a certificate regarding the appointment or non-appointment of a person as an authorised officer; a delegation or authority under the Act; a notice, requirement or direction of the council; any other decision of the council; receipt or non-receipt of a notification, report or information		council
410648	Local Nuisance and Litter Control Act 2016	section 50(5)	Execute a certificate detailing costs and expenses and the purpose for which they were incurred for the purposes of proceedings to recover the reasonable costs of the council		council
410649	Local Nuisance and Litter Control Act 2016	section 51(9)	Participate in consultation with the Minister in regard to proposed regulations		council





Local Nuisance and Litter Control Regulations 2017

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





Local Nuisance and Litter Control Regulations 2017

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410659	Local Nuisance and Litter Control Regulations 2017	regulation 16	Waive or refund a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations		council
410660	Local Nuisance and Litter Control Regulations 2017	regulation 17	Recover a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations		council





Mining Act 1971

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





Mining Regulations 2020

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





Ombudsman Act 1972

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
574496	Ombudsman Act 1972	section 12D(1)	Comply with directions and guidelines prepared by Ombudsman governing reporting or misconduct or maladministration in public administration		public authority
574497	Ombudsman Act 1972	section 12D(3)	Report to the Ombudsman any matter the council reasonably suspects involves misconduct or maladministration in public administration		public authority
574498	Ombudsman Act 1972	section 12H(1)(b)	Act on a referral from the Ombudsman		public authority
574499	Ombudsman Act 1972	section 12H(2)(a)	Produce a specified document or a document relating to a specified matter		public authority
574500	Ombudsman Act 1972	section 12H(2)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration		public authority
574501	Ombudsman Act 1972	section 18(4)	To comment on the subject matter of a report		public authority
410662	Ombudsman Act 1972	section 19A(1)	Comply with a notice of the Ombudsman		agency
410663	Ombudsman Act 1972	section 19A(5)	Advise the Ombudsman that the council's failure to comply with a notice is reasonable and justifiable		agency
574502	Ombudsman Act 1972	section 25(2)	Act in accordance with a recommendation of the Ombudsman		public authority
410664	Ombudsman Act 1972	section 28	Apply to the Supreme Court for a determination regarding the Ombudsman's jurisdiction		agency
574503	Ombudsman Act 1972	section 28A(1)	Comply with directions of the Ombudsman		public authority





Ombudsman Act 1972

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
574504	Ombudsman Act 1972	section 28A(2)	Comply with varied or further directions of the Ombudsman		public authority
574505	Ombudsman Act 1972	section 28A(3)	Provide comments to the Ombudsman		public authority
574506	Ombudsman Act 1972	section 29(8)	Act on a referral of the inspector		public authority
574507	Ombudsman Act 1972	section 31(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty or disciplinary investigation or action		Agency/ prosecution authority





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312115	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s7(5)(b)	3. Environment and Food Production Areas – Greater Adelaide 3.1 The power pursuant to Section 7(5)(b) of the the PDI Act, in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.	
312116	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s22(4)(a)(i)	4. Functions 4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.	
312117	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(1)(a)	5. Planning Agreements 5.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.	
312118	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 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:	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and	
312119	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	<p>5. Planning Agreements</p> <p>5.2 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>5.2.2 the constitution of a joint planning board including, in relation to such a board:</p> <p>5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and</p> <p>5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and</p> <p>5.2.2.3 the procedures to be followed with respect to the appointment of members; and</p> <p>5.2.2.4 the terms of office of members; and</p> <p>5.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and</p> <p>5.2.2.6 the appointment of deputy members; and</p> <p>5.2.2.7 the procedures of the board; and</p>	
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	s35(3)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	a Council; a Designated Authority; a Designated Entity (Instrument A)		agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.3 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)	5. Planning Agreements 5.2 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: 5.2.4 the staffing and other support issues associated with the operations of the joint planning board; and	
312122	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 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: 5.2.5 financial and resource issues associated with the operations of the joint planning board, including: 5.2.5.1 the formulation and implementation of budgets; and 5.2.5.2 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	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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)	5. Planning Agreements 5.2 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: 5.2.6 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)	5. Planning Agreements 5.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).	
312125	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(5)(b)	5. Planning Agreements 5.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.	
312127	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(6)(a)	7. Community Engagement Charter 7.1 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).	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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)	7. Community Engagement Charter 7.2 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)	7. Community Engagement Charter 7.3 The power pursuant to Section 44(10) of the PDI Act to: 7.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and 7.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.	
312130	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s45(2)(c)	8. Preparation and Amendment of Charter 8.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.	
312132	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(6)	9. Preparation and Amendment 9.2 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: 9.2.1 to prepare a draft of the relevant proposal; and	Item 6.1.1 - CEO only Item 6.1.2 - 6.1.7 - CEO, GMCRS, GMCCG





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			<p>9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and</p> <p>9.2.3 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>9.2.4 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>9.2.4.1 an owner or occupier of the land; and</p> <p>9.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and</p> <p>9.2.5 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>9.2.6 to carry out such investigations and obtain such information specified by the Commission; and</p> <p>9.2.7 to comply with any requirement prescribed by the regulations.</p>	
312134	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,	s73(8)	<p>9. Preparation and Amendment</p> <p>9.4 The power pursuant to Section 73(8) of</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.	
312135	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(9)	9. Preparation and Amendment 9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).	
312136	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s74(8)(c)	10. Parliamentary Scrutiny 10.1 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)	11. Complying Changes – Planning and Design Code 11.2 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	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	12. Entities Constituting Relevant Authorities 12.1 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)	13. Panels Established by Joint Planning Boards or Councils 13.1 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: 13.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess; 13.1.2 determine: 13.1.2.1 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 13.1.2.2 the procedures to be followed with respect to the appointment of members; and 13.1.2.3 the terms of office of members;	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			and 13.1.2.4 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 13.1.2.5 the appointment of deputy members; and 13.1.2.6 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)	13. Panels Established by Joint Planning Boards or Councils 13.2 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.	
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)	13. Panels Established by Joint Planning Boards or Councils 13.3 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	s83(2)	13. Panels Established by Joint Planning Boards or Councils 13.4 The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied	





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

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	a Council; a Designated Authority; a Designated Entity (Instrument A)		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)	15. Substitution of Local Panels 15.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.	
312145	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s89(b)	16. Notification of Acting 16.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.	
622791	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s94(1)(g)	17. Relevant Authority - Commission 17.1 The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development.	
312147	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and	s102(1)(c)(iv)	18. Matters Against which Development Must be Assessed 18.1 The power pursuant to Section	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		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.	
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)	18. Matters Against which Development Must be Assessed 18.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.	
312149	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(11)(b)	18. Matters Against which Development Must be Assessed 18.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.	
312150	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(2)(b)	19. Restricted Development 19.1 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,	s110(c)(ii)	19. Restricted Development	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		19.2 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)	19. Restricted Development 19.3 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 a Council; a Designated Authority; a Designated Entity (Instrument A)	s112(b)	20. Level of Detail 20.1 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.	
622792	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s113(5)(a)(iii)	21. EIS Process 21.1 The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and report within the time prescribed by the regulations on an EIS referred to the Council by the Minister.	
622793	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s114(2)(b)	22. Amendment of EIS 22.1 The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister.	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	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)	23. Essential Infrastructure – Alternative Assessment Process 23.1 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)	23. Essential Infrastructure – Alternative Assessment Process 23.2 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)	24. Development Assessment – Crown Development 24.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.	
312159	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s131(15)	24. Development Assessment – Crown Development 24.2 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	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	25. Land Division Certificate 25.1 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)	25. Land Division Certificate 25.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.	
312162	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(1)	26. Action if Development Not Completed 26.1 The power pursuant to Section 141(1) of the PDI Act, if: 26.1.1 an approval is granted under the PDI Act; but 26.1.2 - 26.1.2.1 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 26.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	26. Action if Development Not Completed 26.1.3 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)	26. Action if Development Not Completed 26.1.4 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: 26.1.4.1 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.	
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)	27. Completion of Work 27.1 The power pursuant to Section 142(1) of the PDI Act, if: 27.1.1 an approval is granted under the PDI Act; but 27.1.2 the development to which the approval relates has been substantially but not fully	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	27. Completion of Work 27.2 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)	27. Completion of Work 27.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.	
312168	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(4)	27. Completion of Work 27.4 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: 27.4.1 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,	s146(3)	28. Notification During Building	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		28.1 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)	29. Classification of Buildings 29.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.	
312171	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s151(3)	29. Classification of Buildings 29.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.	
312172	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(2)	30. Certificates of Occupancy 30.1 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,	s152(3)(a)	30. Certificates of Occupancy 30.2 The power pursuant to Section 152(3)(a)	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.	
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)	30. Certificates of Occupancy 30.3 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)	30. Certificates of Occupancy 30.4 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)	30. Certificates of Occupancy 30.5 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of: 30.5.1 the refusal; and 30.5.2 the reasons for the refusal; and 30.5.3 the applicant's right of appeal under the PDI Act.	





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312178	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(12)	30. Certificates of Occupancy 30.6 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)	30. Certificates of Occupancy 30.7 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)	31. Temporary Occupation 31.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.	
312181	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(2)	31. Temporary Occupation 31.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.	
312182	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s153(3)	31. Temporary Occupation 31.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of:	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	a Council; a Designated Authority; a Designated Entity (Instrument A)		31.3.1 the refusal; and 31.3.2 the reasons for the refusal; and 31.3.3 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)	32. Emergency Orders 32.1 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)	32. Emergency Orders 32.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.	
312185	Instrument of Delegation under the Planning, Development and Infrastructure Act 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)	32. Emergency Orders 32.3 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	s157(16)	33. Fire Safety 33.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it	





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

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	Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		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)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.1 appoint to the appropriate authority: 33.2.1.1 a person who holds prescribed qualifications in building surveying; and 33.2.1.2 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 33.2.1.3 a person with expertise in the area of fire safety; and 33.2.1.4 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)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.2 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	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.3 remove a member of the appropriate	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	a Council; a Designated Authority; a Designated Entity (Instrument A)		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)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.4 appoint deputy members;	
312191	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.5 determine the appropriate authority's procedures (including as to quorum).	
622794	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s163(3)(b)	34. Initiation of Scheme 34.1 The power pursuant to Section 163(3)(b) of the PDI Act to request the Minister initiate a proposal to proceed under Section 163 of the PDI Act.	
622795	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s163(10)	34. Initiation of Scheme 34.2 The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline.	
622796	Instrument of Delegation under the Planning,	s164(3)	35. Initiation of Scheme	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		35.1 The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act.	
622797	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s164(12)	35. Initiation of Scheme 35.2 The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline.	
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)	36. Consideration of Proposed Scheme 36.1 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.	
622798	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s167(7)	37. Adoption of Scheme 37.1 The power pursuant to Section 167(7) of the PDI Act to make submissions to the Minister in relation to a variation to an outline of a scheme.	
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)	38. Funding Arrangements 38.1 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	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Designated Entity (Instrument A)		matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.	
312199	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s169(9)	38. Funding Arrangements 38.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.	
622799	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s177(4)	39. Contributions by Constituent Councils 39.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.	
622800	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s177(5)	39. Contributions by Constituent Councils 39.2 The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to determine shares under Sections 177(2) and (3) of the PDI Act.	
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	s180(7)	40. Imposition of Charge by Councils 40.1 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	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Designated Entity (Instrument A)		are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.	
312203	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(1)	41. Authorised Works 41.1 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.	GMCRS & GMCCG only authorised if CEO & GMCI incapacitated
312204	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(5)	41. Authorised Works 41.2 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: 41.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and 41.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and 41.2.3 ensure that proper consideration is given to the views of the road maintenance authority.	GMCRS & GMCCG only authorised if CEO & GMCI incapacitated
312205	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a	s187(5)(b)	41. Authorised Works 41.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.	GMCRS & GMCCG only authorised if CEO & GMCI incapacitated





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Designated Entity (Instrument A)			
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)	41. Authorised Works 41.4 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.	GMCRS & GMCCG only authorised if CEO & GMCI incapacitated
312207	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(1)	42. Entry onto Land 42.1 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: 42.1.1 enter and pass over any land; and 42.1.2 bring onto any land any vehicles, plant or equipment; and 42.1.3 temporarily occupy land; and 42.1.4 do anything else reasonably required in connection with the exercise of the power.	GMCRS & GMCCG only authorised if CEO & GMCI incapacitated
312208	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(4)	42. Entry onto Land 42.2 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.	GMCRS & GMCCG only authorised if CEO & GMCI incapacitated
622801	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and	s189(1)	43. Acquisition of Land 43.1 The power pursuant to Section 189(1) of the PDI Act, to:	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		43.1.1 seek the consent of the Minister to acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969; and 43.1.2 with the consent of the Minister, acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969.	
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)	44. Land Management Agreements 44.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.	
312211	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(2)	44. Land Management Agreements 44.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.	
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)	44. Land Management Agreements 44.3 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: 44.3.1 the provisions of the Planning and Design	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			Code and to any relevant development authorisation under the PDI Act; and 44.3.2 the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.	
312213	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(5)	44. Land Management Agreements 44.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.	
312214	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(8)	44. Land Management Agreements 44.5 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)	44. Land Management Agreements 44.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312216	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(10)	44. Land Management Agreements 44.7 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)	44. Land Management Agreements 44.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.	
312218	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(12)	44. Land Management Agreements 44.9 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)	44. Land Management Agreements 44.10 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,	s192(16)	44. Land Management Agreements	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		44.11 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.	
622802	Instrument of Delegation under the Planning, Development and Infrastructure Act 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(17)	44. Land Management Agreements 44.12 The power pursuant to Section 192(17) of the PDI Act to seek the Minister's consent to providing in an agreement under Section 192 of the PDI Act entered into by the Council for the remission of rates or taxes payable to the Crown.	
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 a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(17)	44. Land Management Agreements 44.13 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 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)	44. Land Management Agreements 44.14 The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act.	
312224	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a	s193(1)	45. Land Management Agreements – Development Applications 45.1 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	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Designated Entity (Instrument A)		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: 45.1.1 the person; and 45.1.2 any other person who has the benefit of the development authorisation; and 45.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).	
312225	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(2)	45. Land Management Agreements – Development Applications 45.2 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)	45. Land Management Agreements – Development Applications 45.3 The power pursuant to Section 193(3) of the PDI Act to have regard to: 45.3.1 the provisions of the Planning and Design Code; and 45.3.2 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	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	45. Land Management Agreements – Development Applications 45.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.	
312228	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(10)	45. Land Management Agreements – Development Applications 45.5 The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.	
312229	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(11)	45. Land Management Agreements – Development Applications 45.6 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)	45. Land Management Agreements – Development Applications 45.7 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	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	45. Land Management Agreements – Development Applications 45.8 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.	
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)	45. Land Management Agreements – Development Applications 45.9 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.	
622803	Instrument of Delegation under the Planning, Development and Infrastructure Act 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(1)(b)	46. Off-setting Contributions 46.1 The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act.	
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	s197(2)	46. Off-setting Contributions 46.2 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	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	a Council; a Designated Authority; a Designated Entity (Instrument A)		<p>facilitate:</p> <p>46.2.1 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>46.2.2 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>46.2.3 any other initiative or policy:</p> <p>46.2.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;</p> <p>46.2.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.</p>	
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)	<p>46. Off-setting Contributions</p> <p>46.3 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act:</p> <p>46.3.1 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):</p> <p>46.3.1.1 to make a contribution to a fund established as part of the scheme; or</p> <p>46.3.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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 46.3.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and 46.3.3 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)	46. Off-setting Contributions 46.4 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.	
312237	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(4)(c)	46. Off-setting Contributions 46.5 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.	
622804	Instrument of Delegation under the Planning, Development and Infrastructure Act 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(7)	46. Off-setting Contributions 46.6.1 seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and 46.6.2 to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister.	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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>47. Open Space Contribution Scheme</p> <p>47.1 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>47.1.1 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>47.1.2 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>47.1.3 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, 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>	
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)	<p>47. Open Space Contribution Scheme</p> <p>47.2 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.</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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)	47. Open Space Contribution Scheme 47.3 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)	47. Open Space Contribution Scheme 47.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.	
312243	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(12)	47. Open Space Contribution Scheme 47.5 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.	
622805	Instrument of Delegation under the Planning, Development and Infrastructure Act 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(1)	48. Urban Trees Fund 48.1 The power pursuant to Section 200(1) of the PDI Act to, 48.1.1 seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and 48.1.2 to, with the approval of the Minister establish a fund (an urban trees fund) for an area designed by the delegate (a designated area).	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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)	48. Urban Trees Fund 48.2 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)	48. Urban Trees Fund 48.3 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)	48. Urban Trees Fund 48.4 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.	
312248	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(6)	48. Urban Trees Fund 48.5 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund: 48.5.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or 48.5.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			trees under the PDI Act.	
312249	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(7)	48. Urban Trees Fund 48.6 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).	
312250	Instrument of Delegation under the Planning, Development and Infrastructure Act 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)	49. Appointment of Authorised Officers 49.1 The power pursuant to Section 210(1) of the PDI Act to: 49.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and 49.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.	
312251	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(2)	49. Appointment of Authorised Officers 49.2 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,	s210(3)	49. Appointment of Authorised Officers 49.3 The power pursuant to Section 210(3) of	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		the PDI Act to issue each authorised officer an identity card: 49.3.1 containing a photograph of the authorised officer; and 49.3.2 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)	49. Appointment of Authorised Officers 49.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.	
312254	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(1)	50. Enforcement Notices 50.1 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: 50.1.1 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; 50.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate; 50.1.3 take such urgent action as is required because of any situation resulting from the breach	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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)	50. Enforcement Notices 50.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.	
312256	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(5)	50. Enforcement Notices 50.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.	
312257	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(6)	50. Enforcement Notices 50.4 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)	50. Enforcement Notices 50.5 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,	s214(1)	51. Applications to Court	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		51.1 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, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(2)	51. Applications to Court 51.2 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)	51. Applications to Court 51.3 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)	51. Applications to Court 51.4 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	s214(9)	51. Applications to Court 51.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		made and be heard in proceedings based on the application.	
312264	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(10)	51. Applications to Court 51.6 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)	51. Applications to Court 51.7 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)	51. Applications to Court 51.8 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)	51. Applications to Court 51.9 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	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	a Council; a Designated Authority; a Designated Entity (Instrument A)		the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	
312268	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(17)	51. Applications to Court 51.10 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)	52. Proceedings for Offences 52.1 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)	53. Adverse Publicity Orders 53.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.	
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)	53. Adverse Publicity Orders 53.2 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: 53.2.1 take the PDI Action or actions specified in	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			the order; and 53.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.	
312272	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(5)	53. Adverse Publicity Orders 53.3 The power pursuant to Section 223(5) of the PDI Act, if: 53.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and 53.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order, to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.	
312273	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(6)	53. Adverse Publicity Orders 53.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.	
312274	Instrument of Delegation under the Planning,	s225(1)	54. Civil Penalties	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		54.1 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)	54. Civil Penalties 54.2 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)	54. Civil Penalties 54.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.	
312277	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(13)	54. Civil Penalties 54.4 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	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Designated Entity (Instrument A)		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)	54. Civil Penalties 54.5 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)	55. Make Good Order 55.1 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)	56. Recovery of Economic Benefit 56.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.	
312281	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(1)	57. Enforceable Voluntary Undertakings 57.1 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.	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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)	57. Enforceable Voluntary Undertakings 57.2 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)	57. Enforceable Voluntary Undertakings 57.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to: 57.3.1 vary the undertaking; or 57.3.2 withdraw the undertaking.	
312284	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(11)	57. Enforceable Voluntary Undertakings 57.4 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)	57. Enforceable Voluntary Undertakings 57.5 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	s230(14)	57. Enforceable Voluntary Undertakings 57.6 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	





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	a Council; a Designated Authority; a Designated Entity (Instrument A)		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)	<p>58. Advertisements</p> <p>58.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding:</p> <p>58.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or</p> <p>58.1.2 is contrary to the character desired for a locality under the Planning and Design Code, to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).</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>58. Advertisements</p> <p>58.2 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</p>	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served.	
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)	59. Professional Advice to be Obtained in Relation to Certain Matters 59.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	
312290	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s235(2)	59. Professional Advice to be Obtained in Relation to Certain Matters 59.2 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)	60. Charges on Land 60.1 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,	s239(6)	60. Charges on Land 60.2 The power pursuant to Section 239(6) of	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.	
312293	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s240(1)	61. Registering Authorities to Note Transfer 61.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.	
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	62. Reporting 62.1 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.	
622806	Instrument of Delegation under the Planning, Development and Infrastructure Act 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(3)	63. Review of Performance 63.1 The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.	





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622807	Instrument of Delegation under the Planning, Development and Infrastructure Act 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(14)	63. Review of Performance 63.2 The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based.	
622808	Instrument of Delegation under the Planning, Development and Infrastructure Act 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(15)	63. Review of Performance 63.3 The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, to make submissions to the Minister in relation to the directions of the Minister.	
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	63. Review of Performance 63.4 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.	
622809	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl9(6)(a)	64. Planning and Design Code 64.1 The power pursuant to Clause 9(6)(a) of Schedule 8 of the PDI Act to apply to the Minister for approval to commence the process under Section 25 of the repealed Act.	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
622810	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl30(3)	65. General Schemes 65.1 The power pursuant to Clause 30(3) of Schedule 8 of the PDI Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the PDI Act in relation to a scheme.	
385341	Planning, Development and Infrastructure (General) Regulations 2017	r11B(1)	67. Mutual Liability Scheme – Rights of Indemnity 67.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to: 67.1.1 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 67.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.	
385342	Planning, Development and Infrastructure (General) Regulations 2017	r11B(5)	67. Mutual Liability Scheme – Rights of Indemnity 67.2 The power pursuant to Regulation 11B(5) of the General Regulations to:	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			67.2.1 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 67.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.	
385343	Planning, Development and Infrastructure (General) Regulations 2017	r47(4)(d)	68. Performance Assessed Development and Restricted Development 68.1 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)	69. Underground Main Areas 69.1 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	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			the relevant electricity authority in relation to the matter.	
312307	Planning, Development and Infrastructure (General) Regulations 2017	r78(2)	69. Underground Main Areas 69.2 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)	70. Width of Roads and Thoroughfares 70.1 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)	70. Width of Roads and Thoroughfares 70.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.	
312310	Planning, Development and Infrastructure (General) Regulations 2017	r81(6)	70. Width of Roads and Thoroughfares 70.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	71. Road Widening 71.1 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)	72. Requirement as to Forming of Roads 72.1 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)	72. Requirement as to Forming of Roads 72.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.	
312314	Planning, Development and Infrastructure (General) Regulations 2017	r83(4)	72. Requirement as to Forming of Roads 72.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	72. Requirement as to Forming of Roads 72.4 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)	72. Requirement as to Forming of Roads 72.5 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)	73. Construction of Roads, Bridges, Drains and Services 73.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.	
312318	Planning, Development and Infrastructure (General) Regulations 2017	r85(1)	74. Supplementary Provisions 74.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	74. Supplementary Provisions 74.2 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)	74. Supplementary Provisions 74.3 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.	
312321	Planning, Development and Infrastructure (General) Regulations 2017	r89(1)	75. General Provisions 75.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			for the purposes of Section 138(1) of the PDI Act.	
312322	Planning, Development and Infrastructure (General) Regulations 2017	r89(3)	75. General Provisions 75.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which: 75.2.1 evidences the consent of the Council to an encroachment by a building over other land; and 75.2.2 sets out: 75.2.2.1 the date on which any relevant building was erected (if known); and 75.2.2.2 the postal address of the site.	
312323	Planning, Development and Infrastructure (General) Regulations 2017	r89(6)(b)	75. General Provisions 75.3 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.	
573564	Planning, Development and Infrastructure (General) Regulations 2017	r89(8)	75. General Provisions 75.4 The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension of the period prescribed by Regulation 89(7).	
312324	Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(b)	76. Notifications During Building Work 76.1 The power pursuant to Regulation	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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)	76. Notifications During Building Work 76.2 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)	77. Essential Safety Provisions 77.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if: 77.1.1 the essential safety provisions were installed 77.1.1.1 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 77.1.1.2 as part of a performance solution under the Building Code; or 77.1.2 the building has been the subject of a	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			notice under Section 157 of the PDI Act.	
312327	Planning, Development and Infrastructure (General) Regulations 2017	r102(3)	78. Classification of Buildings 78.1 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: 78.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.	
312328	Planning, Development and Infrastructure (General) Regulations 2017	r102(4)	78. Classification of Buildings 78.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.	
312329	Planning, Development and Infrastructure (General) Regulations 2017	r102(5)	78. Classification of Buildings 78.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the	





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			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).	
312330	Planning, Development and Infrastructure (General) Regulations 2017	r102(6)	78. Classification of Buildings 78.4 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: 78.4.1 the maximum number of persons who may occupy the building (or part of the building); and 78.4.2 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.	
609751	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(1)	79. Required Documentation 79.1 The power pursuant to Regulation 103A(1) of the General Regulations to, in relation to an application for the issuing of a certificate of occupancy relating to a Class 1b to 9 (inclusive) building under the Building Code, require the following documentation: 79.1.1 if the development has been approved subject to conditions, such evidence as the	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			<p>delegate may reasonably require to show that the conditions have been satisfied;</p> <p>79.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such further evidence as the delegate may reasonably require to show –</p> <p>79.1.2.1 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>79.1.2.2 in any other case – that the building is suitable for occupation.</p>	
609752	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(2)	<p>79. Required Documentation</p> <p>79.2 The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 July 2022 of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation:</p> <p>79.2.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,</p>	
609753	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(3)	<p>79. Required Documentation</p> <p>79.3 The power pursuant to Regulation 103A(3) of the General Regulations to, other than</p>	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			in relation to a designated building on which building work involving the use of a designated building product is carried out after 1 January 2024, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if – 79.3.1 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 79.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.	
609754	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103C(1)(c)	80. Statement of site suitability 80.1 The power pursuant to Regulation 103C(1)(c) of the General Regulations, in relation to a building on a site to which Schedule 8 clause 2A of the General Regulations applies and upon which remediation on the site is necessary, to not grant a certificate of occupancy until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.	
609755	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(1)	81. Report from fire authority 81.1 The power pursuant to Regulation 103D(1) of the General Regulations, if –	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			81.1.1 a building is – 81.1.1.1 to be equipped with a booster assembly for use by a fire authority; or 81.1.1.2 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 81.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, 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.	
609756	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(2)	81. Report from fire authority 81.2 The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is not received within 15 business days, to presume that the fire authority does not desire to make a report.	
609757	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(3)	81. Report from fire authority 81.3 The power pursuant to Regulation 103D(3) of the General Regulations to have regard to any report received from a fire authority under subregulation (1) before it issues a certificate of occupancy.	
609758	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103E(1)(b)	82. Issue of certificate of occupancy 82.1 The power pursuant to Regulation	





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			103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building work will be inspected by an authorised officer.	
609759	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103E(3)(c)	82. Issue of certificate of occupancy 82.2 The power pursuant to Regulation 103E(3)(c) of the General Regulations, in respect of a Class 1a building, to determine not to inspect the building work.	
609760	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103F	83. Revocation 83.1 The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy – 83.1.1 if – 83.1.1.1 there is a change in the use of the building; or 83.1.1.2 the classification of the building changes; or 83.1.1.3 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 83.1.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment, 83.1.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken,	





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			on the building, or because of some other circumstance; or 83.1.3 if the 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); or 83.1.4 if the delegate considers – 83.1.4.1 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 83.1.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.	
312340	Planning, Development and Infrastructure (General) Regulations 2017	r109(1)(b)	84. Mining Production Tenements 84.1 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)	85. Register of Land Management Agreements (Section 193) 85.1 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.	





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312342	Planning, Development and Infrastructure (General) Regulations 2017	r111(3)	85. Register of Land Management Agreements (Section 193) 85.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.	
312343	Planning, Development and Infrastructure (General) Regulations 2017	r112(1)	86. Authorised Officers and Inspections 86.1 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: 86.1.1 who is an accredited professional who is: 86.1.1.1 an Accredited professional - building level 1; or 86.1.1.2 an Accredited professional - building level 2; or 86.1.1.3 an Accredited professional - building level 3; or 86.1.1.4 an Accredited professional - building level 4; or 86.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or 86.1.3 who holds an approval from the Chief Executive.	





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622811	Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017	r8(1)(c)	66. Adoption of DPAs 66.1 The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.	
312302	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	87. Calculation of Assessment of Fees 87.1 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): 87.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and 87.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).	
312303	Planning, Development and Infrastructure	r5(2)	87. Calculation of Assessment of Fees	





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	(Fees, Charges and Contributions) Regulations 2019		87.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.	
312304	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(3)	87. Calculation or Assessment of Fees 87.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations.	
312305	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	88. Waiver or Refund of Fee 88.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so: 88.1.1 waive the payment of the fee, or the payment of part of the fee; or 88.1.2 refund the whole or a part of the fee.	
385345	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl5(1)	89. Requirements in Relation to Preparing an Engagement Plan 89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare an engagement plan that: 89.1.1 meets the principles and performance	





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			<p>outcomes of the Charter;</p> <p>89.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:</p> <p>89.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act</p> <p>89.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;</p> <p>89.1.2.3 who must be consulted with under the Charter;</p> <p>89.1.3 outlines any relevant previous engagement undertaken to inform the proposal;</p> <p>89.1.4 describes the evaluation framework for the engagement.</p>	
385346	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl5(2)	<p>89. Requirements in Relation to Preparing an Engagement Plan</p> <p>89.2 The power pursuant to clause 5(2) of PD2 to submit all engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan to the Commission for approval prior to commencement of formal engagement on the proposal.</p>	
622812	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(1)	<p>90. Preparation of an Engagement Report (Following Consultation)</p> <p>90.1 The power pursuant to clause 6(1) of PD2, at the completion of engagement on a draft of a proposal to prepare or amend a designated</p>	





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			instrument to provide an engagement report to the Minister.	
385348	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(2)	<p>90. Preparation of an Engagement Report (Following Consultation)</p> <p>90.1 The power pursuant to clause 6(2) of PD2 to set out in an engagement report:</p> <p>90.1.1 details of the engagement undertaken and how that engagement met the engagement plan, and reasons for variations, if any to the engagement plan;</p> <p>90.1.2 the outcome of the engagement including a summary of the written submission or feedback made;</p> <p>90.1.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes which specifically indicates:</p> <p>90.1.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and</p> <p>90.1.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.</p>	
385350	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(1)	<p>91. Initiating a Code Amendment</p> <p>91.1 The power pursuant to clauses 7(1) and (2) of PD2 to lodge a Proposal to initiate with the Department via the SA Planning Portal that sets</p>	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			<p>out:</p> <p>91.1.1 Code Policy – an outline of:</p> <p>91.1.1.1 any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or</p> <p>91.1.1.2 the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;</p> <p>91.1.2 Affected Area</p> <p>91.1.2.1 a map or description of the Affected Area;</p> <p>91.1.3 State Planning Policies</p> <p>91.1.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies;</p> <p>91.1.4 Regional Plan</p> <p>91.1.4.1 Identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan;</p> <p>91.1.5 Consultation -</p> <p>91.1.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment;</p> <p>91.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;</p> <p>91.1.6 Investigations -</p>	





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			<p>91.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment</p> <p>91.1.6.2 an outline of the further investigations that will be undertaken to support the proposed Code Amendment;</p> <p>91.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided;</p> <p>91.1.6.4 details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment</p> <p>91.1.7 Timetable</p> <p>91.1.7.1 identification of a consultation start date;</p> <p>91.1.7.2 an outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is completed within reasonable time limits), and a commitment from the Proponent (where it is also the Designated Entity) that it will take steps to update the timetable and seek approval from the Department if it appears that timeframes will not be met.</p>	
622814	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(1) and (3)	<p>91. Initiating a Code Amendment</p> <p>91.2 The power pursuant to clauses 7(1) and (3) of PD2 to lodge the SA Planning Portal</p>	





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			Publication Instructions – for Initiation that sets out: 91.2.1 identification of a consultation start date, consistent with the Proposal to Initiate timetable; 91.2.2 an outline of the consultation approach including period of consultation, key audience and consultation methods (noting the Commission may also recommend specific conditions); and 91.2.3 a summary of the Code Amendment in plain English.	
385351	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(4)	91.3 Initiating a Code Amendment The power pursuant to clause 7(4) of PD2, in addition to a Code Amendment which is intended to designate a place as a place of local heritage value, to provide a report which: 91.3.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes: 91.3.1.1 all relevant property details and descriptions (including images); 91.3.1.2 historical background and thematic analysis; 91.3.1.3 a statement of heritage value; 91.3.1.4 an assessment against the Local Heritage Criteria; and 91.3.1.5 the extent of listing (including any exclusions); 91.3.2 includes an analysis of historic themes of importance to the area; 91.3.3 is prepared by a heritage architect, historian or person with similar qualifications,	





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			skills or experience; and 91.3.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.	
502519	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl 7(5)	91. Initiating a Code Amendment 91.4 The power pursuant to clause 7(5) of PD2 in relation to a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), to provide a report which: 91.4.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary) 91.4.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria; 91.4.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.	
385352	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(1)	92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation) 92.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to: 92.1.1 carry out investigations and obtain such information: 92.1.1.1 as provided in the Proposal to Initiate	





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			<p>approved by the Minister; 92.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and 92.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act; 92.1.2 provide the Department with: 92.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and 92.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment; 92.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction; 92.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and 92.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the</p>	





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			purpose of the Department publishing the engagement plan on the SA Planning Portal.	
385353	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(2)	92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation) 92.2 The power pursuant to clause 8(2) of PD2, where an engagement plan is amended during any period of consultation or at any time prior to finalisation of the engagement report under the Practice Directions, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal	
385354	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl9(1)	93. Requirements For a Draft Code Amendment 93.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information: 93.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment) 93.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area; 93.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Policies, the Regional Plan and any other relevant strategic plans;	





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			93.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and 93.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.	
385355	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl11(1)	94. Complying Changes to the Code 94.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change to the Code under Section 75 of the PDI Act, to provide the following information to the Department: 94.1.1 description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment; 94.1.2 a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan, including a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment; 94.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the	





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			proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and 94.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment	
385356	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl12(1)	95. Early Commencement of a Code Amendment 95.1 The power pursuant to clause 12(1) of PD2, in relation to a request for early commencement of a Code Amendment under Section 78 of the PDI Act to provide to the Department: 95.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is: 95.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and 95.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment; 95.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and	





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			95.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment	
622813	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(3)	90. Preparation of an Engagement Report (Following Consultation) 90.3 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: 90.3.1 the principles of the Charter have been achieved; and 90.3.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).	
385357	State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl6(3)(b)	96. Responsibility to Undertake Notification 96.1 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.	
385358	State Planning Commission Practice Direction (Council Inspections) 2020	cl2(2)	97. Mandatory Inspections 97.1 The power pursuant to clause 2(2) of Part 2	





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			of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection: 97.1.1 primary structural elements; 97.1.2 structural framing and roof trusses; 97.1.3 wet areas and waterproofing; 97.1.4 barriers to prevent falls; 97.1.5 cladding; 97.1.6 egress provisions; 97.1.7 bushfire protection systems; 97.1.8 passive and active fire safety elements; 97.1.9 private bushfire shelters; and 97.1.10 performance solutions.	
385359	State Planning Commission Practice Direction (Council Inspections) 2020	cl3(2)	98. Additional Inspections 98.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.	
385360	State Planning Commission Practice Direction (Council Inspections) 2020	cl4(3)	99. Inspections Generally 99.1 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.	





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ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
385361	State Planning Commission Practice Direction (Council Inspections) 2020	cl1(2)	100. General Requirements 100.1 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)	101. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building 101.1 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.	
503614	Urban Tree Canopy Off-set Scheme	cl 9	83. Use of Money from Fund 83.1 The power pursuant to clause 9 of the Urban Tree Canopy Off-set Scheme (UTCOS) to use money distributed from the fund for any of the following purposes (and for no other purpose): 83.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or 83.1.2 the purchase of land within a designated local government area to ensure: 83.1.2.1 the preservation of trees; or 83.1.2.2 that trees can be established in an area	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			with a low urban tree canopy level or a demonstrated urban tree canopy loss.	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312344	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s7(5)(a)	<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 Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	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 regulations, if appropriate, grant the</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(2)(a)	4. Building Consent 4.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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>	
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</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			Building Code or a Ministerial building standard.	
312354	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(6)	4. Building Consent 4.5 The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.	
312355	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(7)	4. Building Consent 4.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.	
312356	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(8)	4. Building Consent 4.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that: 4.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or 4.7.2 such compliance is certified by a building certifier.	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312357	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(10)	4. Building Consent 4.8 The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification	
312358	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(11)	4. Building Consent 4.9 The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document): 4.9.1 the variance; and 4.9.2 the grounds on which the decision is being made.	
312359	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(1)(b)	5. Application and Provision of Information 5.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.	
312360	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(3)	5. Application and Provision of Information 5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant: 5.2.1 to provide such additional documents, assessments or information (including calculations	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			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 Relevant Authority (Instrument B);	s119(6)(b)	5. Application and Provision of Information 5.3 The power pursuant to Section 119(6)(b) of the PDI Act if a request is made under Section 119(3) of the PDI Act and the request is not complied with within the time specified by the Regulations, subject to Section 119(6)(b)(ii), to refuse the application.	
388522	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(7)	5. Application and Provision of Information 5.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.	
312362	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.1 permit an applicant: 5.5.1.1 to vary an application; 5.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312363	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;	
312364	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);	
312365	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	
312366	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,	s119(10)	5. Application and Provision of Information 5.6 The power pursuant to Section 119(10) of	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	
312367	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(12)	5. Application and Provision of Information 5.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	
312368	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(14)	5. Application and Provision of Information 5.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.	
312369	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s120(1)	6. Outline Consent 6.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.	
312370	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s120(3)	6. Outline Consent 6.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to: 6.2.1 grant any consent contemplated by the outline consent; and 6.2.2 not impose a requirement that is inconsistent with the outline consent.	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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)	<p>7. Referrals to Other Authorities or Agencies</p> <p>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:</p> <p>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</p> <p>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.</p>	
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)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:</p> <p>7.2.1 to refuse the application; or</p> <p>7.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body) where the regulations so provide.</p>	
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	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</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Relevant Authority (Instrument B);		refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.	
312374	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s122(10)	7. Referrals to Other Authorities or Agencies 7.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.	
312375	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s124(1)	8. Proposed Development Involving Creation of Fortifications 8.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).	
312376	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s124(5)	8. Proposed Development Involving Creation of Fortifications 8.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to: 8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application; 8.2.2 in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortification.	
312377	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,	s124(6)	8. Proposed Development Involving Creation of Fortifications	





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

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





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312381	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s127(1)	10. Conditions 10.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.	
312382	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s127(2)(c)	10. Conditions 10.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.	
312383	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s128(2)(d)	11. Variation of Authorisation 11.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.	
312384	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s133(3)	12. Saving Provisions 12.1 The power pursuant to Section 133(3) of the PDI Act to, in order to avoid or reduce hardship, extend the limitation period referred to in Section 133(2) of the PDI Act.	
312385	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(1)	13. Requirement to Up-grade 13.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition.	
312386	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,	s134(1)	13. Requirement to Up-grade 13.2 The power pursuant to Section 134(1) of the	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		PDI Act, if: 13.2.1.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or 13.2.1.2 a change of classification of a building; and 13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition, to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.	
312387	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(2)	13. Requirement to Up-grade 13.3 The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.	
312388	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(3)	13. Requirement to Up-grade 13.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act: 13.4.1 subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and 13.4.2 in cases prescribed by the regulations - as a	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed	
312389	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(4)	<p>13. Requirement to Up-grade</p> <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, 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>	





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

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





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		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.	
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 B – Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312397	Planning, Development and Infrastructure (General) Regulations 2017	r25(7)(c)	18. Accredited Professionals 18.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations.	
312398	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.1 determine the nature of the development; and	
312399	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			<p>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 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</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			assess the application (or any part of the application); 19.1.4.1 check that the appropriate documents and information have been lodged with the application; and 19.1.4.2 confirm the prescribed fees required to be paid at that point ; and 19.1.4.3 provide an appropriate notice via the SA planning portal; and	
312402	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application): 19.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and 19.1.5.2 provide an appropriate notice via the SA planning portal.	
312403	Planning, Development and Infrastructure (General) Regulations 2017	r35(3)	20. Amended Applications 20.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.	
312404	Planning, Development and Infrastructure (General) Regulations 2017	r35(4)	20. Amended Applications 20.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.	
312405	Planning, Development and Infrastructure (General) Regulations 2017	r38(1)	21. Withdrawing/Lapsing Applications 21.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify: 21.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and 21.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.	
484389	Planning, Development and Infrastructure (General) Regulations 2017	r38(2)	21. Withdrawing/Lapsing Applications 21.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			authority.	
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>	
312408	Planning, Development and Infrastructure (General) Regulations 2017	r42(1)	<p>23. Additional Information or Amended Plans</p> <p>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.</p>	
312409	Planning, Development and Infrastructure	r45(1)	24. Building Matters	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	(General) Regulations 2017		<p>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:</p> <p>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</p> <p>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</p> <p>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.</p>	
312410	Planning, Development and Infrastructure (General) Regulations 2017	r45(2)	<p>24. Building Matters</p> <p>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.</p>	
312411	Planning, Development and Infrastructure (General) Regulations 2017	r45(3)	<p>24. Building Matters</p> <p>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</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			Regulation 45 of the General Regulations.	
312412	Planning, Development and Infrastructure (General) Regulations 2017	r45(4)	<p>24. Building Matters</p> <p>24.4 The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority:</p> <p>24.4.1 recommends against the granting of building consent; or</p> <p>24.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate:</p> <p>24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or</p> <p>24.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent, to:</p> <p>24.4.5 refer the application to the Commission; and</p> <p>24.4.6 not grant consent unless the Commission concurs in the granting of the consent.</p>	
312413	Planning, Development and Infrastructure (General) Regulations 2017	r45(5)	<p>24. Building Matters</p> <p>24.5 The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.</p>	
312414	Planning, Development and Infrastructure	r57(4)(a)	25. Notice of Decision (Section 126(1))	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	(General) Regulations 2017		25.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.	
312415	Planning, Development and Infrastructure (General) Regulations 2017	r60	26. Consideration of Other Development Authorisations 26.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.	
312416	Planning, Development and Infrastructure (General) Regulations 2017	r61(4)(c)	27. Certificate of Independent Technical Expert in Certain Cases 27.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.	
312417	Planning, Development and Infrastructure (General) Regulations 2017	r63(1)	28. Urgent Work 28.1 The power pursuant to Regulation 63(1) of the General Regulations to, 28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			General Regulations; and 28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.	
312418	Planning, Development and Infrastructure (General) Regulations 2017	r63(2)	28. Urgent Work 28.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	
312419	Planning, Development and Infrastructure (General) Regulations 2017	r63(3)	28. Urgent Work 28.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	
312420	Planning, Development and Infrastructure (General) Regulations 2017	r65(1)(a)	29. Variation of Authorisation (Section 128) 29.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.	
484390	Planning, Development and Infrastructure (General) Regulations 2017	r99(4)	30. Construction Industry Training Fund 30.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the building rules the delegate is yet to be satisfied that the appropriate	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			levy has been paid under the Construction Industry Training Fund Act 1993 or is not payable, to notify the applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.	
484391	Planning, Development and Infrastructure (General) Regulations 2017	r99(5)	30. Construction Industry Training Fund 30.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification has been given under Regulation 99(4) of the General Regulations and if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification to, if the delegate thinks fit, determine that the application has lapsed.	
312421	Planning, Development and Infrastructure (General) Regulations 2017	cl4(3) sch8	31. Plans for Building Work 31.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building if: 31.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or 31.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building, to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.	
312422	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	<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 a prescribed fee; and</p> <p>32.1.2 to make any other determination for the purposes of the Fees Regulations a related set of regulations or a fee notice (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 a prescribed fee on the basis of estimates made by the delegate.</p>	
312424	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	5(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</p>	





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.	
312425	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	<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>	ASM, MDS, SBO, SPO sub-delegated to 31.1.2 - refund the whole or a part of the fee only





Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017

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





Private Parking Areas Act 1986

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





Public Assemblies Act 1972

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





Real Property Act 1886

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





Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410679	Road Traffic Act 1961	section 17(1)	Install, maintain, alter or operate, or cause to be installed, maintained, altered or operated, a traffic control device on, above or near a road		road authority
410680	Road Traffic Act 1961	section 17(2)	Remove a traffic control device or cause a traffic control device to be removed		road authority
410681	Road Traffic Act 1961	section 17(3)	Install, display, alter, operate or remove traffic control device: (a) in relation to an area where persons are engaged in work or an area affected by works in progress; (b) in relation to a part of a road temporarily closed to traffic under this or any other Act; or (c) for any temporary purposes.		road authority
410682	Road Traffic Act 1961	section 17(5)	Apply to the Minister for approval to take action under section 17 of the Road Traffic Act		road authority
410683	Road Traffic Act 1961	section 18(5)	Comply with a direction of the Minister to install, maintain, alter, operate or remove a traffic control device on, above or near a road		road authority
410684	Road Traffic Act 1961	section 18(6)	Carry out a direction with which a road authority has failed to comply at the direction of the Minister		council
410685	Road Traffic Act 1961	section 18(7)	Recover as a debt from a defaulting road authority any expenses incurred in carrying out a direction under section 18(6)		council
410686	Road Traffic Act 1961	section 19(6)	Maintain a traffic control device for which the council is liable to bear the costs in good order		council
410687	Road Traffic Act 1961	section 19A(3)	Recover any amount due under a requirement under section 19A as a debt		road authority





Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410688	Road Traffic Act 1961	section 20(3)	Place speed limit signs on road		public authority
410689	Road Traffic Act 1961	section 20(4)(b)	Place speed limit signs on road		public authority
410690	Road Traffic Act 1961	section 20(5)	Close road pursuant to a permit		public authority
410691	Road Traffic Act 1961	section 20(6)	Apply to the Minister for a road works permit		public authority
410692	Road Traffic Act 1961	section 20(9)	Apply to the Minister for an extension of time		public authority
410693	Road Traffic Act 1961	section 20(13)	Engagement of a contractor to undertake works on behalf of the public authority		public authority
410694	Road Traffic Act 1961	section 20A(1)	Appeal a decision of the Minister under section 17 or section 20 to the District Court		public authority
410695	Road Traffic Act 1961	section 20A(2)	Request the Minister to provide reasons in writing for a decision under section 17 or section 20		public authority
410696	Road Traffic Act 1961	section 21(2)	Certify that there was not proper authority for the installation or display of a specified sign, signal, marking, structure or other device or thing as a traffic control device on, above or near a specified part of a road		road authority
410697	Road Traffic Act 1961	section 21(3)	Comply with conditions of approval under section 17 or a permit under section 20		road authority
410698	Road Traffic Act 1961	section 31(2)	Remove any false traffic control device or any device, structure or thing that might constitute a hazard to traffic.		road authority
410699	Road Traffic Act 1961	section 32(1)	Cause a notice of a proposal to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be:		public authority





Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			(a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council; (b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal; (c) if the road is a prescribed road, to be given to each affected council; and (e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.		
410700	Road Traffic Act 1961	section 32(2)	Consider written submissions made		public authority
410701	Road Traffic Act 1961	section 32(6)	Cause a notice of a decision to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be: (a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council; (b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal; (c) if the road is a prescribed road, to be given to each affected council; and (e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.		public authority
410702	Road Traffic Act 1961	section 33(2)	Consent to the closure of a road for an event		council
410703	Road Traffic Act 1961	section 40P(3)	Offer a vehicle for sale by public auction		council
410704	Road Traffic Act 1961	section	Dispose of a vehicle as the council thinks fit		council





Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
		40P(4)			
410705	Road Traffic Act 1961	section 40P(6)	Make reasonable enquiries to locate the owner of a vehicle		council
410706	Road Traffic Act 1961	section 86(a)	Determine that a ticket must be obtained for parking in a length of road or area without the payment of a fee		council
410707	Road Traffic Act 1961	section 86(a)	Vary or revoke a determination under section 86(a)		council
410708	Road Traffic Act 1961	section 163ZC(2)	Apply for a compensation order		road authority
410709	Road Traffic Act 1961	section 163ZD(2)(c)	Certify that the road authority maintains a road		road authority
410710	Road Traffic Act 1961	section 163ZD(2)(c)	Certify other matters including: (a) estimating the monetary value of all or any part of the road infrastructure or of the damage to it; (b) estimating the cost of remedying the damage; or (c) estimating the extent of the offender's contribution to the damage		road authority
410711	Road Traffic Act 1961	section 163ZE(1)	Serve a certificate referred to in section 163ZD on the defendant		road authority
410712	Road Traffic Act 1961	section 163ZH(1)(b)	Repay payments under an order to the extent that the order is void		road authority
410713	Road Traffic Act 1961	section 174A(4)	Issue notice inviting the owner of a vehicle issued with an expiation notice or expiation reminder notice under the Expiation of Offences Act 1996 to provide a statutory declaration setting out the		council





Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			name and address of the driver or the details of the transfer of the vehicle		
410714	Road Traffic Act 1961	section 174C(1)	Exempt a person or a person of a specified class or any vehicle or any vehicle of a specified class from compliance within the council areas with a prescribed provision of the Road Traffic Act		council
410715	Road Traffic Act 1961	section 174C(2)	Specify conditions to apply to the granting of an exemption under section 174C(1)		council





Road Traffic (Miscellaneous) Regulations 2014

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410669	Road Traffic (Miscellaneous) Regulations 2014	regulation 6(2)	Participate in consultation with respect to an event management plan		council
410670	Road Traffic (Miscellaneous) Regulations 2014	regulation 7(3)	Participate in consultation with respect to an order to close a road		council
410671	Road Traffic (Miscellaneous) Regulations 2014	regulation 8	Provide information supplied by the Minister for the inspection of the public at the office of the council until the event causing a road closure has occurred		council
410672	Road Traffic (Miscellaneous) Regulations 2014	regulation 66	Designate an area for parking		council





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

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





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

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410678	Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014	regulation 22(2)	Vary a fee determined under regulation 22(2)		council
658193	Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014	regulation 22(2)(b)	Determine the electronic method of payment		council





Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
514143	Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure	sections 17(1) and 17(2)	A. Traffic control devices Install, maintain, alter, operate or remove, or cause to be installed, maintained, altered, operated or removed, any traffic control device on, above or near a road which is under the care, control and management of the Council (except those traffic control devices specified in clause A.8 of the General Approval or dealt with in other clauses of the General Approval)	Council, Barbara Cernovskis, Chris Habets, Abdullah Mahmud, Karl Manarangi, Andrew Thompson	As set out in clause A of the General Approval
514144	Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure	section 20(2)	B. Speed limits at works on roads Place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards a work area or a work site where workers are engaged, or works are in progress at the direction of the Council	Council, Barbara Cernovskis, Chris Habets, Abdullah Mahmud, Karl Manarangi, Andrew Thompson, Dallas Humphries, Shane Hill	As set out in clause B of the General Approval
514145	Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure	section 17(3)	C. Traffic control devices at works on roads Install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the Road Traffic Act 1961 or any other Act	Council, Barbara Cernovskis, Daryl Stuart Ferguson, Chris Habets, Xarnia Keding, Abdullah Mahmud, Karl Manarangi, Andrew Thompson, Michael Smith	As set out in clause C of the General Approval
514146	Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road	section 17(3)	D. Temporary parking controls Install, display, alter, operate or remove a traffic control device for the purposes	Council, Barbara Cernovskis, Daryl Stuart Ferguson,	As set out in clause D of the General Approval





Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure		of imposing, varying or abolishing a parking control on a temporary basis on a road which is under the care, control and management of the Council	Chris Habets, Derek Ferguson, Xarnia Keding, Abdullah Mahmud, Karl Manarangi, Andrew Thompson, Michael Smith, Michelle Abramovic	
514147	Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure	section 17	F. Grant approval to another road authority Specifically approve the installation, maintenance, alteration, operation or removal of a traffic control device in the Council area by a road authority on, above or near a road under the care, control and management of the road authority	Council, Barbara Cernovskis, Abdullah Mahmud	As set out in clause F of the General Approval

Signature

Sarah PHILPOTT
Chief Executive Officer

21 June 2023
Date





Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
514148	Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure	s33(1)	<p>2. Pursuant to the General Approval, the Council sub-delegates to the Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing:</p> <p>(a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose of the event) be closed to traffic for a specified period; and</p> <p>(b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the following provisions of the Australian Road Rules:</p> <p>(i) rule 221: using hazard warning lights;</p> <p>(ii) rule 230: crossing a road –</p>	CEO	<p>3. The delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval and the following conditions:</p> <p>(a) the sub-delegate must ensure that the delegated powers are exercised in accordance with relevant legislative requirements and relevant policies and guidelines adopted by the Council; and</p>





Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>general;</p> <p>(iii) rule 231 crossing a road at pedestrian lights;</p> <p>(iv) rule 232: crossing a road at traffic lights;</p> <p>(v) rule 234: crossing a road on or near a crossing for pedestrians;</p> <p>(vi) rule 237: getting on or into a moving vehicle (provided that the speed of the vehicle does not exceed 5 km/h);</p> <p>(vii) rule 238: pedestrians travelling along a road (except in or on a wheeled recreational device or toy);</p> <p>(viii) rule 250: riding on a footpath or shared path;</p> <p>(ix) rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(x) rule 265: wearing of seat belts by passengers 16 years old</p>		





Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>or older (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(xi) rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(xii) rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h)</p> <p>(xiii) rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and</p> <p>(xiv) rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).</p>		





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	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 enquiry 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 enquiry		relevant authority
410722	Roads (Opening and Closing) Act 1991	section 10(2)	Deposit a copy of the notice at the Adelaide office of the Surveyor-General		relevant authority
410723	Roads (Opening and Closing) Act 1991	section 11(a)(ii)	Lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council		council





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of 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 13(3)	Receiving an objection or application in respect of a proposed road process		relevant authority
410730	Roads (Opening and Closing) Act 1991	section 14(1)	Notify a person who has made an objection or application in relation to a proposed road process of the time and place at which the relevant authority will meet to consider all such objections and applications		relevant authority
410731	Roads (Opening and Closing) Act 1991	section 15(1)	Determine whether or not to make a road process order		relevant authority
410732	Roads (Opening and Closing) Act 1991	section 15(3)	Give notice of a decision that no road process order is to be made to the		relevant authority





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			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		
410733	Roads (Opening and Closing) Act 1991	section 17	Make one or more of the orders listed in section 17 as part of a road process order dealing with land the subject of a road closure		relevant authority
410734	Roads (Opening and Closing) Act 1991	section 18(1)	Make an order as part of a road process order for the granting of an easement over land subject to the road closure		relevant authority
410735	Roads (Opening and Closing) Act 1991	section 19(a)	Give notice of the making of a road process order to any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3		relevant authority
410736	Roads (Opening and Closing) Act 1991	section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road will be opened		relevant authority
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		relevant authority





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			all meetings held by the authority in relation to the proposed road process certified by the chief executive officer of the council		
410739	Roads (Opening and Closing) Act 1991	section 20(1)	Deposit at the Adelaide Office of the Surveyor-General prescribed documents after making a road process order and any fee prescribed by regulation		council
410740	Roads (Opening and Closing) Act 1991	section 20(3)	Give notice of the lapsing of a road process to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened		council
410741	Roads (Opening and Closing) Act 1991	section 22(1)	Request that the Surveyor-General amend a road process order to correct an error or deficiency prior to confirmation of the order by the Minister		relevant authority
410742	Roads (Opening and Closing) Act 1991	section 22(1)	Participate in consultation with the Surveyor-General regarding the amendment of a road process order to correct an error or deficiency prior to confirmation of the order by the Minister		relevant authority
410743	Roads (Opening and Closing) Act 1991	section 22(2)(a)	Receive notice of an amendment of a road process order from the Surveyor-General		relevant authority
410744	Roads (Opening and Closing) Act 1991	section 22(2)(b)	Give notice of an amendment of a road process order to any person who was required to be given notice of the road process order under sections 19(a) or 19(b) and, if the road authority is not the council,		relevant authority





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			the council		
410745	Roads (Opening and Closing) Act 1991	section 22(2)(b)	Receive notice from the relevant authority of an amendment of a road process order		council
410746	Roads (Opening and Closing) Act 1991	section 24(2)(b)	Give notice of a decision by the Minister to decline to confirm a road process order to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened		council
410747	Roads (Opening and Closing) Act 1991	section 31(1)(a)	Serve notice of the road process order on each person who had an interest in the land immediately before it vested in the council by virtue of the road opening and append to the notice an offer in writing stating the total amount of compensation that the council proposes to pay to the person and dividing that amount so far as practicable into separate components		council
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





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410751	Roads (Opening and Closing) Act 1991	section 33(4)	Sell or otherwise deal with additional land acquired under section 33		council
410752	Roads (Opening and Closing) Act 1991	section 33(4)	Apply the proceeds from the sale of additional land to defraying expenses incurred by the council in connection with the road opening		council
410753	Roads (Opening and Closing) Act 1991	section 33(5)	Comply with conditions imposed by the Minister on the manner in which additional land may be dealt with by the council		council
410754	Roads (Opening and Closing) Act 1991	section 34(1)(b)	Receive a notice of a proposal to close a road from the Surveyor-General		council
410755	Roads (Opening and Closing) Act 1991	section 34(2)	Make a representation to the Surveyor-General regarding the proposed road closure		council
410756	Roads (Opening and Closing) Act 1991	section 34B(2)(a)(i)	Receive notice of a proposal to open or close a road in an environmental impact statement		council
410757	Roads (Opening and Closing) Act 1991	section 34B(2)(c)	Make written submissions on the proposal to open or close a road		council
410758	Roads (Opening and Closing) Act 1991	section 34G(1)	Apply to the Minister to make a road wider, narrower, longer or shorter pursuant to section 6B of the Roads (Opening and Closing) Act		Adelaide City Council or council adjoining the City of Adelaide
410759	Roads (Opening and Closing) Act 1991	section 34G(4)(a)	Give public notice of the proposal, in accordance with the regulations, if the Minister determines that the application under section 34G(1) should be considered		Adelaide City Council or council adjoining the City of Adelaide





Roads (Opening and Closing) Act 1991

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





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	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





Safe Drinking Water Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410769	Safe Drinking Water Act 2011	section 7(1)	Notify the Minister if the council ceases to be engaged in the supply of drinking water		drinking water provider
410770	Safe Drinking Water Act 2011	section 8(3)	Apply to the Minister for a variation in a condition on the council's registration as a drinking water provider		drinking water provider
410771	Safe Drinking Water Act 2011	section 8(5)	Comply with a condition on the council's registration as a drinking water provider		drinking water provider
410772	Safe Drinking Water Act 2011	section 9(3)	Receive notice from the Minister proposing the suspension of the council's registration as a drinking water provider		drinking water provider
410773	Safe Drinking Water Act 2011	section 9(5)	Lodge a written objection with the Minister regarding a proposed suspension of the council's registration as a drinking water provider		drinking water provider
410774	Safe Drinking Water Act 2011	section 9(6)	Make submissions to the Minister regarding a proposed suspension of the council's registration as a drinking water provider		drinking water provider
410775	Safe Drinking Water Act 2011	section 9(10)	Apply to the Minister for the cancellation of a suspension to the council's registration as a drinking water provider		drinking water provider
410776	Safe Drinking Water Act 2011	section 10(1)	Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of: a condition imposed by the Minister in relation to a registration under Part 2 of the Act; a variation of a condition of registration made by the Minister on the Minister's own initiative; a decision of the Minister to refuse to grant an application to vary a condition of registration; a decision of the Minister to suspend a registration		drinking water provider





Safe Drinking Water Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			under Part 2.		
410777	Safe Drinking Water Act 2011	section 11(3)	Receive a notice of registration of a drinking water provider from the Minister		council
410778	Safe Drinking Water Act 2011	section 12(1)(a)	Prepare a risk management plan in relation to the supply of drinking water		drinking water provider
410779	Safe Drinking Water Act 2011	section 12(1)(b)	Keep the risk management plan in relation to the supply of drinking water under continuous review		drinking water provider
410780	Safe Drinking Water Act 2011	section 12(1)(c)	Revise the risk management plan		drinking water provider
410781	Safe Drinking Water Act 2011	section 12(3)	Adopt a standard risk management plan published for the purposes of section 12		drinking water provider
410782	Safe Drinking Water Act 2011	section 14(2)	Furnish a copy of its monitoring program and incident identification and notification protocol to the Minister		drinking water provider
410783	Safe Drinking Water Act 2011	section 14(3)(b)	Participate in consultation with the Minister in regard to proposed alterations to the program or protocol		drinking water provider
410784	Safe Drinking Water Act 2011	section 14(4)	Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of proposed alterations to the program or protocol		drinking water provider
410785	Safe Drinking Water Act 2011	section 14(7)	Implement the council's risk management plan		drinking water provider
410786	Safe Drinking Water Act 2011	section 20(4)	Ensure that an audit or inspection is carried out by an approved auditor or approved inspector in accordance with a determination of the Chief Executive of the State government department		drinking water provider





Safe Drinking Water Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			administering the Act		
410787	Safe Drinking Water Act 2011	section 22(6)	Receive a copy of a report provided to the Chief Executive of the State government department administering the Act under section 20(1) or 20(4)		drinking water provider
410788	Safe Drinking Water Act 2011	section 23(1)	Comply with a reasonable request or requirement of an auditor or inspector in or in connection with an audit or inspection under Division 2, Part 4		drinking water provider
410789	Safe Drinking Water Act 2011	section 25(1)	Ensure drinking water supplied by the council is collected and tested in accordance with prescribed requirements		drinking water provider
410790	Safe Drinking Water Act 2011	section 27(1)	Make available to the public the results of any monitoring program that the drinking water provider conducts on drinking water for the purpose of the council's risk management plan		drinking water provider
410791	Safe Drinking Water Act 2011	section 34(1)	Appoint a person with appropriate qualification or experience to be an authorised officer		enforcement agency
410792	Safe Drinking Water Act 2011	section 34(2)	Prepare and maintain a list of authorised officers		enforcement agency
410793	Safe Drinking Water Act 2011	section 35(1)	Provide each authorised officer with a certificate of authority		enforcement agency
410794	Safe Drinking Water Act 2011	section 35(2)	Determine limits on the powers of an authorised officer		enforcement agency
410795	Safe Drinking Water Act 2011	section 35(4)	Receive a surrendered certificate of authority		enforcement agency
410796	Safe Drinking Water Act 2011	section 37(2)	Approve the removal or interference with a thing subject to a seizure order under section 37		enforcement agency





Safe Drinking Water Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410797	Safe Drinking Water Act 2011	section 37(3)(a)	Hold a thing subject to a seizure order pending proceedings		enforcement agency
410798	Safe Drinking Water Act 2011	section 37(3)(a)(i)	Authorise the release of a thing subject to a seizure order ending proceedings subject to conditions which the council thinks fit		enforcement agency
410799	Safe Drinking Water Act 2011	section 37(3)(a)(ii)	Order that a thing subject to a seizure order be forfeited to the council		enforcement agency
410800	Safe Drinking Water Act 2011	section 37(3)(b)(i)	Receive a thing forfeited to the council by court order		enforcement agency
410801	Safe Drinking Water Act 2011	section 37(3)(d)	Dispose of a thing forfeited to the council under section 37		enforcement agency
410802	Safe Drinking Water Act 2011	section 38(1)	Issue a notice to secure compliance with a requirement imposed by or under the Act or to avert, eliminate or minimise a risk, or a perceived risk, to the public in relation to drinking water		enforcement agency
410803	Safe Drinking Water Act 2011	section 38(5)	Issue a notice confirming an emergency notice issued by an authorised officer		enforcement agency
410804	Safe Drinking Water Act 2011	section 38(6)	Vary or revoke a notice to secure issued under section 38		enforcement agency
410805	Safe Drinking Water Act 2011	section 39(1)	Take action required by a notice issued under Division 3, Part 7 which has not been undertaken		enforcement agency
410806	Safe Drinking Water Act 2011	section 39(2)	Authorise a person to take action under section 39(1) on behalf of the council		enforcement agency
410807	Safe Drinking Water Act 2011	section 39(3)	Enter relevant land in order to take action under section 39		enforcement agency
410808	Safe Drinking Water Act	section	Recover the reasonable costs and expenses in		enforcement agency





Safe Drinking Water Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	2011	39(4)	taking action under section 39		
410809	Safe Drinking Water Act 2011	section 39(5)	Fix a period from the date of a notice issued under section 39 within which an amount under section 39(4) must be paid		enforcement agency
410810	Safe Drinking Water Act 2011	section 40(5)	Recover the reasonable costs and expenses incurred by an authorised officer taking action under section 40		enforcement agency
410811	Safe Drinking Water Act 2011	section 41(1)	Require a person to furnish information relating to the quality or supply of drinking water or any other matter associated with the administration or operation of the Act		enforcement agency
410812	Safe Drinking Water Act 2011	section 42(3)	Act as a party in proceedings under section 42		enforcement agency
410813	Safe Drinking Water Act 2011	section 52(1)	Furnish a report to the Minister on or by 30 September on the activities of the council under the Act during the financial year ending on the preceding 30 June		enforcement agency





Safe Drinking Water Regulations 2012

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





South Australian Public Health Act 2011

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





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410859	South Australian Public Health Act 2011	section 37(2)(h)	Provide, or support the provision of, educational information about public health and to provide or support activities within the council area to preserve, protect or promote public health		local public health authority
410860	South Australian Public Health Act 2011	section 38(1)	Provide, or support the provision of, immunisation programs within the council area		local public health authority
410861	South Australian Public Health Act 2011	section 39(1)	Act in conjunction or partnership with, or cooperate or coordinate the council's activities, with one or more other councils		local public health authority
410862	South Australian Public Health Act 2011	section 39(3)	Furnish a written report to the Chief Public Health Officer responding to a request from the Chief Public Health Officer to cooperate with one or more other councils		local public health authority
410863	South Australian Public Health Act 2011	section 40(2)	Participate in consultation with the Chief Public Health Officer regarding the Chief Public Health Officer exercising powers of the council under the Act		local public health authority
410864	South Australian Public Health Act 2011	section 41(1)	Participate in consultation with the Minister regarding the Minister's opinion that the council has failed to perform a function under the Act		local public health authority
410865	South Australian Public Health Act 2011	section 41(6)(a)(ii)	Make submissions to the Minister regarding the proposed withdrawal of council powers under the Act		local public health authority
410866	South Australian Public Health Act 2011	section 42(1)	Request that a function of the council under the Act be performed by the Chief Public Health Officer		local public health authority
410867	South Australian Public Health Act 2011	section 42(10)	Enter into an agreement with the Chief Public Health Officer		local public health authority





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410868	South Australian Public Health Act 2011	section 42(11)	Request that a notice issued by the Minister under section 42(4) vesting a council function in the Chief Public Health Officer be varied or revoked		local public health authority
410869	South Australian Public Health Act 2011	section 42(11)	Participate in consultation the Minister regarding the proposed variation or revocation of the vesting of a council function in the Chief Public Health Officer		local public health authority
410870	South Australian Public Health Act 2011	section 44(1)	Appoint a suitably qualified person as a local authorised officer		local public health authority
410871	South Australian Public Health Act 2011	section 44(2)	Impose conditions on the appointment of a local authorised officer		local public health authority
410872	South Australian Public Health Act 2011	section 44(4)	Issue directions to a local authorised officer		local public health authority
410873	South Australian Public Health Act 2011	section 44(6)	Vary or revoke the appointment of a local authorised officer		local public health authority
410874	South Australian Public Health Act 2011	section 44(7)	Notify the Chief Public Health Officer of an appointment or the revocation of an appointment of a local authorised officer		local public health authority
410875	South Australian Public Health Act 2011	section 46(1)	Issue an identity card of a local authorised officer		local public health authority
410876	South Australian Public Health Act 2011	section 49(1)	Require a person to furnish information relating to public health as may be reasonably required for the purposes of the Act		local public health authority
410877	South Australian Public Health Act 2011	section 51(1)	Prepare and maintain a regional public health plan		local public health authority





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410878	South Australian Public Health Act 2011	section 51(10)	Amend a regional public health plan		local public health authority
410879	South Australian Public Health Act 2011	section 51(11)(a)	Prepare a draft regional public health plan		local public health authority
410880	South Australian Public Health Act 2011	section 51(11)(b)(i)	Provide a copy of a draft regional public health plan to the Minister, any incorporated hospital established under the Health Care Act 2008 that operates a facility within the region, any relevant public health partner authority and any other prescribed body or group		local public health authority
410881	South Australian Public Health Act 2011	section 51(11)(b)(ii)	Consult with the public in regard to a draft regional public health plan		local public health authority
410882	South Australian Public Health Act 2011	section 51(12)	Participate in consultation with the Minister, or any other person or body specified by the Minister, before releasing a draft regional health plan under section 51(12)		local public health authority
410883	South Australian Public Health Act 2011	section 51(13)	Submit a regional public health plan to the Chief Public Health Officer for consultation before bringing the plan into operation		local public health authority
410884	South Australian Public Health Act 2011	section 51(15)	Take into account any comments of the Chief Public Health Officer, South Australian Public Health Council and any other body determined by the Chief Public Health Officer		local public health authority
410885	South Australian Public Health Act 2011	section 51(16)	Adopt a regional public health plan either with or without amendment		local public health authority
410886	South Australian Public Health Act 2011	section 51(17)	Incorporate a regional public health plan into the councils strategic management plan under the Local Government Act 1999		local public health authority





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410887	South Australian Public Health Act 2011	section 51(19)	Review a regional public health plan at least every 5 years		local public health authority
410888	South Australian Public Health Act 2011	section 52(1)	Prepare a report to the Chief Public Health Officer that contains a comprehensive assessment of the extent to which the council has in the reporting period succeeded in implementing its regional public health plan		local public health authority
410889	South Australian Public Health Act 2011	section 64(3)	Receive a report from the Chief Public Health Officer regarding a suspected death from a notifiable condition in the council area		local public health authority
410890	South Australian Public Health Act 2011	section 65(a)	Receive a report from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area and any problems or issues caused by or arising on account of such diseases of medical conditions in the council area		local public health authority
410891	South Australian Public Health Act 2011	section 65(b)	Receive information from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area that constitutes, or may constitute, a threat to public health		local public health authority
410892	South Australian Public Health Act 2011	section 66(6)	Recover costs and expenses reasonably incurred in an authorised officer taking action in accordance with a direction or requirement issued under section 66(1) which has not been complied with by the person subject to the direction or requirement		local public health authority
410893	South Australian Public	section	Take action reasonably open to the council to		local public health





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Health Act 2011	66(9)	prevent the spread of a disease constituting a notifiable condition		authority
410894	South Australian Public Health Act 2011	section 92(1)	Issue a notice for the purpose of securing compliance with the Act or averting, eliminating or minimising a risk, or a perceived risk, to public health		relevant authority
410895	South Australian Public Health Act 2011	section 92(2)(b)	Give a preliminary notice to a person to whom it is proposed that a notice under section 91(1) will be given		relevant authority
410896	South Australian Public Health Act 2011	section 92(8)	Confirm an emergency notice given by an authorised officer under section 92(6)		relevant authority
410897	South Australian Public Health Act 2011	section 92(9)	Vary or revoke a notice issued by the council under section 92		relevant authority
410898	South Australian Public Health Act 2011	section 93(1)	Take action required by a notice issued under Part 12 if the requirements of the notice have not been fulfilled		relevant authority
410899	South Australian Public Health Act 2011	section 93(2)	Authorise a person to take action on behalf of the council under section 93(1)		relevant authority
410900	South Australian Public Health Act 2011	section 93(3)	Enter any relevant premises at any reasonable time to take action under section 93		relevant authority
410901	South Australian Public Health Act 2011	section 93(4)	Recover the reasonable costs and expenses incurred by the council in taking action under section 93 from the person who failed to comply with the requirements of the notice		relevant authority
410902	South Australian Public Health Act 2011	section 93(5)	Fix a period from the date of a notice issued under section 93 within which an amount under section 93(4) must be paid		relevant authority





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410903	South Australian Public Health Act 2011	section 94(5)(b)	Recover the reasonable costs and expenses of a local authorised officer taking action under section 94 from any person who caused the risk to which the action relates		local public health authority
410904	South Australian Public Health Act 2011	section 96(5)	Apply to the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 for a review of the outcome of review proceedings by the Review panel under section 95		local public health authority
410905	South Australian Public Health Act 2011	section 96(5)	Participate as a party to proceedings under section 96		relevant authority





South Australia Public Health (General) Regulations 2013

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





South Australia Public Health (General) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Regulations 2013				
410825	South Australia Public Health (General) Regulations 2013	regulation 9(3)	Maintain records made under regulation 9(2)		public pool/spa pool operator
410826	South Australia Public Health (General) Regulations 2013	regulation 9(4)	Close public spa pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L		public pool/spa pool operator
410827	South Australia Public Health (General) Regulations 2013	regulation 11A(1)	Refund, reduce or remit payment of a prescribed fee		relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013
410828	South Australia Public Health (General) Regulations 2013	regulation 11A(2)	Recover a prescribed fee as a debt in a court of competent jurisdiction		relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013





South Australia Public Health (Legionella) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410829	South Australia Public Health (Legionella) Regulations 2013	regulation 5(3)	Approve the manner and form for applying to register a high risk manufactured water system		relevant authority
410830	South Australia Public Health (Legionella) Regulations 2013	regulation 5(3)	Receive fee for registration of a high risk manufactured water system		relevant authority
410831	South Australia Public Health (Legionella) Regulations 2013	regulation 5(3)	Register a high risk manufactured water system		relevant authority
410832	South Australia Public Health (Legionella) Regulations 2013	regulation 5(6)	Approve the manner and form for applying to renew the registration of a high risk manufactured water system		relevant authority
410833	South Australia Public Health (Legionella) Regulations 2013	regulation 5(6)	Receive fee for renewal of registration of a high risk manufactured water system		relevant authority
410834	South Australia Public Health (Legionella) Regulations 2013	regulation 5(6)	Register a renewal of the registration of a high risk manufactured water system		relevant authority
410835	South Australia Public Health (Legionella) Regulations 2013	regulation 6(1)	Keep a register of high risk manufactured water system		relevant authority
410836	South Australia Public	regulation	Determine manner and		relevant authority





South Australia Public Health (Legionella) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Health (Legionella) Regulations 2013	6(2)	form of keeping a register of high risk manufactured water system		
410837	South Australia Public Health (Legionella) Regulations 2013	regulation 6(4)	Receive notice of a change in particulars from the owner of premises on which a high risk manufactured water systems registered with the council		relevant authority
410838	South Australia Public Health (Legionella) Regulations 2013	regulation 6(5)	Receive notice of the permanent decommissioning or removal of a high risk manufactured water systems registered with the council		relevant authority
410839	South Australia Public Health (Legionella) Regulations 2013	regulation 15(1)(a)	Cause an inspection of a high risk manufactured water systems registered with the council		relevant authority
410840	South Australia Public Health (Legionella) Regulations 2013	regulation 15(1)(b)	Arrange for a NATA accredited laboratory to conduct microbiological testing of water taken from each cooling water and each warm water system		relevant authority
410841	South Australia Public Health (Legionella)	regulation 15(2)(a)	Notify the owner of premises on which a		relevant authority





South Australia Public Health (Legionella) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Regulations 2013		high risk manufactured water systems registered with the council of inspection and microbiological testing requirements		
410842	South Australia Public Health (Legionella) Regulations 2013	regulation 15(2)(b)	Receive reports from the owner of premises on which a high risk manufactured water systems registered with the council in regard to inspection of the system and microbiological testing		relevant authority
410843	South Australia Public Health (Legionella) Regulations 2013	regulation 16(1)	Notify the owner of premises with a high risk manufactured water system of microbiological testing requirements		relevant authority
410844	South Australia Public Health (Legionella) Regulations 2013	regulation 16(1)(d)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding microbiological testing		relevant authority
410845	South Australia Public Health (Legionella) Regulations 2013	regulation 17(1)(b)	Receive report from the owner of premises on which a high risk manufactured water		relevant authority





South Australia Public Health (Legionella) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			system is installed regarding detection of Legionella		
410846	South Australia Public Health (Legionella) Regulations 2013	regulation 17(2)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella		relevant authority
410847	South Australia Public Health (Legionella) Regulations 2013	regulation 17(3)	Forward a report regarding detection of Legionella under regulation 17 to the Department of Health and Wellbeing		relevant authority
410848	South Australia Public Health (Legionella) Regulations 2013	regulation 21(3)	Notify a person liable to pay a fee of a period in which the fee must be paid		relevant authority





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411177	South Australia Public Health (Wastewater) Regulations 2013	regulation 6(1)(b)	Agree to act as a relevant authority in respect of a wastewater systems or wastewater works being undertaken by another council or a person in conjunction with another council		council
411178	South Australia Public Health (Wastewater) Regulations 2013	regulation 8(1)	Give notice to the owners of land in the area affected by the proposed establishment of a community wastewater management system by the council		council
411179	South Australia Public Health (Wastewater) Regulations 2013	regulation 8(2)	Consider any submissions received regarding the proposed establishment of a community wastewater management system by the council		council
411180	South Australia Public Health (Wastewater) Regulations 2013	regulation 8(3)	Obtain a wastewater works approval from the Minister		council
411181	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(1)	Require the operator of an on-site wastewater system to connect the system to a community wastewater management system and submit an application for the connection to the relevant authority		council
411182	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(1)(b)	Receive an application for connection of an on-site wastewater system to a community wastewater management system		relevant authority
411183	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(4)	Grant approval for wastewater works for the connection of an on-site wastewater system to a community wastewater management system		relevant authority





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411184	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(6)	Cause the requirements of an approval under regulation 9 for wastewater works to be carried out		relevant authority
411185	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(7)	Recover the costs and expenses reasonably incurred in exercising power under regulation 9(6) and the application fee which would have been payable		relevant authority
411186	South Australia Public Health (Wastewater) Regulations 2013	regulation 10(1)	Determine application for an exemption from regulation 9		council
411187	South Australia Public Health (Wastewater) Regulations 2013	regulation 10(3)	Impose conditions on an exemption from regulation 9		council
411188	South Australia Public Health (Wastewater) Regulations 2013	regulation 10(4)	Vary or revoke an exemption granted under regulation 10(3)		council
411189	South Australia Public Health (Wastewater) Regulations 2013	regulation 11(1)	Ensure that the requirements of regulation 11(1) are met		CWMS operator
411190	South Australia Public Health (Wastewater) Regulations 2013	regulation 11(2)	Receive a certificate indicating that wastewater works have been undertaken in accordance with the wastewater works approval and detailed drawings as prescribed		relevant authority





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411191	South Australia Public Health (Wastewater) Regulations 2013	regulation 12(1)	Ensure that the wastewater system is operated, maintained and serviced in accordance with the conditions of any wastewater works approval and any prescribed code		CWMS operator
411192	South Australia Public Health (Wastewater) Regulations 2013	regulation 13(1)	Ensure that wastewater from the wastewater system is not reused or disposed of to land unless authorised by conditions of the wastewater works approval		CWMS operator
411193	South Australia Public Health (Wastewater) Regulations 2013	regulation 15(1)	Receive an application for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes		relevant authority
411194	South Australia Public Health (Wastewater) Regulations 2013	regulation 15(1)	Apply for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes		CWMS operator
411195	South Australia Public Health (Wastewater) Regulations 2013	regulation 15(3)	Determine conditions to apply to an exemption from a prescribed code		relevant authority
411196	South Australia Public Health (Wastewater) Regulations 2013	regulation 15(5)	Vary or revoke an exemption from a prescribed code		relevant authority
411197	South Australia Public Health (Wastewater) Regulations 2013	regulation 23(1)	Receive an application for a wastewater works approval		relevant authority





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411198	South Australia Public Health (Wastewater) Regulations 2013	regulation 23(2)	Request applicant for a wastewater works approval to provide further technical specifications, information or documents		relevant authority
411199	South Australia Public Health (Wastewater) Regulations 2013	regulation 23(1)	Apply for a wastewater works approval		CWMS operator
411200	South Australia Public Health (Wastewater) Regulations 2013	regulation 23(2)	Provide further technical specifications, information or documents requested by the relevant authority		CWMS operator
411201	South Australia Public Health (Wastewater) Regulations 2013	regulation 24(1)	Refuse to grant a wastewater approval		relevant authority
411202	South Australia Public Health (Wastewater) Regulations 2013	regulation 24(2)	Provide SA Water with a reasonable opportunity to comment on an application for a wastewater works approval involving the connection of a community wastewater management system to SA Water sewerage infrastructure		relevant authority
411203	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(1)	Specify conditions applying to a wastewater works approval		relevant authority
411204	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(1)	Comply with conditions applying to a wastewater works approval		CWMS operator





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411205	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(4)	Provide a copy of a code referred to in a condition of approval for inspection and the council's office		relevant authority
411206	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(6)	Vary or revoke a condition of a wastewater approval		relevant authority
411207	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(6)	Apply for a variation or revocation of a condition of a wastewater approval		CWMS operator
411208	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(7)	Vary or revoke a condition of a wastewater approval or impose a further condition		relevant authority
411209	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(7)	Consent to the variation or revocation of a condition of a wastewater approval or the imposition of a further condition		CWMS operator
411210	South Australia Public Health (Wastewater) Regulations 2013	regulation 26(2)	Postpone the expiry of a wastewater approval		relevant authority
411211	South Australia Public Health (Wastewater) Regulations 2013	regulation 27(1)	Keep a register of wastewater approvals		relevant authority





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411212	South Australia Public Health (Wastewater) Regulations 2013	regulation 27(5)	Enable the inspection of the register of wastewater works approvals at the council's offices and the provision of extracts of the register by electronic means		relevant authority
411213	South Australia Public Health (Wastewater) Regulations 2013	regulation 29(1)	Notify the operator of a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health to provide a report from an independent wastewater engineer		council
411214	South Australia Public Health (Wastewater) Regulations 2013	regulation 29(1)	Provide a report from an independent wastewater engineer to the Minister or relevant authority as requested under regulation 29(1)		CWMS operator
411215	South Australia Public Health (Wastewater) Regulations 2013	regulation 29(3)	Obtain a report from an independent wastewater engineer regarding a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health		council
411216	South Australia Public Health (Wastewater) Regulations 2013	regulation 29(3)	Recover the costs and expenses reasonably incurred in obtaining a report from an independent wastewater engineer		council





State Records Act 1997

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410906	State Records Act 1997	section 13	Maintain official records in the council's custody in good order and condition		agency
410907	State Records Act 1997	section 15(2)	Afford the Manager of State Records reasonable cooperation and assistance in conducting surveys of the official records and record management practices of agencies		agency
410908	State Records Act 1997	section 18(1)	Deliver records voluntarily into the custody of State Records		agency
410909	State Records Act 1997	section 19(1)	Deliver records into the custody of State Records on the earlier of the council ceasing to require access to the record for current administrative purposes or during the year occurring 15 years after the creation of the record		agency
410910	State Records Act 1997	section 19(3)(c)	Participate in consultation with the Manager of State Records in regard to the postponement of delivery of records into the custody of State Records on the basis that the records are required for the administrative purpose of the council or should be retained by the council for another special reason		agency
410911	State Records Act 1997	section 19(5)(a)	Apply to the Manager of State Records for the variation or revocation of an exemption granted under section 19(4)		agency
410912	State Records Act 1997	section 20(1)	Advise the Manager of State Records of any restriction on the disclosure of contents of a record delivered into the custody of State Records		agency
410913	State Records Act 1997	section 22(2)	Determine conditions reasonably required in regard to an arrangement under section 22(1)		agency
410914	State Records Act	section 23(1)	Dispose of official records in accordance with a		agency





State Records Act 1997

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	1997		determination of the Manager of State Records		
410915	State Records Act 1997	section 23(2)	Request the Manager of State Records to make a determination as to the disposal of official records		agency
410916	State Records Act 1997	section 23(4)	Apply to the Minister to determine a dispute as to a determination under section 23		agency
410917	State Records Act 1997	section 24(3)	Consent to the disposal of a record under section 24(1)		agency
410918	State Records Act 1997	section 25(3)	Apply to the Minister to determine a dispute as to access under section 24		agency
410919	State Records Act 1997	section 26(1)	Determine in consultation with the Manager of State Records that access to a record delivered by the council into the custody of State Records is not subject to any restrictions other than those determined by the Manager		agency
410920	State Records Act 1997	section 26(2)	Determine in consultation with the Manager of State Records conditions excluding or restricting access to the record delivered by the council into the custody of State Records		agency





Strata Titles Act 1988

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





Supported Residential Facilities Act 1992

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





Supported Residential Facilities Act 1992

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





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410947	Supported Residential Facilities Act 1992	section 27(4)	Notify the applicant of a decision on an application for the renewal of a licence		licensing authority
410948	Supported Residential Facilities Act 1992	section 28	Refuse to renew a licence		licensing authority
410949	Supported Residential Facilities Act 1992	section 29(1)(b)	Impose conditions on a licence		licensing authority
410950	Supported Residential Facilities Act 1992	section 29(3)(b)	Vary or revoke a condition on a licence		licensing authority
410951	Supported Residential Facilities Act 1992	section 30(1)	Receive an application for the transfer of a licence		licensing authority
410952	Supported Residential Facilities Act 1992	section 30(3)	Request further information from an applicant for a transfer of a licence		licensing authority
410953	Supported Residential Facilities Act 1992	section 30(4)	Transfer a licence		licensing authority
410954	Supported Residential Facilities Act 1992	section 30(5)	Receive a surrendered licence		licensing authority
410955	Supported Residential Facilities Act 1992	section 31(1)	Cancel a licence		licensing authority
410956	Supported Residential Facilities Act 1992	section 31(2)(a)	Notify the holder of a licence of a proposed cancellation of the licence		licensing authority
410957	Supported Residential Facilities Act 1992	section 31(2)(b)	Receive submissions from the holder of a licence regarding a proposed cancellation of the licence		licensing authority
410958	Supported Residential Facilities Act 1992	section 31(3)	Impose conditions pending the cancellation of a licence to protect the interests of residents of the facility		licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410959	Supported Residential Facilities Act 1992	section 31(4)(a)	Appoint an administrator to a facility		licensing authority
410960	Supported Residential Facilities Act 1992	section 31(4)(b)	Take steps to secure the proper care of the residents of a facility		licensing authority
410961	Supported Residential Facilities Act 1992	section 31(6)(a)	Determine whether or not the imposition of conditions pending the cancellation of a licence would adequately protect the interests of residents of the facility		licensing authority
410962	Supported Residential Facilities Act 1992	section 31(6)(g)(ii)	Revoke the appointment of an administrator		licensing authority
410963	Supported Residential Facilities Act 1992	section 32(1)	Participate in the review of a decision of the licensing authority by the South Australian Civil and Administrative Tribunal		licensing authority
410964	Supported Residential Facilities Act 1992	section 32(3)	Order that a licence subject to an application to review decision regarding renewal remain in force until the determination of the review		licensing authority
410965	Supported Residential Facilities Act 1992	section 32(4)(a)	Impose conditions on an order given under section 32(3)		licensing authority
410966	Supported Residential Facilities Act 1992	section 32(4)(b)	Vary or revoke an order given under section 32(3)		licensing authority
410967	Supported Residential Facilities Act 1992	section 33(1)	Grant licence		licensing authority
410968	Supported Residential Facilities Act 1992	section 34(1)	Approve a manager of a facility		licensing authority
410969	Supported Residential Facilities Act 1992	section 34(2)	Determine a time period after which the proprietor of a facility will be guilty of an offence if no approved person is managing the facility		licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410970	Supported Residential Facilities Act 1992	section 35	Approval of a person to be the licence holder if a licence holder dies		licensing authority
410971	Supported Residential Facilities Act 1992	section 37	Receive a copy of the prospectus and any alterations to the prospectus		licensing authority
410972	Supported Residential Facilities Act 1992	section 39(2)(b)	Approve an alternative to the prescribed means of serving a notice of termination of a resident contract by the proprietor of a facility		licensing authority
410973	Supported Residential Facilities Act 1992	section 43(1)(a)	Receive an application in regard to disputes between a resident of a supported residential facility and the proprietor		licensing authority
410974	Supported Residential Facilities Act 1992	section 43(1)(b)	Receive an application if a resident of a support residential facility objects to a decision of the proprietor of the facility to terminate his or her residential contract		licensing authority
410975	Supported Residential Facilities Act 1992	section 43(1)(c)	Receive an application if a resident of a support residential facility believes that the proprietor has failed to comply with the terms or their resident contract or a provision of the Support Residential facilities Act or the proprietor has acted in any unauthorised manner		licensing authority
410976	Supported Residential Facilities Act 1992	section 43(2)	Explore avenues of conciliation between the resident and the proprietor		licensing authority
410977	Supported Residential Facilities Act 1992	section 43(3)(a)	Make recommendations as to the settlement of a dispute between a resident and the proprietor		licensing authority
410978	Supported Residential Facilities Act 1992	section 43(3)(b)	Order the proprietor to vary or reverse a decision or take such actions necessary to remedy the breach or reverse the effect of any act of the proprietor		licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410979	Supported Residential Facilities Act 1992	section 43(3)(c)	Order the resident to refrain from any future action of a kind specified in the order or take action appropriate in the circumstances of the case		licensing authority
410980	Supported Residential Facilities Act 1992	section 43(3)(d)	Order the resident or proprietor to take action to remedy any default or to correct any unauthorised act		licensing authority
410981	Supported Residential Facilities Act 1992	section 43(3)(e)	Take any action appropriate in the circumstances		licensing authority
410982	Supported Residential Facilities Act 1992	section 43(6)(a)	Require an applicant to furnish further information in relation to the subject matter of the application		licensing authority
410983	Supported Residential Facilities Act 1992	section 43(6)(b)	Require an applicant to verify any information by statutory declaration		licensing authority
410984	Supported Residential Facilities Act 1992	section 43(7)	Notify the applicant and respondent of the time and place of any hearing of the application		licensing authority
410985	Supported Residential Facilities Act 1992	section 43(8)	Investigate or determine the subject matter of an application		licensing authority
410986	Supported Residential Facilities Act 1992	section 43(9)	Make an interim order pending final resolution of the matter		licensing authority
410987	Supported Residential Facilities Act 1992	section 43(10)(a)	Determine the time period (not exceeding 2 months) during which the interim order will operate		licensing authority
410988	Supported Residential Facilities Act 1992	section 43(11)	Vary or revoke an order		licensing authority
410989	Supported Residential Facilities Act 1992	section 43(12)(a)	Specify procedures for the resolution of the dispute		licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410990	Supported Residential Facilities Act 1992	section 43(12)(a)	Decline to proceed with an application until reasonable steps have been taken to resolve the dispute pursuant to procedures specified by the licensing authority		licensing authority
410991	Supported Residential Facilities Act 1992	section 43(12)(b)	Decline to proceed with an application if it would be more appropriate for the proceedings to be taken in a court or tribunal constituted by law		licensing authority
410992	Supported Residential Facilities Act 1992	section 43(12)(b)	Decline to proceed (or further proceed) with an application if proceedings have been commenced in a court or tribunal constituted by law		licensing authority
410993	Supported Residential Facilities Act 1992	section 44(1)	Participate in proceedings for a review of a decision or order of the licensing authority by the South Australian Civil and Administrative Tribunal		licensing authority
410994	Supported Residential Facilities Act 1992	section 47(1)	Approve a person to enter any premises that comprise a support residential facility, or any residential-only premises, for the purpose of visiting or attending on any person residing at those premises		licensing authority
410995	Supported Residential Facilities Act 1992	section 49(1)(a)	Receive complaints regarding the management of a supported residential facility or any residential-only premises		licensing authority
410996	Supported Residential Facilities Act 1992	section 49(1)(b)	Receive complaints regarding the conduct of a resident of a supported residential facility or any residential-only premises		licensing authority
410997	Supported Residential Facilities Act 1992	section 49(2)	Determine whether a complaint must be reduced to writing		licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
410998	Supported Residential Facilities Act 1992	section 49(3)	Take appropriate action in regard to a complaint		licensing authority
410999	Supported Residential Facilities Act 1992	section 49(4)	Appoint an authorised officer to investigate the circumstances surrounding the complaint and to attempt to resolve the matter as expeditiously as possible		licensing authority
411000	Supported Residential Facilities Act 1992	section 56(4)	Pay prescribed percentage of licence fees into the Supported Residential Facilities Indemnity Fund		licensing authority
411001	Supported Residential Facilities Act 1992	section 57(5)	Exempt a proprietor of a facility from a regulation that applies to the facility		licensing authority
411002	Supported Residential Facilities Act 1992	section 57(6)	Attach conditions to an exemption granted under section 57(5)		licensing authority
411003	Supported Residential Facilities Act 1992	section 57(7)(a)	Revoke an exemption granted under section 57(5)		licensing authority
411004	Supported Residential Facilities Act 1992	section 57(7)(b)	Vary or revoke condition applying to an exemption granted under section 57(5)		licensing authority





Supported Residential Facilities Regulations 2009

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





Unclaimed Goods Act 1987

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
279614	Unclaimed Goods Act 1987	s 5(1)(b)	<p>1. Unclaimed Goods</p> <p>1.1 The power pursuant to Section 5(1)(b) of the Unclaimed Goods Act 1987 (the Act) where the Council is in possession of goods belonging to another (the bailor) in pursuance of an agreement or understanding under which the Council was to deliver the goods to the bailor, to make reasonable attempts to deliver the goods in accordance with the agreement or understanding.</p>	
279615	Unclaimed Goods Act 1987	s5(1)(c)	<p>1. Unclaimed Goods</p> <p>1.2 The power pursuant to Section 5(1)(c) of the Act where the Council is in possession of goods belonging to the bailor and there is no agreement or understanding governing the collection or delivery of the goods, to request the bailor in accordance with Section 5(2) of the Act, to collect the goods.</p>	
279616	Unclaimed Goods Act 1987	s5(2)	<p>1. Unclaimed Goods</p> <p>1.3 The duty pursuant to Section 5(2) of the Act in making a request for the purposes of Section 5(1)(c) of the Act, to ensure the request -</p> <p>1.3.1 states the address at which the goods are available for collection; and</p> <p>1.3.2 contains a brief description of the goods; and</p> <p>1.3.3 states the times at which, or the hours between which, the goods will be available for collection at that address; and</p> <p>1.3.4 is made -</p> <p>1.3.4.1 by post addressed to the last known address of the bailor; or</p> <p>1.3.4.2 if the identity or whereabouts of the bailor is unknown - by notice in the prescribed form published in a newspaper circulating generally throughout the State.</p>	
279617	Unclaimed Goods Act 1987	s5(3)	<p>1. Unclaimed Goods</p> <p>1.4 The duty pursuant to Section 5(3) of the Act to ensure a request made</p>	





Unclaimed Goods Act 1987

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			for the purposes of Section 5(1)(c) of the Act allows the bailor a reasonable opportunity to collect the goods to which it relates.	
279618	Unclaimed Goods Act 1987	s6(1)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.1 The power pursuant to Section 6(1) of the Act and the power subject to Section 6 of the Act, where the Council is a bailee of unclaimed goods, to, after the expiration of three months from the relevant date -</p> <p>2.1.1 sell the goods; or</p> <p>2.1.2 if the value of the goods would be insufficient to defray the costs of sale - otherwise dispose of the goods.</p>	
279619	Unclaimed Goods Act 1987	s6(2)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.2 The power pursuant to Section 6(2) of the Act to apply to the Court for an authorisation to sell or dispose of goods under Section 6(1) of the Act and the duty pursuant to Section 6(2) of the Act, if the value of the goods lies within scale 3, to not sell or dispose of the goods without such an authorisation.</p>	
279620	Unclaimed Goods Act 1987	s6(3)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.3 The duty pursuant to Section 6(3) of the Act where an application for an authorisation under Section 6(2) of the Act is made, to -</p> <p>2.3.1 give notice of the application to the Commissioner of Police; and</p> <p>2.3.2 give such notice (if any) as the Court thinks appropriate to the bailor and any other person who, in the opinion of the Court, may have an interest in the goods.</p>	
279621	Unclaimed Goods Act 1987	s 6(5)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.4 The power pursuant to Section 6(5) of the Act, if the value of unclaimed goods lies within scale 1 or 2, to sell or dispose of the goods under Section 6(1) of the Act without any authorisation by the Court and the duty pursuant to Section 6(5)(b) of the Act, if goods whose value lies within scale 2 are to be</p>	





Unclaimed Goods Act 1987

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			<p>sold without such an authorisation, to</p> <p>2.4.1 sell the goods by public auction; and</p> <p>2.4.2 give notice in the prescribed form of the time and place of the proposed sale at least one month before the date of the proposed sale -</p> <p>2.4.2.1 to the Commissioner of Police; and</p> <p>2.4.2.2 to the bailor.</p>	
279622	Unclaimed Goods Act 1987	s6(6)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.5 The power pursuant to Section 6(6) of the Act to give a notice under Section 6(5)(b) of the Act by post and, if the identity or whereabouts of the bailor is unknown, to give the notice to the bailor by advertisement in a newspaper circulating generally throughout the State.</p>	
279623	Unclaimed Goods Act 1987	s7(1)	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.1 The duty pursuant to Section 7(1) of the Act and subject to Section 7(2) of the Act, where the Council has commenced proceedings for the sale or disposal of goods under the Act but before the goods are sold or disposed of the bailor claims the goods, to not proceed with the sale or disposal of the goods, and to hand them over to the bailor.</p>	
279624	Unclaimed Goods Act 1987	s7(2)	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.2 The power pursuant to Section 7(2) of the Act to, before handing over goods under Section 7(1) of the Act, require the bailor to pay -</p> <p>3.2.1 the reasonable costs incurred by the Council in proceeding under the Act;</p> <p>3.2.2 the reasonable costs incurred by the Council in storing and maintaining</p>	





Unclaimed Goods Act 1987

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			the goods after the date on which the bailor should have collected or taken delivery of them; 3.2.3 the amount of any lien that the Council has over the goods.	
279625	Unclaimed Goods Act 1987	s7(3)	3. Claim Made by Bailor After Commencement of Proceedings Under this Act 3.3 The power pursuant to Section 7(3) of the Act, if at the expiration of 42 days after the Council has rendered a written account of the amounts claimed under Section 7(2) of the Act the bailor has not paid those amounts, to, subject to Section 7(4) of the Act, proceed to sell or dispose of the goods.	
279626	Unclaimed Goods Act 1987	s 8(1)	4. Proceeds of Sale 4.1 The power pursuant to Section 8(1) of the Act in relation to the proceeds of the sale of goods under the Act to - 4.1.1 retain from those proceeds - 4.1.1.1 the reasonable costs of the sale and of proceeding under the Act; 4.1.1.2 the reasonable costs of storing and maintaining the goods prior to sale; 4.1.1.3 the amount of any lien that the Council had over the goods; and 4.1.2 pay the balance to the Treasurer.	





Water Industry Act 2012

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





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411024	Water Industry Act 2012	section 29(4)	Apply to the Commission for the transfer of a licence		water industry entity
411025	Water Industry Act 2012	section 29(5)	Pay to the Commission the application fee for the transfer of a licence		water industry entity
411026	Water Industry Act 2012	section 29(6)	Provide to the Commission further relevant information requested by Commission in respect of the application fee for the transfer a licence		water industry entity
411027	Water Industry Act 2012	section 32(1)	Surrender a licence to the Commission		water industry entity
411028	Water Industry Act 2012	section 32(3)	Agree with the Commission a shorter notice period than the prescribe period for the surrender of a licence		water industry entity
411029	Water Industry Act 2012	section 33(3)(b)	Make submissions to the Commission in relation to a proposed suspension or cancellation of licence		water industry entity
411030	Water Industry Act 2012	section 36(1)	Fix standard terms and conditions governing the provision of services by the entity		water industry entity
411031	Water Industry Act 2012	section 36(2)	Publish standard terms and conditions governing the provision of services by the entity in the Gazette		water industry entity
411032	Water Industry Act 2012	section 36(3)	Publish notice in a newspaper circulating generally in the State regarding the standard terms and conditions		water industry entity
411033	Water Industry Act 2012	section 36(5)	Agree with a customer to exclude a standard term or condition		water industry entity
411034	Water Industry Act 2012	section 36(6)(a)	Supply a copy of the standard terms and conditions to the Commission		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411035	Water Industry Act 2012	section 36(6)(b)	Publish a copy of the standard terms and conditions on the entities website		water industry entity
411036	Water Industry Act 2012	section 37(3)(a)	Adopt a customer hardship policy published by the Minister		water industry entity
411037	Water Industry Act 2012	section 37(3)(b)	Seek the approval of the Commission to adopt a customer hardship policy published by the Minister with modifications		water industry entity
411038	Water Industry Act 2012	section 37(3)(b)	Adopt a customer hardship policy published by the Minister with modifications in accordance with approval of the Minister		water industry entity
411039	Water Industry Act 2012	section 38(2)	Make submissions to the Commission as to proposed proclamation to take over the water industry entity's operations		water industry entity
411040	Water Industry Act 2012	section 39(2)	Accept an appointment to take over relevant operations of a water industry entity subject to a proclamation under section 38		water industry entity
411041	Water Industry Act 2012	section 39(3)	Facilitate the take-over of relevant operations by the operator		water industry entity
411042	Water Industry Act 2012	section 41(1)	Appoint a person to be a water industry officer		water industry entity
411043	Water Industry Act 2012	section 41(2)	Impose conditions of appointment of a water industry officer		water industry entity
411044	Water Industry Act 2012	section 42(1)	Impose time period for the appointment of a water industry officer		water industry entity
411045	Water Industry Act 2012	section 42(2)	Remove a water industry officer from office		water industry entity
411046	Water Industry Act 2012	section 43(1)	Issue a water industry officer with an identity card		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411047	Water Industry Act 2012	section 44(1)	Agree with the occupier of land to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure		water industry entity
411048	Water Industry Act 2012	section 44(1)	Seek the authorisation of the Minister to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure		water industry entity
411049	Water Industry Act 2012	section 44(3)(a)	Enter and remain on land to undertake prescribed works		water industry entity
411050	Water Industry Act 2012	section 45(1)	Give notice of proposed entry on land under section 44 to the occupier		authorised entity
411051	Water Industry Act 2012	section 45(3)(a)	Give notice of proposed entry on public land under section 45 to the authority responsible to the management of the public land		authorised entity
411052	Water Industry Act 2012	section 45(3)(b)	Agree with an authorised entity to enter onto public land within the care, control and management of the council		council
411053	Water Industry Act 2012	section 45(4)	Impose conditions on the entry of an authorised entity onto public land within the care, control and management of the council		council
411054	Water Industry Act 2012	section 45(7)	Refer a dispute regarding whether work should be permitted on public land within the care, control and management of the council by an authorised entry of the conditions applying to that work to the Minister		council authorised entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411055	Water Industry Act 2012	section 45(9)(a)	Make submissions to the Minister in relation to a dispute referred under section 45(7)		council authorised entity
411056	Water Industry Act 2012	section 45(9)(b)	Settle a dispute referred under section 45(7)		council authorised entity
411057	Water Industry Act 2012	section 45(11)	Notify the occupier of public land of the reason and the date and time of proposed entry		authorised entity
411058	Water Industry Act 2012	section 45(14)	Use reasonable force to enter any land under section 45		authorised entity
411059	Water Industry Act 2012	section 45(16)	Request an authorised entity undertaking work on public land within the care, control and management of the council to separate the land on which the work is being undertaken from other parts of the land by a fence		council
411060	Water Industry Act 2012	section 45(16)	Separate the public land on which the work is being undertaken from other parts of the land by a fence		authorised entity
411061	Water Industry Act 2012	section 45(16)	Refer a dispute regarding the separation of a land by a fence to the Magistrates Court		council
411062	Water Industry Act 2012	section 45(17)	Make good any damage caused by exercise of powers under section 45		authorised entity
411063	Water Industry Act 2012	section 45(19)	Exercise of powers under section 45 in an emergency without prior notice or agreement		authorised entity
411064	Water Industry Act 2012	section 45(22)	Comply with conditions imposed by the Minister of the exercise of powers under section 45		water industry entity
411065	Water Industry Act 2012	section 46(1)	Acquire land in accordance with the Land Acquisition Act 1969		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411066	Water Industry Act 2012	section 46(2)	Seek authorisation of the Minister to acquire land by compulsory acquisition under the Land Acquisition Act 1969		water industry entity
411067	Water Industry Act 2012	section 48(2)	Apply to the Minister for approval of a scheme under section 48		water industry entity
411068	Water Industry Act 2012	section 48(3)(c)	Approve a scheme as being fit and adequate for the provision of the services that are proposed to be offered under the scheme		council
411069	Water Industry Act 2012	section 48(3)(d)	Participate in consultation for the development of a scheme for sewerage services in the council area		council
411070	Water Industry Act 2012	section 48(6)	Issue a notice requiring the connection of drains, equipment or works to prescribed infrastructure in order to provide for the discharge of sewerage into the infrastructure		water industry entity
411071	Water Industry Act 2012	section 48(9)	Take action required by a notice served under section 48(6), if the recipient fails to take that action		water industry entity
411072	Water Industry Act 2012	section 48(10)	Authorise a person to take action under section 48(9) on the water industry entities behalf		water industry entity
411073	Water Industry Act 2012	section 48(12)	Recover the reasonable costs of taking action under section 48(9) as a debt		water industry entity
411074	Water Industry Act 2012	section 48(13)	Apply to the Minister for approval to vary a scheme under section 48		water industry entity
411075	Water Industry Act 2012	section 48(13)	Vary a scheme under section 48		water industry entity
411076	Water Industry Act 2012	section 49(1)	Consent to a person:		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			(a) constructing or placing a building, wall, fence or other structure on or over any water/sewerage infrastructure, or creating some other form of encroachment over any water/sewerage infrastructure (or any land directly associated with such infrastructure); (b) creating any form of encroachment over any easement that exists for the purposes of any water service or sewerage service; (c) obstructing, filling in, closing up or diverting any water/sewerage infrastructure; or (d) excavating or altering any land or structure supporting any water/sewerage infrastructure		
411077	Water Industry Act 2012	section 49(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on reasonable grounds that a person has contravened section 49(1)		water industry entity
411078	Water Industry Act 2012	section 49(2)(b)	Serve a notice requiring a person to take action to remedy a contravention of section 49(1)		water industry entity
411079	Water Industry Act 2012	section 49(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land		water industry entity
411080	Water Industry Act 2012	section 49(4)	Take action required by a notice served under section 49(2)(b), if the recipient fails to take that action		water industry entity
411081	Water Industry Act 2012	section 49(6)	Recover the reasonable costs of taking action under section 49(4) as a debt		water industry entity
411082	Water Industry Act 2012	section 49(7)	Authorise a person to take action under section 49(4) on the water industry entities behalf		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411083	Water Industry Act 2012	section 50(1)	Authorise a person to: (a) attach any equipment or other thing, or make any connection, to water/sewerage infrastructure; (b) interfere with: (i) the collection, storage, production, treatment, conveyance, reticulation or supply of water through the use of water infrastructure; or (ii) the collection, storage, treatment, conveyance or reticulation of sewage through the use of sewerage infrastructure; (c) disconnect or interfere with any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure; or (d) damage any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure.		water industry entity
411084	Water Industry Act 2012	section 50(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on reasonable grounds that a person has contravened section 50(1)		water industry entity
411085	Water Industry Act 2012	section 50(2)(b)	Disconnect, close, turn off or remove anything that has been attached or used in connection with a contravention section 50(1)		water industry entity
411086	Water Industry Act 2012	section 50(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land		water industry entity
411087	Water Industry Act 2012	section 50(4)	Authorise a person to take action under section 50 on the water industry entities behalf		water industry entity
411088	Water Industry Act 2012	section 50(7)	Recover compensation from a person guilty of		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			a contravention of section 50(1) on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction		
411089	Water Industry Act 2012	section 51(1)	Receive notice from a person proposing to do work near water/sewerage infrastructure		water industry entity
411090	Water Industry Act 2012	section 51(3)(b)	Specify requirements to apply for the protection of the infrastructure or the safety of person carrying out the work		water industry entity
411091	Water Industry Act 2012	section 51(4)	Recover compensation from a person guilty of a contravention of section 51 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction		water industry entity
411092	Water Industry Act 2012	section 52(1)	Receive notice from a person proposing to: (a) to first lay the pavement or hard surface in any road; (b) to relay the pavement or hard surface in any road; (c) to widen or extend the pavement or hard surface in any road; (d) to alter the level of any road; (e) to construct or alter any footpaths, gutters, kerbing or water tables in any road; or (f) to construct or alter any drainage work in any road in which water/sewerage infrastructure is laid		water industry entity
411093	Water Industry Act 2012	section 52(2)	Advise the person giving notice under section 52(1) of any new water/sewerage infrastructure proposed in the relevant road and of any interference that is expected to be		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			caused to the existing water/sewerage infrastructure		
411094	Water Industry Act 2012	section 52(4)	Confer with a person giving notice under section 52(1) with respect to variations to the proposed work		water industry entity
411095	Water Industry Act 2012	section 52(6)	Waive the requirement to provide notice under section 52(1)		water industry entity
411096	Water Industry Act 2012	section 53(2)(b)	Approve the installation or maintenance of a pipe capable of conveying water beyond the boundaries of a site occupied by the person		water industry entity
411097	Water Industry Act 2012	section 53(1)	Authorise a person to: (a) abstract or divert water from any water infrastructure; or (b) abstract or divert any sewage from any sewerage infrastructure		water industry entity
411098	Water Industry Act 2012	section 53(3)	Recover compensation from a person guilty of a contravention of section 53 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction		water industry entity
411099	Water Industry Act 2012	section 54(1)(a)	Require a person supplied water by the water industry entity to allow a person authorised by the entity to enter land and fix a meter supplied by the entity		water industry entity
411100	Water Industry Act 2012	section 54(1)(b)	Require a person supplied water by the water industry entity to ensure that a meter of a kind specified by the entity is fixed and used for the purposes of measuring water supplied to the person		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411101	Water Industry Act 2012	section 54(3)	Supply a water meter		water industry entity
411102	Water Industry Act 2012	section 54(4)	Issue a direction or requirement in regard to the installation or use of a meter		water industry entity
411103	Water Industry Act 2012	section 54(10)	Serve a notice on a person who fails to ensure that access to the meter or fitting for the purpose of reading, replacement, repair or maintenance is not obstructed requiring the person to take specified action to provide access to the meter or fitting		water industry entity
411104	Water Industry Act 2012	section 54(11)	Enter land and take action to provide access to the meter or fitting		water industry entity
411105	Water Industry Act 2012	section 54(12)	Recover compensation from a person guilty of a contravention of section 54 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction		water industry entity
411106	Water Industry Act 2012	section 54(13)	Recover costs of taking action under section 54(11) as a debt		water industry entity
411107	Water Industry Act 2012	section 55(1)	Authorise a person to discharge any solid, liquid or gaseous materials, or any other item or thing, into water infrastructure		water industry entity
411108	Water Industry Act 2012	section 55(3)	Recover compensation from a person guilty of a contravention of section 55 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction		water industry entity
411109	Water Industry Act 2012	section 56(1)	Authorise a person to discharge into any sewerage infrastructure any solid, liquid or		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			gaseous material, or any other item or thing that is likely to damage the infrastructure		
411110	Water Industry Act 2012	section 56(3)(a)	Authorise a person to discharge specific waste material into sewerage infrastructure		water industry entity
411111	Water Industry Act 2012	section 56(3)(b)	Enter into a contract with a person in regard to the provision of a sewerage service authorising the discharge specific waste material into sewerage infrastructure		water industry entity
411112	Water Industry Act 2012	section 56(5)	Authorise a person to cause, permit or allow any rainwater, stormwater or surface water to flow into, or to otherwise enter, any sewerage infrastructure		water industry entity
411113	Water Industry Act 2012	section 56(7)	Attach conditions to an authorisation under section 56(5)		water industry entity
411114	Water Industry Act 2012	section 56(7)	Vary or revoke an authorisation under section 56(5)		water industry entity
411115	Water Industry Act 2012	section 56(9)	Recover the reasonable costs and expenses incurred by the water entity in addressing any damage or loss caused as a result of, on in remedying circumstances caused by, a contravention of section 56 as a debt		water industry entity
411116	Water Industry Act 2012	section 57(1)	Issue a notice requiring an owner or occupier of land to carry out specified work		water industry entity
411117	Water Industry Act 2012	section 57(3)	Vary or revoke a notice issued under section 57(1)		water industry entity
411118	Water Industry Act 2012	section 57(5)	Take action required by a notice if the recipient of the notice fails to take the action		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411119	Water Industry Act 2012	section 57(6)	Authorise a person to take action under section 57(5) on the entity's behalf		water industry entity
411120	Water Industry Act 2012	section 57(8)	Recover the reasonable costs and expenses incurred by the water industry entity taking action under section 57(5) as a debt		water industry entity
411121	Water Industry Act 2012	section 58(1)	Close off or disconnect from the sewerage infrastructure one or more drains on the land that are connected to the sewerage infrastructure or restrict the provision of any sewerage service to the land		water industry entity
411122	Water Industry Act 2012	section 58(2)	Reopen or reconnect a drain closed off or disconnected under section 58(1)		water industry entity
411123	Water Industry Act 2012	section 58(2)	Require the owner or occupier of land to pay the prescribed fee prior to reopening or reconnecting a drain closed off or disconnected under section 58(1)		water industry entity
411124	Water Industry Act 2012	section 59(3)(a)	Lessen the supply through any infrastructure		water industry entity
411125	Water Industry Act 2012	section 59(3)(b)	Prohibit the use of water in a specified purpose or purposes, or restrict or regulate the purposes for which water can be used		water industry entity
411126	Water Industry Act 2012	section 59(3)(c)	Prohibit the use of water in a specified manner or by specified means, or restrict or regulate the manner in which, or the means by which, water may be used		water industry entity
411127	Water Industry Act 2012	section 59(3)(d)	Prohibit specified uses of water during specified periods, or restrict or regulate the times at which water may be used		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411128	Water Industry Act 2012	section 59(3)(e)	Discontinue the supply of water		water industry entity
411129	Water Industry Act 2012	section 59(4)	Impose a requirement that a permit of the water industry entity must be held to undertake an activity involving the use of water		water industry entity
411130	Water Industry Act 2012	section 59(4)	Issue a permit authorising an activity involving the use of water		water industry entity
411131	Water Industry Act 2012	section 59(5)(b)	Publish or serve a notice regarding a prohibition or notice under section 59(3)		water industry entity
411132	Water Industry Act 2012	section 59(5)(b)	Vary or revoke a prohibition or notice under section 59(3)		water industry entity
411133	Water Industry Act 2012	section 60(1)	Serve notice on the owner or occupier of land that is connected to water infrastructure operated by the entity directing the owner or occupier to install a flow reducing device of a specified kind and to use the device to reduce flow in the pipes on the land which are connected to the water infrastructure		water industry entity
411134	Water Industry Act 2012	section 60(5)	Install a flow reducing device if the owner or occupier has failed to comply with the requirements of a notice under section 60(1)		water industry entity
411135	Water Industry Act 2012	section 60(6)	Recover the reasonable costs and expenses incurred by the water industry entity as a debt from the person who failed to comply with the notice under section 60(1)		water industry entity
411136	Water Industry Act 2012	section 63(3)(a)	Disconnect the supply of water or the collection of sewage, or restrict the supply of services		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411137	Water Industry Act 2012	section 63(3)(b)	Obtain a warrant under Part 10 to enter a place for the purpose of disconnecting the supply of water or the collection of sewage, or restricting the supply of services		water industry entity
411138	Water Industry Act 2012	section 63(5)(b)	Restore a connection for the supply of water or the collection of sewage		water industry entity
411139	Water Industry Act 2012	section 64	Cut off the supply of water to any region, area, land or place if it is necessary to do so to avert danger to any person or property		water industry entity
411140	Water Industry Act 2012	section 68	Comply with prescribed technical and safety requirements or any technical and safety requirements of the Technical Regulator		water industry entity
411141	Water Industry Act 2012	section 69(3)	Disconnect the supply of water or the collection of sewerage, or restrict the supply of services		water industry entity
411142	Water Industry Act 2012	section 84(1)(b)	Make an application to the Commission for a review of a decision of the Commission under Part 4 to suspend or cancel the entity's licence or vary the terms or conditions of the entity's licence		water industry entity
411143	Water Industry Act 2012	section 85(1)(a)	Make an application for a review of a decision or an enforcement notice under Part 8, Division 4 under section 34 of the South Australian Civil and Administrative Tribunal Act 2013		water industry entity
411144	Water Industry Act 2012	section 88(1)	Provide information requested by the Minister		water industry entity
411145	Water Industry Act 2012	section 98(1)	Provide and maintain fire plugs, maintain various standards, and comply with any other		water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			requirements relating to the provision of water for fire-fighting purposes, in accordance with any scheme determined by the Minister		
411146	Water Industry Act 2012	section 102(2)	Commence proceeding for an offence under the Water Industry Act		water industry entity
411147	Water Industry Act 2012	section 111(7)	Certify a plan delineating the position of any equipment, plant or drain connected to any water/sewerage infrastructure		water industry entity
411148	Water Industry Act 2012	section 111(8)	Certify a date on and from which the water industry entity was prepared to supply water by means of a direct service to land specified in the certificate or could by means of drains or other infrastructure, be drained or serviced by a sewer		water industry entity
411149	Water Industry Act 2012	section 111(9)	Certify a copy or extract of a register of readings of meters maintained by the water industry entity		water industry entity
411150	Water Industry Act 2012	section 113(1)	Cause a ventilating shaft, pipe or tube for any sewerage infrastructure or drain to be attached to the exterior wall of a building		water industry entity





Water Industry Regulations 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411151	Water Industry Regulations 2012	regulation 9	Enter into an agreement with a person undertaking work which would involve the alteration of any water/sewerage infrastructure to share the cost of the work		water industry entity
411152	Water Industry Regulations 2012	regulation 11(1)	Provide a statement of the amount paid to a person who has paid an amount for the provision of retail services		water industry entity
411153	Water Industry Regulations 2012	regulation 11(2)	Provide a consumer with a statement of the quantity of water supplied by the entity to the consumer in the financial year		water industry entity
411154	Water Industry Regulations 2012	regulation 11(3)	Provide a statement of the amount paid for retail services or the quantity of water supplied by the entity financial year to any other person acting with the consent of the person referred to in regulations 11(1) and 11(2)		water industry entity
411155	Water Industry Regulations 2012	regulation 12(1)	Provide a statement as the existence or non-existence of encumbrances in relation to the land to which the application relates that are prescribed encumbrances for the purposes of the Land and Business (Sale and Conveyancing) Act 1994		water industry entity
411156	Water Industry Regulations 2012	regulation 13(a)(i)	Seek the approval of a water industry entity (that owns or operated sewerage infrastructure that may be affected by the planting) to plant trees and shrubs (except those listed I Schedule 2 and Schedule 3) on public land		council
411157	Water Industry Regulations 2012	regulation 13(a)(i)	Grant approval to plant trees and shrubs on public land		water industry entity
411158	Water Industry Regulations 2012	regulation 13(b)	Grant approval to plant trees and shrubs on a road closer than 1 metre to any water infrastructure		water industry entity





Water Industry Regulations 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411159	Water Industry Regulations 2012	regulation 14(1)	Receive and comply with a notice from water industry entity directing action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure		council
411160	Water Industry Regulations 2012	regulation 14(1)	Direct a council or other person with care, control or management of land to take action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure		water industry entity
411161	Water Industry Regulations 2012	regulation 14(2)	Take action specified in a notice under regulation 14(1) if the recipient fails to comply with the notice		water industry entity
411162	Water Industry Regulations 2012	regulation 14(3)	Recover costs of taking action specified in a notice under regulation 14(2) as a debt		water industry entity
411163	Water Industry Regulations 2012	regulation 15	Recover costs of taking action specified in a notice under regulation 14 as a debt		water industry entity
411164	Water Industry Regulations 2012	regulation 16(3)(b)	Authorise a person to enter infrastructure owned or operated by the entity		water industry entity
411165	Water Industry Regulations 2012	regulation 17(1)(a)	Obtain the approval of ESCOSA prior to taking action under sections 59(3)(a) to 59(3)(e) (inclusive)		water industry entity
411166	Water Industry Regulations 2012	regulation 17(1)(b)(i)	Notify the public of the intention to exercise a power under sections 59(3)(b) to 59(3)(d) (inclusive) by notice in the Gazette		water industry entity
411167	Water Industry Regulations 2012	regulation 17(1)(b)(ii)	Notify the public of the intention to exercise a power under sections 59(3)(a) to 59(3)(e) (inclusive) by a		water industry entity





Water Industry Regulations 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			notice of a website, in a newspaper circulating throughout the area of the State in which person affected by the exercise of the power are situated and in any other manner considered appropriate		
411168	Water Industry Regulations 2012	regulation 18	Issue a permit for the purposes of section 59(4) of the Water Industry Act		water industry entity
411169	Water Industry Regulations 2012	regulation 23(2)(a)	Give notice in writing to the water industry entity that owns, manages or uses the entry point, inspection point or other fitting of the alteration to the surface height of a road, footpath or easement to a water industry entity		council
411170	Water Industry Regulations 2012	regulation 23(2)(b)	Alter the height of an entry point, inspection point or other fitting		water industry entity
411171	Water Industry Regulations 2012	regulation 23(3)	Recover costs under regulation 23(2)(b) as a debt from entity which altered the height of the road, footpath or easement		water industry entity
411172	Water Industry Regulations 2012	regulation 34(1)(b)	Direct a person to disconnect a pipe which is intersected by the boundary of adjoining allotments from water/sewerage infrastructure		water industry entity
411173	Water Industry Regulations 2012	regulation 34(4)	Direct a person to disconnect a pipe which lies across the boundary of adjoining allotments from water/sewerage infrastructure		water industry entity
411174	Water Industry Regulations 2012	regulation 34(7)	Enter land and undertake work required by a notice under regulation 34 if the recipient has failed to undertake the required work		water industry entity
411175	Water Industry Regulations 2012	regulation 36	Estimate the quantity of water supplied through a meter		water industry entity





Water Industry Regulations 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
411176	Water Industry Regulations 2012	regulation 38	Impose a charge in respect of land of a kind specified by the Minister by notice in the gazette despite the fact that the land is not connected to infrastructure by which a retail service is provided by the water industry entity or the provision of a retail service to the land by the water industry entity has been reduced or discontinued		water industry entity





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
279748	Work Health and Safety Act 2012	s51(1)	51. Determination of work groups (1) The power pursuant to Section 51(1) of the Work Health and Safety Act 2012 (the Act), to, if a request is made under Section 50 of the Act, facilitate the determination of one or more work groups of workers.	
279749	Work Health and Safety Act 2012	s52(1)	52. Negotiations for agreement for work group (1) The power pursuant to Section 52(1) of the Act, and in accordance with Sections 52(2), (3) and (6) of the Act, to determine a work group by negotiation and agreement with the workers who will form the work group or their representatives.	
279750	Work Health and Safety Act 2012	s52(4)	52. Negotiations for agreement for work group (4) The power pursuant to Section 52(4) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement in accordance with Section 52(6) of the Act.	
279751	Work Health and Safety Act 2012	s54(1)	54. Failure of negotiations (1) The power pursuant to Section 54(1) of the Act to, if there is a failure of negotiations (including negotiations concerning the variation of an agreement), ask the regulator to appoint an inspector for the purposes of Section 54 of the Act.	
279752	Work Health and Safety Act 2012	s55(2)	55. Determination of work groups of multiple businesses (2) The power pursuant to Section 55(2) of the Act to determine the particulars of the work groups by negotiation and agreement, in accordance with Section 56 of the Act, between each of the persons conducting the businesses or undertakings and the workers.	
279753	Work Health and Safety Act 2012	s55(3)	55. Determination of work groups of multiple businesses (3) The power pursuant to Section 55(3) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement.	
279754	Work Health and Safety Act 2012	s56(3)	56. Negotiation of agreement for work groups of multiple businesses (3) The power pursuant to Section 56(3) of the Act to, if agreement	





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			cannot be reached on a matter relating to the determination of a work group (or a variation of an agreement) within a reasonable time after negotiations commence under Subdivision 3 of Division 3, Part 5 of the Act, ask the regulator to appoint an inspector to assist the negotiations in relation to that matter.	
279755	Work Health and Safety Act 2012	s58(1)	58. Withdrawal from negotiations or agreement involving multiple businesses (1) The power pursuant to Section 58(1) of the Act to, in relation to a negotiation for an agreement, or an agreement, concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, withdraw from the negotiation or agreement at any time by giving reasonable notice (in writing) to the other parties.	
279756	Work Health and Safety Act 2012	s58(2)	58. Withdrawal from negotiations or agreement involving multiple businesses (2) The power pursuant to Section 58(2) of the Act to, if a party withdraws from an agreement concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, negotiate a variation to the agreement in accordance with Section 56 of the Act.	
279757	Work Health and Safety Act 2012	s65(1)	65. Disqualification of health and safety representatives (1) The power pursuant to Section 65(1) of the Act, to make an application to SAET to disqualify a health and safety representative on the ground that the representative has: (a) exercised a power or performed a function as a health and safety representative for an improper purpose; or (b) used or disclosed any information he or she acquired as a health and safety representative for a purpose other than in connection with the role of health and safety representative, where the Council is adversely affected by the exercise of a power or the performance of a function referred to in Section 65(1)(a) of the Act or the use or disclosure of information referred to in Section 65(1)(b) of the Act.	





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
279758	Work Health and Safety Act 2012	s70(1)	<p>70. General obligations of person conducting business or undertaking</p> <p>(1) The power pursuant to Section 70(1) of the Act, to</p> <p>(a) consult, so far as is reasonably practicable, on work health and safety matters with any health and safety representative for a work group of workers carrying out work for the Council; and</p> <p>(b) confer with a health and safety representative for a work group, whenever reasonably requested by the representative, for the purpose of ensuring the health and safety of the workers in the work group; and</p> <p>(c) allow any health and safety representative for the work group to have access to information that the Council has relating to:</p> <p>(i) hazards (including associated risks) at the workplace affecting workers in the work group; and</p> <p>(ii) the health and safety of the workers in the work group; and</p> <p>(d) with the consent of a worker that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between the worker and:</p> <p>(i) an inspector; or</p> <p>(ii) the Council or the Council's representative; and</p> <p>(e) with the consent of one or more workers that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between a group of workers, which includes the workers who gave the consent, and:</p> <p>(i) an inspector; or</p>	





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			<p>(ii) the Council or the Council's representative; and</p> <p>(f) provide any resources, facilities and assistance to a health and safety representative for the work group that are reasonably necessary or prescribed by the regulations to enable the representative to exercise his or her powers or perform his or her functions under the Act.</p> <p>(g) allow a person assisting a health and safety representative for the work group to have access to the workplace if that is necessary to enable the assistance to be provided; and</p> <p>(h) permit a health and safety representative for the work group to accompany an inspector during an inspection of any part of the workplace where a worker in the work group works; and</p> <p>(i) provide any other assistance to the health and safety representative for the work group that may be required by the regulations.</p>	
279759	Work Health and Safety Act 2012	s71(5)	<p>71. Exceptions for obligations under Section 70(1)</p> <p>(5) The power pursuant to Section 71(5) of the Act to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a work group.</p>	
279760	Work Health and Safety Act 2012	s72(1)	<p>72. Obligation to train health and safety representatives</p> <p>(1) The power pursuant to Section 72(1) of the Act to, consult with a health and safety representative in relation to the health and safety representative attending a course of training in work health and safety that is subject to Section 72(6), chosen by the health and safety representative.</p>	
279774	Work Health and Safety Act 2012	s72(3)	<p>72. Obligation to train health and safety representatives</p> <p>(3) The power pursuant to Section 72(3) of the Act to:</p> <p>(a) as soon as practicable within the period of 3 months after the request is made, allow the health and safety representative time off work to attend the course of training; and</p>	





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
279775	Work Health and Safety Act 2012	s72(3)(b)	72. Obligation to train health and safety representatives (3) The power pursuant to Section 72(3) of the Act to: (b) pay the course fees and any other reasonable costs associated with the health and safety representative's attendance at the course of training.	
279776	Work Health and Safety Act 2012	s72(6)	72. Obligation to train health and safety representatives (6) The power pursuant to Section 72(6) of the Act to, if agreement cannot be reached between the Council or Council's delegate and the health and safety representative within the time required by Section 72(3) of the Act as to the matters set out in Sections 72(1)(c) and (3) of the Act, ask the regulator to appoint an inspector to decide the matter.	
279761	Work Health and Safety Act 2012	s73(1)	73. Obligation to share costs if multiple businesses or undertakings (1) The power pursuant to Section 73(1) of the Act to, if a health and safety representative, or deputy health and safety representative (if any), represents a work group of workers carrying out work for the Council and one or more other person conducting businesses or undertakings, agree that: (a) the costs of the representative exercising powers and performing functions under the Act; and (b) the costs referred to in Section 72(3)(b) of the Act, for which the Council or any of the other persons conducting those businesses or undertakings are liable, are to be apportioned between each of those persons otherwise than equally. (2) The power pursuant to Section 73(2) of the Act, to vary an agreement to apportion the costs in another way, at any time by negotiation and agreement between each of the persons conducting the businesses or undertakings.	
279762	Work Health and Safety Act 2012	s75(2)	75. Health and safety committees (2) The power pursuant to Section 75(2) of the Act to, establish a health and safety committee for the workplace or part of the workplace.	
279763	Work Health and Safety	s76(1)	76. Constitution of committee	





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Act 2012		<p>(1) The power pursuant to Section 76(1) of the Act and subject to Sections 76(2) to (4) of the Act, to agree the constitution of a health and safety committee with the workers at the workplace.</p> <p>(5) The power pursuant to Section 76(5) of the Act to, if agreement is not reached under Section 76 within a reasonable time, ask the regulator to appoint an inspector to decide the matter.</p>	
279764	Work Health and Safety Act 2012	s82(2)	<p>82. Referral of issue to regulator for resolution by inspector</p> <p>(2) The power pursuant to Section 82(2) of the Act to, ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue.</p>	
279765	Work Health and Safety Act 2012	s87	<p>87. Alternative work</p> <p>The power pursuant to Section 87 of the Act to, if a worker ceases work under Division 6, Part 5 of the Act, direct the worker to carry out suitable alternative work at the same or another workplace if that work is safe and appropriate for the worker to carry out until the worker can resume normal duties.</p>	
279766	Work Health and Safety Act 2012	s89	<p>89. Request to regulator to appoint inspector to assist</p> <p>The power pursuant to Section 89 of the Act to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue arising in relation to the cessation of work.</p>	
279767	Work Health and Safety Act 2012	s100(1)	<p>100. Request for review of provisional improvement notice</p> <p>(1) The power pursuant to Section 100(1) of the Act, to, within 7 days after a provisional improvement notice is issued to the Council or a worker who carries out work at the Council, ask the regulator to appoint an inspector to review the notice.</p>	
279768	Work Health and Safety Act 2012	s141	<p>141. Application for assistance of inspector to resolve dispute</p> <p>The power, pursuant to Section 141 of the Act, to, if a dispute arises about the exercise or purported exercise by a WHS entry permit holder of a right of entry under the Act, ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.</p>	





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
279769	Work Health and Safety Act 2012	s142(4)	142. Authorising authority may deal with a dispute about a right of entry under this Act (4) The power pursuant to Section 142(4) of the Act to apply to the authorising authority to deal with a dispute where the dispute relates to the Council.	
279770	Work Health and Safety Act 2012	s180(1)	180. Return of seized things (1) The power pursuant to Section 180(1) of the Act to, if a seized thing has not been forfeited, and the Council is the person entitled to the thing, apply to the regulator for the return of the thing after the end of 6 months after it was seized.	
279771	Work Health and Safety Act 2012	s181(1)	181. Access to seized things (1) The power pursuant to Section 181(1) of the Act to, until a seized thing is forfeited or returned, inspect it and, if it is a document, to make copies of it at all reasonable times.	
279772	Work Health and Safety Act 2012	s224(1)	224. Application for internal review (1) The power pursuant to Section 224(1) of the Act, to, where the Council is an eligible person in relation to a reviewable decision, other than a decision made by the regulator or a delegate of the regulator, apply to the regulator for review (an internal review) in accordance with Section 224(2) of the Act, of the decision within: (a) the prescribed time after the day on which the decision first came to the Council's notice; or (b) such longer period as the regulator allows.	
279773	Work Health and Safety Act 2012	s229(1)	229. Application for external review (1) The power pursuant to Section 229(1) of the Act, to, where the Council is an eligible person, apply to SAET under Part 3 Division 1 of the South Australian Employment Tribunal Act 2014, in accordance with Section 229(2) of the Act, for a review of: (a) a reviewable decision made by the regulator; or	





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			(b) a decision made, or taken to have been made, on an internal review.	



20 MOTIONS WITH NOTICE

Nil

21 URGENT MOTIONS WITHOUT NOTICE



22 CONFIDENTIAL ITEMS OF COMMITTEES

22.1 CONFIDENTIAL ITEMS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 31 MAY 2023

22.2 Chief Executive Officer - 12 Month Performance Update

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 the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 22.2 AR23/31872 Chief Executive Officer - 12 Month Performance Update.

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

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

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be presented and discussed relates to the performance review of the Chief Executive Officer, the disclosure of which would be unreasonable disclosure of personal information relating to the employment of the Chief Executive Officer, Sarah Philpott.

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 AR23/31872 Chief Executive Officer - 12 Month Performance Update and its attachments, 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 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



23 NEW CONFIDENTIAL ITEMS

23.1 RAA EV CHARGING STATION PROJECT – REPORT NO. AR23/30191

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 the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.1 AR23/30191 RAA EV Charging Station Project.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
 - to prejudice the commercial position of the person who supplied the information, or
 - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any law, order or direction of a court or tribunal constituted by law,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the matter to be considered includes the proponents information which is of a commercially sensitive nature. The premature disclosure, including discussion in public forum, could reasonably be expected to prejudice or benefit 3rd parties, including Council in its commercial negotiations which would on balance be contrary to the public interest in achieving commercial arrangements and good community outcomes associated with the proposed use of Council land.

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 23.1 AR23/30191 RAA EV Charging Station Project and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (g) be kept confidential and not available for public inspection until 36 months have elapsed since the proponents last dealings with Council on the proposal, or 12 months after an agreement and any renewal or extended term has expired and not been renewed, whichever is the later, with the resolutions

to be released upon the execution by all parties of an agreement and a joint public announcement having been made on the proposal.

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*.

23.2 UNSOLICITED PROPOSAL - TENISON WOODS COLLEGE – REPORT NO. AR23/32053

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 the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.2 AR23/32053 Unsolicited Proposal - Tenison Woods College.

The Council is satisfied that, pursuant to section 90(3) (b) 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

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 is expected to include discussion of potential terms, conditions and funding options for subsequent proposals associated with a shared boundary, the premature disclosure of which could benefit a third party and prejudice the Council, and thus the public interest in achieving best value for the community is considered to outweigh the interest in the matter being considered in a place open to the public.

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 23.2 AR23/32053 Unsolicited Proposal - Tenison Woods College and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) be kept confidential and not available for public inspection until an agreement has been executed with the proponent.
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*.

23.3 NOTICE OF MOTION - STRATEGIC PROPERTY MANAGEMENT – REPORT NO. AR23/32078

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 the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.3 AR23/32078 Notice of Motion - Strategic Property Management.

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
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
 - to prejudice the commercial position of the person who supplied the information, or
 - to confer a commercial advantage on a third party

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered includes property valuation information that could benefit a 3rd party with whom Council may seek to conduct business and prejudice the Council's commercial position. the public interest in the matter being considered in a place open to the public is outweighed in the circumstances where disclosure would be likely to affect the Council's ability to get best value for the community.

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 23.3 AR23/32078 Notice of Motion - Strategic Property Management and its attachments, 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 contracts have been executed and settled for all of the subject matter contained in the report and resolutions, with the resolutions/minutes only to be released immediately following consideration by Council.
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*.

24 MEETING CLOSE



COMMITTEE MINUTES

AND

REPORTS / ATTACHMENTS

**MINUTES OF CITY OF MOUNT GAMBIER
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 16 MAY 2023 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Frank Morello, Cr Josh Lynagh, Cr Kate Amoroso, Cr Max Bruins, Cr Sonya Meziniec, Cr Jason Virgo

OFFICERS IN ATTENDANCE:	Chief Executive Officer General Manager City Infrastructure General Manager Corporate and Regulatory Services General Manager City and Community Growth Manager Governance and Property Manager Financial Services Communications Officer Executive Administrator	<ul style="list-style-type: none">- Mrs S Philpott- Ms B Cernovskis- Mrs J Fetherstonhaugh- Mrs Sue La Greca- Mr M McCarthy- Mrs J Scoggins- Ms M Brookes- Ms S Wilson
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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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

RESOLUTION 2023/75

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

That the apology from Cr Paul Jenner be received.

CARRIED

3 LEAVE OF ABSENCE

RESOLUTION 2023/76

Moved: Cr Kate Amoroso

Seconded: Cr Jason Virgo

That leave of absence from Cr Mark Lovett be noted.

CARRIED

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2023/77

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

That the minutes of the Ordinary Council meeting held on 18 April 2023 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

5 MAYORAL REPORT

5.1 MAYORAL REPORT - MAY 2023

- Anzac Accolade – Salvation Army
- With CEO Site Visit to McDonnell Industries
- With CEO Meeting with Hon Ben Hood MLC
- Radio Interview – 5 GTR-FM
- Kapyong Day Service
- Anzac Day Dawn Service – Vansittart Park
- Anzac Day March and Service – Vansittart Park
- Radiation Treatment LC Working Party Meeting
- Virtual Meeting with CEO and Rebecca Abley – Crime Stoppers SA
- EM Briefing – Budget Workshop 4
- Meeting with EO LCLGA – Strategic Plan
- EM Briefing – RACT Board Membership (Vacancies)
- EM Briefing – RACC Structure
- EM Briefing – Tourism and Economic Development Websites Progress and Visitor Satisfaction
- Official Launch of Wirringka Student Services Mount Gambier Study Centre and Kinyera Warui/Yacca Path & Nyina ba Kalawa / Yarning Circle – Uni SA
- Uni SA Graduation Luncheon
- Uni SA Graduation Ceremony
- Mount Gambier Netball Association Season Opening
- Volunteer at Red Cross Blood Bank
- CEO Performance Review Committee Meeting
- Meeting with Nathan Paine, CEO, SA Forest Products Association
- Visit to Boandik St Mary's to speak to Residents
- Introductory Meeting with representatives from Limestone Estate
- Maiden Speech – Hon Ben Hood MLC
- Launch of GIJ 2023
- Launch of the Feast of Vesak

- Generations in Jazz – Chairman's Dinner
- Generations in Jazz – Finale Concert and Awards
- Flag Raising Ceremony – World Red Cross Day
- Audit and Risk Committee Workshop
- Audit and Risk Committee Meeting
- With CEO, Meeting with Independent Chair – Steering Committee Education and Training Precinct
- EM Briefing with Hon Ben Hood MLC
- EM Briefing – Budget Workshop 5 and Long Term Financial Plan
- Reception at Government House, Celebration of the Coronation of Their Majesties King Charles III & Queen Camilla
- SAROC Meeting – Kimba
- Mayor and CEO Meeting with SA Cross Border Commissioner

RESOLUTION 2023/78

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Meziniec

That the Mayoral report made on 16 May 2023 be received.

CARRIED**6 REPORTS FROM COUNCILLORS**

Cr Josh Lynagh	Red Shield Appeal Concert, Audit and Risk Committee Workshop.
Cr Jason Virgo	Anzac Day, ac.care Showcase - Shane Maddocks and Jess Wilkin.
Cr Frank Morello	Anzac Day Dawn Service, Uni SA Graduation Ceremony.
Cr Sonya Meziniec	Anzac Day Dawn Service, Anzac Day Parade and Service, LCLHN Annual HAC Conference Working Group, Exhibition Opening Riddoch Art Gallery - Tom Moore Jam Factory Icon - Abundant Wonder, Renewal - Thumbprint (local artists), Annual Vigil - Remembering those who have died due to domestic and family violence, Mount Gambier and Districts Health Advisory Council.

RESOLUTION 2023/79

Moved: Cr Kate Amoroso

Seconded: Cr Max Bruins

That the reports made by Councillors on 16 May 2023 be received.

CARRIED**7 QUESTIONS WITH NOTICE**

Nil

8 QUESTIONS WITHOUT NOTICE

Nil

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil

12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS**12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 14/04/2023 TO 12/05/2023****RESOLUTION 2023/80**

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Council Report No. AR23/26803 titled 'Elected Member Information/Briefing Sessions from 14/04/2023 to 12/05/2023' as presented on 16 May 2023 be noted.

CARRIED**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

14 COUNCIL ACTION ITEMS**14.1 COUNCIL ACTION ITEMS - 18/04/2023****RESOLUTION 2023/81**

Moved: Cr Josh Lynagh

Seconded: Cr Sonya Meziniec

1. That Council Report No. AR23/29303 titled 'Council Action Items - 18/04/2023' as presented on 16 May 2023 be noted.

CARRIED**15 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

16 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS**16.1 MINUTES OF THE AUDIT AND RISK COMMITTEE HELD ON 8 MAY 2023****RESOLUTION 2023/82**

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

That the Minutes of the Audit and Risk Committee meeting held on 8 May 2023 as attached be noted.

CARRIED

16.2 EXTERNAL AUDIT MANAGEMENT REPORT – REPORT NO. AR23/27631**RESOLUTION 2023/83**

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR23/27631 titled 'External Audit Management Report' as presented on 08 May 2023 be noted.

CARRIED

16.3 WORK HEALTH SAFETY AND WELLBEING MANAGEMENT – REPORT NO. AR23/28130**RESOLUTION 2023/84**

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Mezinac

1. That Audit and Risk Committee Report No. AR23/28130 titled 'Work Health Safety and Wellbeing Management' as presented on 08 May 2023 be noted.

CARRIED

17 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS**17.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 1 MAY 2023****RESOLUTION 2023/85**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

That the Minutes of the Chief Executive Officer Performance Review Committee meeting held on 1 May 2023 as attached be noted.

CARRIED

18 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil

19 COUNCIL REPORT**19.1 SOUTH AUSTRALIAN FOREST PRODUCTS ASSOCIATION (SAFPA) - AFFILIATE MEMBERSHIP**

Pursuant to Section 74 of the Local Government Act 1999, Cr Josh Lynagh disclosed a general conflict of interest in Item 19.1.

In accordance with Section 75B Cr Lynagh informed the meeting:

- Nature of Interest:

"I work for Hon. Clare Scriven, the Minister for Forest Industries. SAFPA is the peak industry for Forestry."

- Intention to Participate:

"I intend to stay in the meeting and vote on the matter. I will not be engaging in discussion or debate on the matter."

- Reason for Participating:

"The result of the motion, one way or the other, has no effect on myself or my employed position in any way."

In accordance with Section 75B of the Local Government Act 1999 Cr Lynagh remained in the meeting for Item 19.1.

Moved: Cr Max Bruins

1. That Council Report No. AR23/28646 titled 'South Australian Forest Products Association (SAFPA) - Affiliate Membership as presented on 16 May 2023 be noted.
2. That Council become an affiliate member of the South Australian Forest Products Association (SAFPA) to support the forest industry in Mount Gambier and contribute to economic, environmental and community development.
3. That Council note that the \$3,000 annual membership fee can be funded from the existing budget.

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: to further discuss questions relating to Item 19.1

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 6:15 pm

The Mayor determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 6:24 pm

The motion lapsed for want of a seconder

RESOLUTION 2023/86

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That Council Report No. AR23/28646 titled 'South Australian Forest Products Association (SAFPA) - Affiliate Membership as presented on 16 May 2023 be noted.
2. That a decision be deferred until such time that SAFPA brief Council on the benefits of affiliate membership via an Information Briefing.

CARRIED

Having participated in the meeting for Item 19.1 under Section 75B Cr Lynagh voted in favour of the motion.

19.2 REQUEST FOR TREE REMOVAL - 2 PYNE CLOSE, MOUNT GAMBIER**RESOLUTION 2023/87**

Moved: Cr Max Bruins

Seconded: Cr Kate Amoroso

1. That Council Report No. AR23/26358 titled 'Request for Tree Removal - 2 Pyne Close, Mount Gambier' as presented on 16 May 2023 be noted.
2. That a further report be brought back to Council after some additional issues raised by the owner have been investigated.

CARRIED**19.3 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION (LCLGA) BUSINESS PLAN 2023/2024**

Pursuant to Section 74 of the Local Government Act 1999, Cr Josh Lynagh disclosed a general conflict of interest in Item 19.3.

Cr Lynagh informed the meeting:

- Nature of Interest:

"I work for Hon. Clare Scriven, the Minister for Regional Development. Council's membership of the LCLGA includes contribution to the RDALC."

- Intention to Participate:

"I intend to stay in the meeting and vote on the matter. I will not be engaging in discussion or debate on the matter."

- Reason for Participating:

"The result of the motion, one way or the other, has no effect on myself or my employed position in any way."

In accordance with Section 75B of the Local Government Act 1999 Cr Lynagh remained in the meeting for Item 19.3.

RESOLUTION 2023/88

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Council Report No. AR23/30253 titled 'Limestone Coast Local Government Association (LCLGA) Business Plan 2023/2024' as presented on 16 May 2023 be noted.
2. That Council support the Limestone Coast Local Government Association (LCLGA) Budget and Business Plan for the 2023/2024 financial year.

CARRIED

Having participated in the meeting for Item 19.3 under Section 75B Cr Lynagh voted in favour of the motion.

19.4 THIRD QUARTER REPORT ON ANNUAL BUSINESS PLAN 2022/2023 ANNUAL OBJECTIVES**RESOLUTION 2023/89**

Moved: Cr Sonya Meziniec

Seconded: Cr Josh Lynagh

1. That Council Report No. AR23/24499 titled 'Third Quarter Report on Annual Business Plan 2022/2023 Annual Objectives' as presented on 16 May 2023 be noted.

CARRIED**19.5 BUDGET REVIEW 3 2022/2023****RESOLUTION 2023/90**

Moved: Cr Max Bruins

Seconded: Cr Josh Lynagh

1. That Council Report No. AR23/24498 titled 'Budget Review 3 2022/2023' as presented on 16 May 2023 be noted.
2. That Council adopts the attached revised budget for the year ending 30 June 2023 as at 31 March 2023 (Budget Review 3).

CARRIED**20 MOTIONS WITH NOTICE**

Nil

21 MOTIONS WITHOUT NOTICE

Mayor Martin, under Regulation 12(6) of the Local Government Procedures at Meeting Regulations, refused to accept a motion without notice from Cr Virgo after taking into account the Guiding Principles.

22 CONFIDENTIAL ITEMS OF COMMITTEES

22.1 CONFIDENTIAL ITEMS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 1 MAY 2023

22.2 REQUEST FOR QUOTES - INDEPENDENT SPECIALIST SUPPORT – REPORT NO. AR23/22334

RESOLUTION 2023/91

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 Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, S La Greca, M McCarthy, J Scoggins, M Brookes and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 22.2 AR23/22334 Request for Quotes - Independent Specialist Support.

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

- information the disclosure of which 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.

- 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 the information to be presented and discussed relates to the performance review of the Chief Executive Officer, the disclosure of which would be unreasonable disclosure of personal information relating to the employment of the Chief Executive Officer, Sarah Philpott and also relates to consideration of submissions for the provision of consultancy services which includes commercial information the disclosure of which would confer benefit on third parties and prejudice the commercial position of Council in obtaining best value on behalf of the community.

CARRIED

Sarah Philpott, Chief Executive Officer, declared a conflict for item 22.2 and left the meeting at 6:41 pm.

RESOLUTION 2023/92

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 5.1 AR23/22334 Request for Quotes - Independent Specialist Support and its attachments, 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 (k) be kept confidential and not available for public inspection until 2 years after the term and any renewal term of employment of Sarah Philpott as Chief Executive Officer has ended, with the commercial information associated with expression of interest submissions to be released after 2 years and the name and value of the selected supplier be released immediately upon execution of a contract.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

Sarah Philpott, Chief Executive Officer, returned to the meeting at 6:42 pm.

23 NEW CONFIDENTIAL ITEMS

23.1 TELSTRA CO-INVESTMENT PROPOSAL FOR MOBILE BLACKSPOTS – REPORT NO. AR23/28946

RESOLUTION 2023/93

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, S La Greca, M McCarthy, J Scoggins, M Brookes and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.1 AR23/28946 Telstra Co-investment Proposal for Mobile Blackspots.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
 - to prejudice the commercial position of the person who supplied the information, or
 - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any law, order or direction of a court or tribunal constituted by law,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty
- information the disclosure of which would divulge information provided on a confidential basis by or to:
 - a Minister of the Crown, or
 - another Public Authority or official (not being an employee or a person engaged by the Council) that would on balance be contrary to the public interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered includes reports provided to Council containing commercial information creating a duty of confidence, and including information from a public authority, the premature disclosure of which could confer an advantage on third parties and prejudice the commercial position of Council in negotiations, and be contrary to the public interest in achieving optimal investment outcomes and value.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Cr Josh Lynagh disclosed a general conflict of interest in Item 23.1.

Cr Lynagh informed the meeting:

- Nature of Interest:

“I work for Hon. Clare Scriven, the Minister for Regional Development and Forest Industries. Both the RDALC and SAFPA are involved in this proposal.”

- Intention to Participate:

"I intend to stay in the meeting and vote on the matter. I will not be engaging in discussion or debate on the matter."

- Reason for Participating:

"The result of the motion, one way or the other, has no effect on myself or my employed position in any way."

In accordance with Section 75B of the Local Government Act 1999 Cr Lynagh remained in the meeting for Item 23.1.

Having participated in the meeting for Item 23.1 under Section 75B Cr Lynagh voted in favour of the motion.

RESOLUTION 2023/94

Moved: Cr Max Bruins
Seconded: Cr Jason Virgo

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 23.1 AR23/28946 Telstra Co-investment Proposal for Mobile Blackspots and its attachments, 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 an appropriate agreement has been executed releasing Council from its duty of confidence or Telstra provide express permission to release the information, 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

23.2 AF23/54 TENDER - PROCUREMENT - TENDER FOR CONSTRUCTION OF CAROLINE CELL 4A – REPORT NO. AR23/27593**RESOLUTION 2023/95**

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 Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, S La Greca, M McCarthy, J Scoggins, M Brookes and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.2 AR23/27593 AF23/54 Tender - Procurement - Tender For Construction of Caroline Cell 4A.

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 tenders for the: supply of goods, or the provision of services, or the carrying out of works.

CARRIED**RESOLUTION 2023/96**

Moved: Cr Max Bruins
Seconded: Cr Frank Morello

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 23.2 AR23/27593 AF23/54 Tender - Procurement - Tender For Construction of Caroline Cell 4A and its attachments, 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 12 months after the completion of the tender works, with the name of the successful tenderer and the tender contract value to be disclosed following execution of a contract.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED**24 MEETING CLOSE**

The Meeting closed at 6:51 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 June 2023.

.....
PRESIDING MEMBER

**MINUTES OF CITY OF MOUNT GAMBIER
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 23 MAY 2023 AT 7:00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Frank Morello, Cr Josh Lynagh, Cr Max Bruins,
Cr Sonya Meziniec, Cr Jason Virgo

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mrs S Philpott
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager City and Community Growth	- Mrs S La Greca
	Manager Financial Services	- Mrs J Scoggins
	Communications Officer	- Ms M Brookes

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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

RESOLUTION 2023/97

Moved: Cr Max Bruins
Seconded: Cr Jason Virgo

That the apologies from Cr Kate Amoroso and Cr Paul Jenner be received.

CARRIED

3 LEAVE OF ABSENCE

RESOLUTION 2023/98

Moved: Cr Sonya Meziniec
Seconded: Cr Frank Morello

That leave of absence from Cr Mark Lovett be noted.

CARRIED

4 COUNCIL REPORTS

4.1 DRAFT 2023/2024 ANNUAL BUSINESS PLAN AND BUDGET FOR PUBLIC CONSULTATION

RESOLUTION 2023/99

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Council Report No. AR23/24501 titled 'Draft 2023/2024 Annual Business Plan and Budget for Public Consultation' as presented on 23 May 2023 be noted.
2. That Council endorse the 2023/2024 Draft Annual Business Plan and Budget for public consultation as attached to Report No. AR23/24501.
3. That Council authorises the Chief Executive Officer to make any necessary changes to the draft 2023/2024 Annual Business Plan and Budget document arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.
4. That a Special Council meeting be scheduled for Tuesday 20 June 2023 at 5:00pm at which members of the public may ask questions and make submissions on the draft 2023/2024 Annual Business Plan and Budget as part of its public consultation activities.

CARRIED

4.2 DRAFT LONG TERM FINANCIAL PLAN FOR PUBLIC CONSULTATION

RESOLUTION 2023/100

Moved: Cr Josh Lynagh

Seconded: Cr Frank Morello

1. That Council Report No. AR23/24500 titled 'Draft Long Term Financial Plan for Public Consultation' as presented on 23 May 2023 be noted.
2. That Council endorse the Draft Long Term Financial Plan 2024-2033 as attached to Report No. AR23/24500 for community consultation.
3. Authorises the Chief Executive Officer to make any necessary changes to the draft Long Term Financial Plan 2024-2033 document arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.

CARRIED

4.3 ADOPTION OF SCHEDULE OF FEES AND CHARGES 2023/2024

RESOLUTION 2023/101

Moved: Cr Sonya Meziniec

Seconded: Cr Josh Lynagh

1. That Council Report No. AR23/28138 titled 'Adoption of Schedule of Fees and Charges 2023/2024' as presented on 23 May 2023 be noted.
2. Council notes there are three fee authority categories: Statutory, Delegation and Council.
3. Council adopts the fees and charges set by Council as contained in Attachment 1 to the Council Report No. AR23/28138.
4. Council notes the fees and charges set under delegation as contained in Attachment 1 to the Council Report No. AR23/28138.
5. Council notes the fees and charges set by statute as contained in Attachment 1 to the Council Report No. AR23/28138. These fees will be updated once gazetted.
6. That Council authorises the Chief Executive Officer or Delegate to make any necessary changes to the Schedule of Fees and Charges 2023/2024 arising from this meeting, together

with any editorial amendments and finalisation that do not materially alter the integrity of the document.

CARRIED

4.4 DRAFT INTERIM ASSET MANAGEMENT SUMMARY 2024-2033 FOR PUBLIC CONSULTATION

RESOLUTION 2023/102

Moved: Cr Frank Morello

Seconded: Cr Jason Virgo

1. That Council Report No. AR23/31244 titled 'Draft Interim Asset Management Summary 2024-2033 for Public Consultation' as presented on 23 May 2023 be noted.
2. That Council endorse the Draft Interim Asset Management Summary 2024-2033 as attached to Report No. AR23/31244 for community consultation.
3. That Council authorises the Chief Executive Officer to make any necessary changes to the draft Interim Asset Management Summary 2024-2033 document arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.

CARRIED

5 MEETING CLOSE

The Meeting closed at 7:11 p.m.

The minutes of this meeting were confirmed at the Ordinary Meeting of the City of Mount Gambier held on 20 June 2023.

.....
PRESIDING MEMBER

**MINUTES OF CITY OF MOUNT GAMBIER
AUDIT AND RISK COMMITTEE MEETING
HELD AT THE LEVEL 4 COMMITTEE ROOM, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER
ON MONDAY, 5 JUNE 2023 AT 5.30 P.M.**

PRESENT: Mr Paul Duka (Presiding Member), Cr Paul Jenner (virtual), Mr Alexander Brown, Ms Belinda Johnson (virtual) (joined at 5.43 p.m.)

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mrs S Philpott
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager City Infrastructure	- Ms B Cernovskis
	Manager Financial Services	- Mrs J Scoggins
	Manager Organisational Development	- Mrs R Datta (virtual)
	Executive Administrator	- 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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGY(IES)

RECOMMENDATION

That the apology from Mayor Lynette Martin be received.

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Alexander Brown

Seconded: Paul Duka

That the minutes of the Audit and Risk Committee meeting held on 8 May 2023 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil resolved.

Belinda Johnson joined the meeting (virtually) at 5:43 pm.

5 REPORTS

5.1 EXTERNAL AUDIT MANAGEMENT REPORT

COMMITTEE RESOLUTION

Moved: Paul Duka

Seconded: Cr Paul Jenner

3. That Audit and Risk Committee Report No. AR23/34119 titled 'External Audit Management Report' as presented on 05 June 2023 be noted.
4. That it be noted the Audit and Risk Committee request that a progress report regarding leases/licences and mandatory policies be brought back every 6 months.

CARRIED

5.2 INTERNAL FINANCIAL CONTROLS 2022-2023 - SELF ASSESSMENT

COMMITTEE RESOLUTION

Moved: Alexander Brown

Seconded: Belinda Johnson

1. That Audit and Risk Committee Report No. AR23/32434 titled 'Internal Financial Controls 2022-2023 - Self Assessment' as presented on 05 June 2023 be noted.

CARRIED

5.3 2023/2024 DRAFT ANNUAL BUSINESS PLAN AND BUDGET

Cr Jenner left the meeting at 6:53 pm.

Cr Jenner returned to the meeting at 6:56 pm.

COMMITTEE RESOLUTION

Moved: Alexander Brown

Seconded: Belinda Johnson

1. That Audit and Risk Committee Report No. AR23/33287 titled '2023/2024 Draft Annual Business Plan and Budget' as presented on 05 June 2023 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft 2023/2024 Draft Annual Business Plan and Budget and/or the associated processes and risks, as follows:
 - Consideration should be given of the potential implications of Adelaide CPI (March 2023) in its final Annual Business Plan and Budget considerations.
 - Note the feedback regarding how to represent the total rate revenue increase.
 - Page 11 - update the Capital table to reconcile the Expenditure summary on page 6.
 - Consideration should be given to Federal assistance grants and local roads and community infrastructure timing and impact on both the Budget Review 3 2022/2023 and draft 2023/2024 Annual Business Plan and Budget.

- That Council convey to the Valuer-General the Audit and Risk Committee recommendation for the earlier receipt of property valuation data for 2024/2025.

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on the 27 June 2023 for consideration of the adoption of the Draft 2023/2024 Annual Business Plan and Budget.

CARRIED

5.4 DRAFT LONG TERM FINANCIAL PLAN 2024-2033

COMMITTEE RESOLUTION

Moved: Belinda Johnson

Seconded: Alexander Brown

1. That Audit and Risk Committee Report No. AR23/33289 titled 'Draft Long Term Financial Plan 2024-2033' as presented on 05 June 2023 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Long Term Financial Plan 2024-2033 and/or the associated processes and risks, as follows:
 - That a note be applied to the Long Term Financial Plan and also to the Interim Asset Management Summary that the asset allocations are indexed in the Long Term Financial Plan but not in the Interim Asset Management Summary.
 - Audit and Risk Committee notes that Council has raised questions with ESCOSA about the cost and value of the new ESCOSA process and concur with those questions.
 - Notes that financial sustainability is the key focus of the draft LTFP.
 - Once Asset Management Plans are completed, the Audit and Risk Committee recommends a more comprehensive review of the rating strategy.
 - Note that Asset revaluations and condition assessments may impact the operating surplus ratio and investment in asset renewal expenditure.

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on 27 June 2023 for consideration of the adoption of the Draft Long Term Financial Plan 2024-2033.

CARRIED

5.5 DRAFT INTERIM ASSET MANAGEMENT SUMMARY 2024-2033

COMMITTEE RESOLUTION

Moved: Paul Duka

Seconded: Alexander Brown

1. That Audit and Risk Committee Report No. AR23/34812 titled 'Draft Interim Asset Management Summary 2024-2033' as presented on 05 June 2023 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Interim Asset Management Summary 2024-2033 and/or the associated processes and risks, as follows:
 - Give consideration to useful lives and service levels as asset information is received.
 - Audit and Risk Committee note the iterative process to improving Council's Asset approach, and that the next round of planning will be informed more completely by

valuations, condition data and useful lives, with a suite of asset classes with an overarching summary document.

- Note that the current market conditions are placing additional pressure on unit rates for asset maintenance and replacement.
- Note the asset data will help to inform the examination of use and purpose of Council's buildings as part of the Strategic Property Management Review.

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on 27 June 2023 for consideration of the adoption of the Draft Interim Asset Management Summary 2024-2033.

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil

7 MEETING CLOSE

The Meeting closed at 7:45 pm.

The minutes of this meeting were confirmed at the Audit and Risk Committee held on 24 July 2023.

.....
PRESIDING MEMBER

16.2 EXTERNAL AUDIT MANAGEMENT REPORT – REPORT NO. AR23/34119

Committee:	Audit and Risk Committee
Meeting Date:	5 June 2023
Report No.:	AR23/34119
CM9 Reference:	AF11/863
Author:	Julie Scoggins, Manager Financial Services
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	To inform the Audit and Risk Committee of the progress against Council's External Auditor's recommendations for the 2020/2021 and the 2021/2022 years and the Interim Audit for 2022/2023.
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 Audit and Risk Committee Report No. AR23/34119 titled 'External Audit Management Report' as presented on 05 June 2023 be noted.



TYPE OF REPORT

Corporate

BACKGROUND

1. **Audit and Risk Committee Terms of Reference** - The following section of the Audit and Risk Committee Terms of Reference is relevant to this report:
 - 12.5.5 **Annual Audit Plan** - Review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement.
 - 12.5.6 **Audit Findings** - Review the findings of the audit with the auditor. This shall include, but not be limited to, the following:
 - A discussion of any major issues which arose during the external audit;
 - Any accounting and audit judgements; and
 - Levels of errors identified during the external audit.
 - 12.5.9 **Management Letter** - Review the management letter and management's response to the external auditor's findings and recommendations. Subsequent to the initial review the Committee will oversee action to follow up on matters raised by the external auditors.
2. **External Auditor Recommendations** - Council's previous external auditor, Galpins Accountants Auditors and Business Consultants, were appointed as Council's external auditor in 2016 and undertook interim and balance date audits over the following 5 years. Recommendations for improvement were put forward by Galpins with follow up actions agreed with Council.
3. **Appointment of External Auditors** - Dean Newbery and Partners were appointed as Council's external Auditors for a period of 5 years commencing with the audit of the financial year ending 30 June 2022.
4. **Audit and Risk Committee Recommendation February 2022** – A report be provided to the Audit and Risk Committee at least on a quarterly basis throughout the financial year to provide an update on the progress against the recommendations raised by the External Auditors.
5. **Visits 2021/2022 Financial Year** - Council's external auditors (Dean Newbery and Partners) undertook an interim site visit in April 2022 and a balance date audit site visit in August 2022.
6. **Audit Plan** - The External Audit plan was brought to the Audit and Risk Committee at the February 2023 meeting. This document outlined the audit strategy, materiality, internal controls, key areas of audit focus and the audit timetable.
7. **Interim Audit 2022/2023** - Council's external auditors (Dean Newbery and Partners) undertook an interim site visit in May 2023.

PROPOSAL

1. **Action Plan** - Council staff have prepared and are continuing to implement an action plan to address the items identified in the Management Reports.
2. **Council's Progress** - This report and its attachments provide an update on Council's progress in implementing the continuous improvement recommendations noted on the 28th February 2022 Audit and Risk Committee Agenda (Attachment 1).
3. **2020/2021 Internal Controls Report** - As shown in Attachment 1 of this report of the five activities highlighted, four have been completed and one is partially completed.
4. **Interim Management Report May 2022 Management Response** - Attachment 2 also shows the progress against the fourteen risks raised can be categorised as follows:
 - **Actions That Are Complete (8 Risks)** - Including User access levels – payroll Masterfile, general journal review, asset revaluation reserve adjusting entry, internal financial controls



self-assessment, user access levels – segregation of duties, payroll and accounts payable back up duties, payroll procedure and procurement exemption register.

- **Actions That Are Partially Complete/Ongoing (6 Risks)** - Including internal plant hire and full cost attribution, policy register, grants register, Riddoch Art Collection - Curatorial and Preservation Policy and Library books accounting treatment, and leases and licences register.
5. **Balance Date Audit 2021/2022** – Two matters were raised to be addressed for future financial years including Caroline Landfill Post Closure Provision Review and Infrastructure Asset Revaluation. These actions have been reviewed and following further consultation the approach and timing of delivery has been changed (details in Attachment 3):
- **Caroline Landfill Post Closure Provision Review** - An update is provided in the Interim Management Report.
 - **Infrastructure Asset Revaluation** - An update is provided in the Interim Management Report.
6. **Interim Audit Management Report June 2023 Management Response** - Attachment 4 shows the following:
- **Prior Year Matters Update** - Included four matters completed with another two items in progress.
 - **Detailed Audit Findings** - Included three moderate items expected to be resolved by February 2024 and one low item to be resolved by the end of 2025/22026.
7. **Next Update** - As per the Audit and Risk Committee Annual Work Program the next update was due in July, however, this has been replaced by this report to the June 2023 special meeting. The next formal update will be at the November meeting.
8. **Balance Date Audit June 2023** - It should be noted that the balance date audit has been scheduled for week commencing 18 September 2023.

LEGAL IMPLICATIONS

Actions are required to be resolved to ensure compliance with the Local Government Act 1999, Local Government (Financial Management) Regulations 2011 and accounting standards.

Section 129 of the Local Government Act 1999.

STRATEGIC PLAN

N/A

COUNCIL POLICY

[A900 Asset Management Policy](#)

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

[Asset Accounting Policy](#)

[B300 Budget Framework](#)

[T150 Treasury Management Policy](#)

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

N/A



CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

N/A

VALUE FOR MONEY

N/A

RISK IMPLICATIONS

External audit is a key mitigation action for financial risk.

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY**CONCLUSION AND RECOMMENDATION**

The external audit management reports indicate that overall Council has effective controls in place, with opportunity for improvements noted, action plans established to achieve best practice and progress made to date.

ATTACHMENTS

1. External Audit Action Plan - Attachments 1-3
2. 2023 Interim Management Letter - City of Mount Gambier



Attachment 1

Auditor Recommendation or Comment	Risk	Progress	Target Date	Status	Responsibility	Completion Date
2020/21 Internal Controls Letter						
		Executive reporting developed and implemented.	31-Dec-21	Complete	JS	31-Dec-21
Purchase Orders raised after invoices are received	M	Revised procurement policy and recommendations from procurement review presented to Executive, Audit and Risk Committee and Council. Updated policy adopted by Council at the April 2022 Council meeting. Procurement procedures have been reviewed and approved by the Executive.	31-Dec-22	Complete	JS	31-Dec-22
No formal maintenance plans supporting general maintenance strategies per the Asset Management Plan.	L	Asset maintenance programs will be developed following service reviews including a review of required service levels.	31-Dec-23	Partially Complete	BC	
Accounts Payable - Improvements required in process for uploading supplier EFT files into online banking system.	M	A business systems review is scheduled. Any direct interface would need to be considered following completion of the review. As shown in the original response audit checks are already in place that would identify any changes.	30-Jun-23	Complete	JS	30/04/2023
Payroll - Improvements required in process for uploading supplier EFT files into online banking system.	M	A business systems review is scheduled. Any direct interface would need to be considered following completion of the review. As shown in the original response audit checks are already in place that would identify any changes.	30-Jun-23	Complete	JS	30/04/2023



Attachment 2

Ref	Auditor Recommendation or Comment	Risk	Progress	Target Date	Status	Responsibility	Completion Date
2021/22 Interim Management Report							
1	User Access Levels - Payroll Masterfile	H	A review of finance systems access was undertaken by the Manager Financial Services with recommendations provided to the Executive team in June 2022. All payroll processing and ability to make changes to the payroll masterfile has been removed from staff not directly involved in the processing of payroll.	30-Jun-22	Complete	JS	30-Jun-22
2	Internal Control Self Assessment	H	The internal controls policy was reviewed by the Audit and Risk Committee in July and adopted by Council in August. The assessment and review of selected internal controls has been undertaken with relevant staff with a report to be presented to the Executive Team on 10 May prior to the provision of results to the external auditors as part of the interim audit. A report will be brought to the Special Audit and Risk Committee in June.	31-Jul-23	Complete	JS	30-May-22
3	General Journal Review	H	Evidence of journal review was provided to the Auditors for the balance date audit. The responsibility for the raising of journals has been reviewed with recommendations made to the Executive team.	31-May-22	Complete	JS	30-Jun-22
4	Asset Revaluation Reserve - Adjusting Entry	H	The entry was reversed at the year-end and highlighted in the year-end reporting.	31-May-22	Complete	JS	31-May-22
5	User Access Levels - Segregation of Duties	M	A review of finance systems access was undertaken by the Manager Financial Services with recommendations provided to the Executive team in June 2022.	30-Jun-22	Complete	JS	30-Jun-22
6	Internal Plant Hire Rates and Full Cost Attribution	M	Outsourced to external consultant working with the Financial Services team.	31-Mar-23	Partially Complete	JS	
7	Policy Register	M	A quarterly report on policies for review is scheduled in the corporate calendar for presentation to the Executive Leadership Team.	Ongoing	Partially Complete	MM	
8	Payroll and Accounts Payable Back Up Duties	L	Backfill has occurred whilst key staff have been on leave and the procedures have been tested.	31-Dec-22	Complete	JS	30-Nov-22
9	Grants Register	L	A grants schedule has been developed for the interim audit. A project brief has been developed for a 'cradle to grave' grants process. An update will be provided at the July meeting.	31-Jul-23	Partially Complete	JS	
10	Procurement Exemption Register	L	A procurement exemption register was created in April 2022 aligned with the specified requirements. The relevant procurement procedure was amended and presented to the Executive team in June/July 2022 with example reporting. The process has been implemented with training provided to key stakeholders across the organisation.	30-Jun-22	Complete	JS	20-Jul-22
11	Riddoch Art Collection - Curatorial and Preservation Policy	L	Draft policy constructed. To be brought to Audit and Risk Committee in the new calendar year.	31-Jul-23	Partially Complete	JS	
12	Literary Assets - Capital vs Operating	L	Revised Asset Accounting Policy included for review at Audit and Risk Committee meeting on 25 July 2022. Change in treatment included in Budget Review 1 taken to the December Council meeting for adoption. To be incorporated for year end financial statements. Further changes expected further to Infrastructure and Buildings valuations.	30-Sep-23	Partially Complete	JS	
13	Leases and Licences Register	L	The Lease / Licence Register data entry is now 100% complete and up to date. It will continue to be updated as and when things change. It is available in the RelianSys system for various staff to view, use and add actions for them which will provide them with email notifications when due.	30-Jun-23	Ongoing	MM	
14	Payroll Procedure	L	Payroll procedures have developed and tested.	31-Dec-22	Complete	JS	31-Dec-22



Attachment 3

Ref	Auditor Recommendation or Comment	Risk	Progress	Target Date	Status	Responsibility	Completion Date
2021/22 Balance Sheet Audit - Matters to be addressed in future financial years							
1	Caroline Landfill - Post Closure Provision	H	Updated as per 2022/23 Interim Management Report	31-Jan-24	Partially Complete	BC	
2	Infrastructure - Asset Revaluation	H	Updated as per 2022/23 Interim Management Report	31-Dec-23	Partially Complete	AMJS	



DeanNewbery

City of Mount Gambier

Interim Management Report

2022/23 Financial Year External Audit

May 2023



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1. Executive Summary

31 May 2023

Mr. Paul Duka
Independent Chairperson - Audit & Risk Committee
City of Mount Gambier

Dear Mr Duka

We are pleased to advise that we have recently completed an audit attendance at the Council as part of the 2022/23 financial year external audit. We have now completed our Interim Audit Phase of the engagement and have prepared this Report which summarises our findings, observations and recommendations for the Council's consideration, through your Committee.

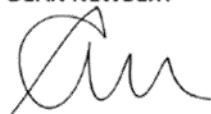
As a result of work undertaken to date, there are no matters identified which would have an adverse impact on our internal control audit opinion for the financial year. Please note that we still have further testing of controls to complete as well as further sample substantive testing prior to us being in a position to be able to finalise an audit opinion on the internal controls of the Council for the full financial year.

I would like to take this opportunity to thank the Council's Administration for the assistance provided during the recent audit process.

Should you require any further information, please contact me on 8267 4777 or sam@deannewbery.com.au.

Yours sincerely,

DEAN NEWBERY



Samantha Creten
Partner

C. Mayor
C. Chief Executive Officer



2. Prior Year Audit Matters Update

An update on prior financial year's outstanding audit matters raised has been provided below. Additional information has been obtained from the Administration during the Interim Audit Phase for each previously unresolved audit matter reported.

Audit Matter Reference	Report Date	Audit Comments Previously Raised	Additional Audit Comments	Status of Matter
2022.1.1	5 May 2022	<p>A review of the payroll user access levels identified that 14 different Council employees, 2 Trainees and 1 external contractor had access to the Payroll Masterfile which afforded them access to make changes. For example, the following positions within Council had such access (this is not an exhaustive list):</p> <ul style="list-style-type: none"> - Team Leader Financial Accounting - Accountant (external contractor) - Manager Organisational Development - Trainee(s) <p>We acknowledge that Council has implemented compensating controls whereby the Team Leader Financial Accounting undertakes a review of the Payroll Masterfile as part of the month-end procedures however, this Officer also has full access rights to the Payroll Masterfile. This presents a significant weakness in compensating controls as the Team Leader Financial Accounting has the ability to review and approve self-initiated changes without any independent over-sight.</p> <p>To strengthen segregation of duties and identified compensating controls we strongly recommend that Council undertaken a comprehensive review of all Officer responsibilities in conjunction with system permission levels to ensure adequate segregation of duties are always in place and maintained.</p>	<p>Discussions with the Administration identified that the user access levels were reviewed by the Executive Leadership Team to determine appropriate user roles and access levels.</p> <p>This was further supported by the review of the User Access Report which confirmed increased restrictions related to financial modules in line with role responsibilities.</p> <p>The user access levels and permissions will be reviewed on an on-going basis throughout the engagement.</p>	Completed



Audit Matter Reference	Report Date	Audit Comments Previously Raised	Additional Audit Comments	Status of Matter
2022.1.2	5 May 2022	<p>Discussions with the Administration identified that Council was unable to identify when the last internal control self-assessment was undertaken to benchmark Council controls against the Better Practice Model.</p> <p>We recommend that Council undertake a comprehensive internal control self-assessment to ensure any weaknesses in internal controls are identified and included within the Audit & Risk Committee work program to be addressed. We further recommend that internal control self-assessments be undertaken biennially to ensure any changes in the internal control environment are documented and any weaknesses identified are addressed in a timely manner.</p>	The Administration has provided us with an updated risk-based Internal Control Self-Assessment which was completed during the 2023 Financial Year.	Completed



Audit Matter Reference	Report Date	Audit Comments Previously Raised	Additional Audit Comments	Status of Matter
2022.1.3	5 May 2022	<p>Audit procedures undertaken identified there is no evidence of independent review of General Journals on a periodic basis (i.e. Monthly).</p> <p>Discussions with the Administration identified that journals are processed by Team Leader Financial Accounting, however no formal review is undertaken of all General Journals for a particular period.</p> <p>Given the level of access afforded to Council staff to process General Journals highlighted in this report, to strengthen internal controls, we recommend that all general journals be independently reviewed by an Officer who does not have the ability to process Journals. This independent review will ensure all Journals processed are appropriate, free from error and are supported by appropriate documentation.</p> <p>Although there is no evidence of the primary control of independent reviews having been completed, we acknowledge that there are other compensating controls in place related to the completion and review of General Ledger Reconciliations.</p>	<p>Audit testing undertaken identified that the independent review/approval of General Journals are now being evidenced by way of an electronic signature on each General Journal processed.</p> <p>This review is evidenced by the Financial Accounting Coordinator or the Manager Financial Services.</p>	Completed



Audit Matter Reference	Report Date	Audit Comments Previously Raised	Additional Audit Comments	Status of Matter
2022.1.5	5 May 2022	<p>Further to 1 above, a review of the user access levels across many Council functions identified what we consider to be inappropriate access enabled to some employees. For example, Procurement and Asset Officers had the ability to undertake all of the following functions:</p> <ul style="list-style-type: none"> - Budget Transaction Deletion - Budget Transaction Entry/Maintenance - Budget Parameters - Standing Journal Maintenance - Standing Journal Batch Maintenance - General Ledger Import - All Account Maintenance functions <p>In our view this level of access across the organisation presents an unacceptable weakness in segregation of duties and internal controls.</p> <p>We acknowledge that Council is undertaking a review and potential re-structure of the Finance department to address where possible segregation of duty issues that are identified.</p> <p>To strengthen internal controls, we strongly recommend that Council undertake a comprehensive review of all user access levels as part of the re-structure, to ensure Officers are only afforded the access levels required to undertake their specific role within Council.</p>	See Additional Audit Comments raised in Audit Matter Reference 2022.1.1 above.	Completed



Audit Matter Reference	Report Date	Audit Comments Previously Raised	Additional Audit Comments	Status of Matter
2022.1.6	5 May 2022	<p>Discussions with the Administration identified that the Internal Plant Hire rates and the Full Cost Attribution calculations had not been reviewed since 2019.</p> <p>To ensure appropriate cost allocations and assumptions are included within the calculations, we recommend that Council undertakes a review of the methodology applied for these calculations and the assumptions included.</p>	<p>Discussions with the Administration identified that the Plant Hire rates and Full Cost Attribution calculations are under review with the assistance of external advisors Galpins.</p> <p>The new Plant Hire and Full Cost Attribution Rates will be applied for the 2023/24 financial year.</p>	In Progress
2022.1.7	5 May 2022	<p>On reviewing a sample of policies recorded on Council's Policy Register, we identified that there were a number of policies that were required to be reviewed and updated, given the timeframes stipulated.</p> <p>Examples of policies requiring review:</p> <ul style="list-style-type: none"> - Record Management - Fraud and Corruption Prevention Policy - Waste Management – Refuse Collection - Expiation Notices – Cancellation or Waiver - Waste Management – Receiving of Waste – Caroline Landfill - Asset Management <p>In total, we note that Council has 35 of a total 70 policies that were highlighted as being overdue for review.</p>	<p>A review of the Policy Register (last updated 27th of April 2023) identified that Council still has 35 of a total 74 policies that were required to be reviewed and updated given the timeframes stipulated.</p> <p>It is noted that the Asset Management Policy has since been reviewed and adopted by Council.</p> <p>An action plan is being developed with the Executive further to the Internal Financial Controls review undertaken.</p>	In Progress



3. Detailed Audit Findings – Interim Audit

We have highlighted below key audit matters which have been identified for further consideration and/or action as a result of audit work recently completed.

Audit Matter Reference	Audit Priority Rating	Audit Finding & Recommendation	Management's Response	Expected Completion Date
1.	Moderate	<p>Council is currently in the process of completing revaluations of the Roads, Footpaths, Kerbs and Guttering asset classes. Council has engaged external consultants to perform the asset valuations which is to be applied with an effective valuation date of 30 June 2023.</p> <p>It is important that Council's Administration also undertakes its own internal due diligence on all asset valuation information and data prior to being adopted by Council to ensure that assumptions applied (by external valuers) are consistent with Council's own adopted asset service standards and asset management practices.</p> <p>Given the material nature of asset valuations, we recommend that the due diligence performed by the Administration along with the asset valuations reports be presented to the Audit and Risk Committee for their consideration.</p> <p>Once asset valuations have been completed, we recommend Council undertakes an update to its Infrastructure Asset Management Plans (IAMP) and Long-Term Financial Plan (LTFP), to ensure that updated assumptions regarding future maintenances funding, asset replacement cost and forecasted depreciation expense are all reflected.</p>	<p>Further to the condition audits for all Infrastructure asset categories Council staff have contracted out the completion of the revaluation.</p> <p>City Infrastructure and Financial Services staff are working with the consultants to build the revaluation.</p> <p>The asset valuation reports will be brought to a special Audit and Risk Committee to be scheduled in August/September along with a revised Asset Accounting policy that will be aligned with the recommendations from the revaluation.</p> <p>Further to the IAMP and LTFP review undertaken with current draft documents endorsed by Council for public consultation, another version of both documents will be taken to Council for review in December for adoption in January.</p>	<p>August/September 2023</p> <p>January 2024</p>



Audit Matter Reference	Audit Priority Rating	Audit Finding & Recommendation	Management's Response	Expected Completion Date
2.	Moderate	<p>We have subsequently followed up with the Administration on the matter raised in our 2022 Completion Report dated 15 September 2022 relating to the Caroline Landfill – Post Closure Provision Review (landfill liability).</p> <p>We note that as at the time of attendance that the Administration were working together with the Engineering staff and external consultants to determine and measure an appropriate Post-closure Provision to be included in the current year's Financial Statements.</p> <p>We recommend that the outcome of the review and formulation of the Post-closure Provision be presented for review to Council's Audit & Risk Committee given the potential material nature of the Provision.</p>	<p>The contract for engineering services (including consultancy) has been awarded.</p> <p>The development of the Caroline Landfill Masterplan will be provided under the scope of that contract.</p> <p>The project plan is currently being developed prior to the engagement of the consultant.</p> <p>The project scope will include the following for delivery of a draft position by December 2023:</p> <ul style="list-style-type: none"> • Strategy - Development of the strategic waste management strategy that includes Caroline landfill lifecycle and post closure. • Long Term Financial Modelling - This will reflect the strategy and inform the overall LTFP and ABP. 	December 2023



Audit Matter Reference	Audit Priority Rating	Audit Finding & Recommendation	Management's Response	Expected Completion Date
3.	Moderate	<p>Our testing identified that for the Open Tender AF22/542 <i>Caroline Landfill Engineering Services & AF22/530 Construction of Cell 4</i> (dual tender) there was only one tender submission received, which was subsequently evaluated and awarded.</p> <p>Council's Procurement Policy states:</p> <ul style="list-style-type: none"> - that for purchases valued over \$100,000 a request for tender (Open/Select) must be undertaken, whereby at least three (3) written quotations are sought. - Any procurement method that deviates from the stipulated requirements of the Policy must be in writing and approved by the Council, the CEO or a General Manager with appropriate delegation. <p>A review of the Procurement Policy identified that there is no specific guidance for when Council is unable to source the required number of responses, and as a result (confirmed by the Administration) there was no "Exemption from Competitive Procurement Request" form completed for the deviation from Council's Procurement Policy (the requirement to source three (3) written quotations).</p> <p>We recommend the Council considers including within the Procurement Policy Exemptions, an option to waive application of the Policy should the Administration be unable, or find it to be unreasonable, to source the appropriate number of quotations. We further recommend that an exemption from the Policy is approved when Council are unable to source the appropriate number of quotations.</p>	<p>In the first instance the exemption from competitive process form will be used where there is a limited market and at least 3 written quotations have not been submitted via an open tender.</p> <p>As per Council's Strategic Work Plan a project is underway to review and improve the procure to pay cycle.</p> <p>Part of the review will focus on the following:</p> <ul style="list-style-type: none"> • Procurement Policy/Procedures - Review of the overall policy and procedures. • Select Tenders - A review of the use of select tender in a limited market to ensure that a number of quotes are directly sought rather than using an open tender. • Exemption From Competitive Process - Expanding the use of this option where an open tender has been sought with limited market responses. <p>The results of this review will be taken to Council's Executive team and brought to the Audit and Risk Committee prior to taking to Council.</p>	<p>With immediate effect.</p> <p>February 2024</p>



Audit Matter Reference	Audit Priority Rating	Audit Finding & Recommendation	Management's Response	Expected Completion Date
4.	Low	<p>A review of the Administration's Leases and Licences Register identified that there were a number of leases which had expired, as far back as 2013. From a total of 72 leases were identified within the Register, 41 were listed as expired.</p> <p>We recommend that the Administration work towards reviewing each expired lease agreement (including for recovery of outgoings) to ensure, where on-going lease arrangements exist, that an updated lease agreement is put in place.</p>	<p>A replacement Lease and Licence Register has been prepared, including up-to-date information and improved functionality.</p> <p>The majority of leases and licences are to community organisations with the (rental) rate detailed in the lease and licence register being a reference to the 'declared rate' as specified in Council's Community Land (Reserves) Lease/Licence/Rental Arrangements Policy R200 and Council's Schedule of Fees and Charges.</p> <p>The high proportion of leases and licences with past expiry dates is consistent with Council's adopted 'strategic property management approach' (Resolution 2020/281 - September 2019).</p> <p>'Holding over' arrangements for community tenants were confirmed in writing in October 2020 and are therefore considered as current and in accordance with the terms and conditions of the relevant lease or licence documentation. Renewal, replacement or otherwise of expired leases and licences is pending strategy/direction from site/precinct master plans and other supporting outcomes arising from Council's adopted Sport, Recreation and Open Space Strategy (SROSS) (Resolution 2022/78 - April 2022).</p> <p>A Strategic Property Management project has been included in Council's Strategic Work Plan with an expected delivery over the next three years. The Strategy will deliver Policies and Principles for acquiring, holding and managing land, as well as agreed models for Leasing and Licencing.</p>	End 2025/2026



4. Assessment of Audit Findings

We have provided ratings against each audit matter raised in this Report to assist the Council with prioritising and assessing what corrective actions to undertake to address recommendations made.

The ratings provide Council with an assessment of the level of importance placed by us in relation to the work we undertake and the potential impact of non-corrective actions may have on the work we undertake (i.e. our final audit opinions to be issued) or where we perceive there to be a risk to Council which may result in stated strategic objectives or compliance not being met.

The ratings provided are not to be applied for any other purposes than as stated within this Report.

Audit Priority Rating Guide	Detailed Description
High	<p>The matter identified, if left uncorrected or not adequately addressed, may result in a material misstatement and/or non-compliance with the <i>Local Government Act 1999</i> and applicable Regulations. Depending on the material nature and severity of the matter, this may result in a modified audit opinion.</p> <p>Audit expectation is that immediate action is taken to address the matter.</p>
Moderate	<p>The matter identified does not presently represent a risk of material misstatement and/or non-compliance with the <i>Local Government Act 1999</i> and applicable Regulations. If the matter is not adequately addressed, this may result in a weakness in overall assessed compensating controls which could result in material misstatement and/or non-compliance with the <i>Local Government Act 1999</i> and applicable Regulations.</p> <p>Audit expectation is that Council takes action to address the matter to further strengthen the internal control environment.</p>
Low	<p>The matter identified present no risk of material misstatement and/or non-compliance with the <i>Local Government Act 1999</i> and applicable Regulations.</p> <p>The matter raised is to assist Council with further strengthening its internal practices and controls so as to further strengthen its processes and procedures.</p>



Interim Management Report – 2022/23 Financial Year

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Dean Newbery

214 Melbourne Street North Adelaide SA 5006

ABN 30 164 612 890

www.deannewbery.com.au



16.3 INTERNAL FINANCIAL CONTROLS 2022-2023 - SELF ASSESSMENT – REPORT NO. AR23/32434

Committee:	Audit and Risk Committee
Meeting Date:	5 June 2023
Report No.:	AR23/32434
CM9 Reference:	AF11/863
Author:	Julie Scoggins, Manager Financial Services
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	An Internal Financial Control Assessment was completed in April 2023 with an average assessment score of 4.61 and an average review score of 4.58. Twelve improvement opportunities were identified with associated action plans under development.
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 Audit and Risk Committee Report No. AR23/32434 titled 'Internal Financial Controls 2022-2023 - Self Assessment' as presented on 05 June 2023 be noted.



TYPE OF REPORT

Legislative

BACKGROUND

1. **Audit and Risk Committee Terms of Reference** - The following section of the Audit and Risk Committee Terms of Reference is relevant to this report:

12.2 Internal Controls and Risk Management Systems

The Committee shall:

12.2.1 Effectiveness - Monitor the effectiveness of the Council's internal controls and risk management systems;

12.5 External Audit:

The Committee shall:

12.5.9 Management Letter - Review the management letter and management's response to the external auditor's findings and recommendations. Subsequent to the initial review the Committee will oversee action to follow up on matters raised by the external auditors.

2. **2021/2022 Interim Audit Action** - Further to the audit finding and recommendation from the 2021/2022 interim audit, Council staff committed to undertake a comprehensive organisation-wide self-assessment and report back to the external auditors as part of the interim audit for the 2022/2023 financial year.
3. **Three Lines of Defence** - The Three Lines of Defence Model provides a framework for viewing risk management as a series of components which build upon each other to provide layers of defence to manage risk.
4. **Functions** - The first line of defence contains functions that own and manage risk, with the responsibility to maintain controls, identify and manage risks and implement corrective actions for control deficiencies. The second line contains functions that oversee risk and with responsibility to monitor the first line and ensure it is properly designed, in place and operating as intended. The third line provides independent assurance i.e., internal audit. The three lines of defence are internal to Councils and are supported by external components including external audit and LGA Guidance.
5. **Monitoring Activities** - Form an important component of Council's lines of defence for managing risk. The Better Practice Model - Internal Financial Controls for South Australian Councils identifies monitoring activities as being within the second line of defence for Councils. Importantly, monitoring activities such as Control Self-Assessment form only part of the Councils overall risk management strategy, and should be risk based so as not to be over-resourced.



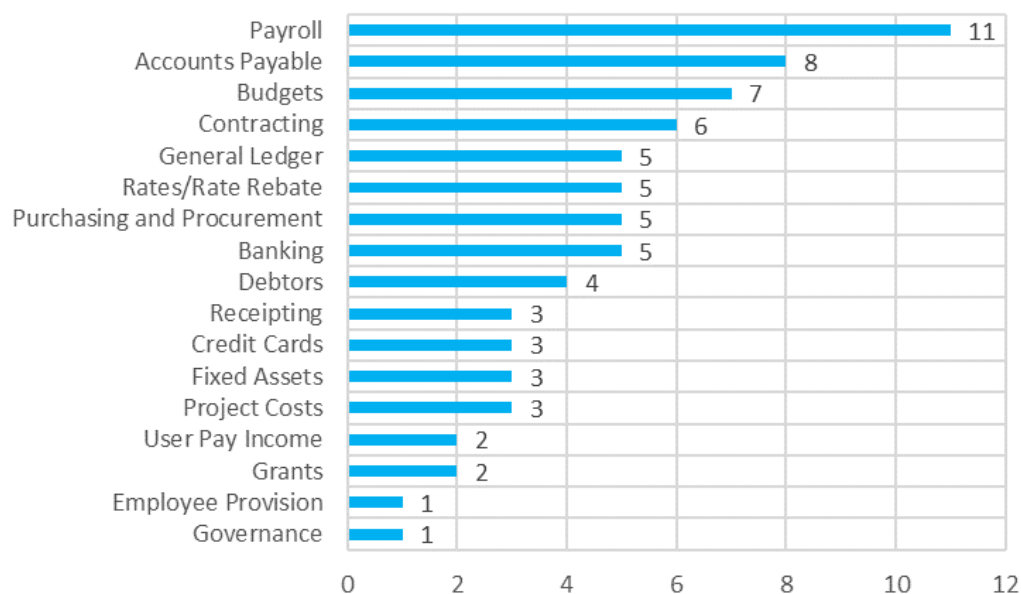
Source: SALGFMG Better Practice Model –Internal Financial Controls for South Australian Councils published April 2017

6. **Methodology for Selection of Controls to be Monitored** - The Galpins Internal Financial Control Monitoring Methodology was applied in the selection of controls to be monitored:
- **Output 1 - Identification of Key Business Cycles and Risks** - Staff reviewed inherent risks, financial data, external audit results review and activities of other external regulators as the first stage of controls selection.
 - **Output 2 - Identification of Specific Internal Controls to be monitored** - Staff also reviewed core versus additional controls, risk of control failure, control importance, management and staff opinions and practicality/value assessment.

PROPOSAL

1. **Self-Assessment** - During the second half of 2022/2023 Council undertook its cycle of self-assessment to monitor and report on control testing and risk assessment.
2. **Inherent Risk** - Of the 91 risks identified in the Internal Financial Controls Better Practice Model Council staff assessed our inherent risk (i.e. the assessment of the risk without additional controls) as detailed below:
 - **Extreme** - 8 or 9% of risks were identified as extreme.
 - **High** - 44 or 49% of risks were identified as high.
 - **Moderate** - 24 or 26% of risks were identified as moderate.
 - **Low** - 15 or 16% of risks were identified as low.
2. **Residual Risk** - The residual risk rating (i.e. remaining level of risk after additional controls have been implemented) from this year's self-assessment cycle is summarised below:
 - **Extreme** - No risks were assessed as extreme.
 - **High** - 7 or 8% of risks were identified as high (Fixed Assets/Project costing 3, policies and procedures 2, grants 2.).
 - **Moderate** - 10 or 11% of risks were identified as moderate (including 3 in procurement).
 - **Low** - 74 or 81%% of risks were identified as low.
3. **Selected Controls For Assessment** - Of the 253 controls, 74 were selected for assessment as summarised below:

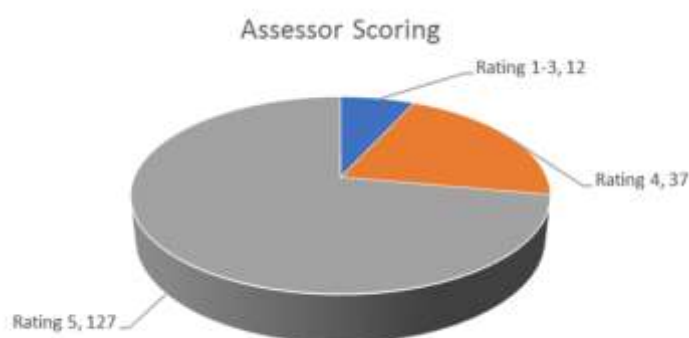




4. **Assessment/Review Of Controls** - To ensure further rigour, for each category selected all controls within those categories were assessed and reviewed, which meant that a total of 176 controls were included in this self-assessment.
5. **Scoring mechanism** - The following scoring mechanism was applied when reviewing and assessing controls as follows:
 1. Ineffective
 2. Requires Improvement
 3. Partially Effective
 4. Majority Effective
 5. Effective

It should be noted that action plans are required for any controls Rated 1,2 and 3.

6. **Assessor Scoring** - 176 controls were assessed with the scoring was as shown below with an average score of 4.61 (out of a maximum of 5):



- **Rating 1-3 (12 controls)** – Controls were assessed with action plans required for the following:
 - **Asset Management/Capital Works (4)** - Asset maintenance, asset management plans/maintenance, and project change control.

- **Governance/Risk Related (3)** - Including policies and procedures centralised framework and management.
 - **Finance/Procurement (5)** - Including grant administration/ review, and segregation of duties.
 - **Rating 4 (37 Controls)** - Including 34 assessed by the Financial Services team.
 - **Rating 5 (127 Controls)** - Including 121 assessed by the Financial Services team.
7. **Review Scoring** - 176 controls were reviewed with the scoring was as shown below with an average score of 4.61 (out of a maximum of 5):



- **Rating 1-3 (12 controls)** – Were reviewed with action plans required for the following:
 - **Asset Management/Capital Works (4)**- Asset maintenance, asset management plans/maintenance, and project change control.
 - **Governance/Risk Related (3)** - Including policies and procedures centralised framework and management.
 - **Finance/Procurement (5)** - Including grant administration/ review.
 - **Rating 4 (43 Controls)** - Including 42 controls reviewed by the Financial Services team.
 - **Rating 5 (121 Controls)** - Including 120 controls reviewed by the Financial Services team.
8. **Action Plans** - Are currently being developed following further review with Council's Executive team.
9. **Future Reporting** - Twice yearly reporting on the progress further to the Internal financial controls self-assessment and actions identified will be brought to the Audit and Risk Committee.

LEGAL IMPLICATIONS

The Minister for Local Government, the Hon Geoff Brock MP, approved the Better Practice Model – Financial Internal Controls on Monday 5 September 2022.

Local Government (Financial Management) Regulations 2011 10A - For the purposes of section 125(2) of the Act, the policies, practices and procedures of internal financial control of a council must be in accordance with the Better Practice Model - Internal Financial Controls.

Section 125 Local Government Act - Section 125 of the Local Government Act 1999 ("the Act") requires that: "a Council must ensure that appropriate policies, practices and procedures of internal control are implemented and maintained in order to assist the council to carry out its activities in an efficient and orderly manner to achieve its objectives, to ensure adherence to management policies, to safeguard the Council's assets, and to secure (as far as possible) the accuracy and reliability of Council records".

STRATEGIC PLAN

N/A

COUNCIL POLICY

Internal Controls Policy

ECONOMIC IMPLICATIONS

Not applicable to this report.

ENVIRONMENTAL IMPLICATIONS

Not applicable to this report.

SOCIAL IMPLICATIONS

Not applicable to this report.

CULTURAL IMPLICATIONS

Not applicable to this report.

RESOURCE IMPLICATIONS

Within existing resources.

VALUE FOR MONEY

Not applicable to this report.

RISK IMPLICATIONS

This review supports Council's financial risk management and will aid in the management of Council's financial risks.

EQUALITIES AND DIVERSITY IMPLICATIONS

Not applicable to this report.

ENGAGEMENT AND COMMUNICATION STRATEGY

Quarterly reporting will be taken to the Executive team to summarise the action plan progress.

IMPLEMENTATION STRATEGY

Quarterly reporting will be taken to the Executive team to summarise the action plan progress.

CONCLUSION AND RECOMMENDATION

The Internal Financial Controls implemented by Council have been assessed as being effective, with opportunities for improvement identified and action plans currently under development.

ATTACHMENTS

Nil



16.4 2023/2024 DRAFT ANNUAL BUSINESS PLAN AND BUDGET – REPORT NO. AR23/33287

Committee:	Audit and Risk Committee
Meeting Date:	5 June 2023
Report No.:	AR23/33287
CM9 Reference:	AF11/863
Author:	Julie Scoggins, Manager Financial Services
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	<p>Legislation - Council is required to develop and adopt an Annual Business Plan in accordance with the Local Government Act and Financial Regulations.</p> <p>Operational & Financial Planning Document - the Annual Business Plan is the key annual operational and financial planning document for the City of Mount Gambier Council.</p> <p>Annual Overview - this document describes Council's proposed services, projects, objectives and KPIs for 2023/2024 and includes the rating strategy and draft rating policies and annual budget</p>
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

1. That Audit and Risk Committee Report No. AR23/33287 titled '2023/2024 Draft Annual Business Plan and Budget' as presented on 05 June 2023 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft 2023/2024 Draft Annual Business Plan and Budget and/or the associated processes and risks, as follows:
 - XXXXX
 - XXXXX
 - XXXXX

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on the 27 June 2023 for consideration of the adoption of the Draft 2023/2024 Annual Business Plan and Budget.



TYPE OF REPORT

Corporate

BACKGROUND

1. **Audit and Risk Committee Terms of Reference** - The following section of the Audit and Risk Committee Terms of Reference is relevant to this report:

12.6 Review of Strategic Management and Business Plans:

The Committee shall review and provide advice on Council's strategic management plans (at the time of their preparation and scheduled review), which include the following:

- *Strategic Plan;*
- *Key principles and assumptions of the Long Term Financial Plan;*
- *Various Asset Management Plans; and*
- *Annual Business Plan.*

2. **Legislation** - Section 123 of the Local Government Act 1999 requires Council to have an annual business plan and budget. Further guidance is provided by Sections 6 and 7 of the Local Government (Financial Management) Regulations 2011.

3. **Legislative Changes** - Changes to the Local Government (Financial Management) Regulations 2011 were made effective from January 2022 that defined the following:

- **Consistent Information** - How rating information should be shown to ensure that all SA Councils present the information included in the Draft Annual Business Plan issued for public consultation and the final version of the document for adoption in a consistent manner; and
- **General Rates Growth** - Growth is now defined as the growth in the number of rateable properties.

4. **LGA Suggested Template** - To assist councils the Local Government Association (LGA) has been working with the South Australian Local Government Finance Managers Group (SALGFMG) and the Revenue Professionals SA (RPSA) to develop some suggested templates to incorporate the required information and also to discuss how these may be populated on a consistent basis.

5. **Section 123 Details** - Section 123 of the Local Government Act states that:

Each annual business plan of Council must –

- (a) include a summary of the council's long-term objectives (as set out in its strategic management plans); and*
- (b) include an outline of— (i) the council's objectives for the financial year; and (ii) the activities that the council intends to undertake to achieve those objectives; and (iii) the measures (financial and non-financial) that the council intends to use to assess the performance of the council against its objectives over the financial year; and*
- (c) assess the financial requirements of the council for the financial year and, taking those requirements into account, set out a summary of its proposed operating expenditure, capital expenditure and sources of revenue; and*
- (d) set out the rates structure and policies for the financial year; and*
- (e) assess the impact of the rates structure and policies on the community based on modelling that has been undertaken or obtained by the council; and*
- (f) take into account the council's long-term financial plan and relevant issues relating to the management and development of infrastructure and major assets by the council; and*



(g) address or include any other matter prescribed by the regulations.

6. **Part 2 (6) of the Local Government (Financial Management) Regulations 2011** - States that the Business Plan must include the following with regards to rates:

(1) Pursuant to section 123(2)(g) of the Act, an annual business plan (including a draft for the purposes of public consultation) must include information with respect to the following additional matters:

- (a) the reason why the council has adopted its valuation method for rating purposes;
 - (b) if differential rates are used, the reasons and justifications for the differentiation, and the expected level of revenue to be raised by each differential rate;
 - (c) if applicable, the use and level of a fixed charge component of a general rate;
 - (d) the use and level of any separate rate, service rate or service charge, including the reasons for the rate or charge;
 - (e) the council's policy on discretionary rebates and remissions, with particular reference to the rebates that will apply for more than 1 financial year and including information on how a rebate is designed to meet the purpose behind the rebate;
 - (ea) a statement on the total expected revenue from general rates for the financial year compared to the total expected revenue from general rates for the previous financial year as set out in the annual business plan for that previous financial year (excluding rebates and remissions on rates that are not discretionary rebates or remissions);
 - (eb) a statement on the percentage change in the total expected revenue from general rates for the financial year compared to the total expected revenue from general rates for the previous financial year as set out in the annual business plan for that previous financial year (excluding rebates and remissions on rates that are not discretionary rebates or remissions);
 - (ec) if relevant, a statement on the average change in the expected rates for the financial year (expressed as a whole number of dollars) for each land use category declared as a permissible differentiating factor compared to the expected rates for each category for the previous financial year as set out in the annual business plan for that previous financial year;
 - (f) issues concerning equity within the community and the impact of rates across the area;
 - (g) the application or operation of a minimum amount payable by way of rates (if applicable).
- (2) If an annual business plan sets out a growth component in relation to general rates, it may only relate to growth in the number of rateable properties (and must not relate to growth in the value of rateable properties).

7. **Part 2 (7) of the Local Government (Financial Management) Regulations 2011** - States that the budget must include the following:

Pursuant to section 123(10)(b) of the Act, each budget of a council under the Act must—

- (a) include budgeted financial statements, which must be presented, other than notes and other explanatory documentation, in a manner consistent with the Model Financial Statements; and
- (b) state whether projected operating income is sufficient to meet projected operating expenses for the relevant financial year; and
- (c) include a summary of operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances; and



(d) include estimates with respect to the council's operating surplus ratio, net financial liabilities ratio and asset renewal funding ratio presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators

8. **Public Consultation** - Consultation must be undertaken on the draft Annual Business Plan in accordance with Council's public consultation policy and Section 123 (4) of the Act.
9. **Annual Business Plan and Budget Process** - The process was outlined to Elected Members as part of the Elected Member induction process in January 2023 that included an overview of the 2023/2024 Annual Business Plan process, the budget information to be provided to Elected Members, and the key milestones and meeting dates.
10. **Annual Business Plan and Budget Development** - The draft Annual Business Plan and Budget was developed in consultation with staff across Council. Staff provided detailed budget requirements for the coming year to deliver services for community and specific projects. This was then reviewed by senior Council staff and Elected Members at workshops held between March and May 2023.
11. **Audit and Risk Committee Engagement** – A workshop was held with Committee members that provided a budget overview detailing the progress to date and the approach taken in February 2023. The key elements of the ABP, LTFP and IAMPs were also presented at a further workshop on 8 May 2023.
12. **Annual Business Plan and Budget Elected Member Engagement** - Five informal briefings were held with Elected Members during April/May 2023 to brief them on the contents of the budget, LTFP, IAMPs and provide an understanding of the priorities for the coming year.
13. **Council Endorsement of the Draft Annual Business Plan and Budget** – Council endorsed the Draft 2023/2024 Annual Business Plan and Budget for public consultation at the Council meeting on 23 May 2023.

PROPOSAL

1. **Strategic Management Plans** - Council's Annual Business Plan and Budget was formulated within the guiding principles detailed in its suite of Strategic Management Plans, including the City of Mount Gambier Strategic Plan 2020-2024, Asset Management Plans and Long-Term Financial Plan. The Strategic documents were reviewed at the same time to ensure alignment and are intended to be reviewed together annually in future years.
2. **Service Levels to the Community** - Council's annual operating program was developed to ensure maintenance of the current level of all existing services to the whole community. It should be noted that this Annual Business Plan does not include the provision of new services with the exception of the Wulanda Recreation and Convention Centre.
3. **Structure of the Annual Business Plan document** - Aligned with last year's document and legislation the document includes the following:
 - **Significant Influences** - An overview of the environment in which the Annual Business Plan and Budget was developed i.e. the external influences including the political environment, public health and wellbeing and tourism.
 - **Highlights** - An overview of proposed key outcomes for the coming year.
 - **Key Assumptions** - Provides an overview of key assumptions and principles applied in building the budget.
 - **Capital Expenditure** - Provides an overview of the capital works program with definitions for the different categories of projects supported by additional project information to provide clarity for the community (including project descriptions to provide more detail to aid in understanding the expected outcomes from the projects and a view of grants anticipated and the net cost to Council (i.e. after grants/contributions)).
 - **Financial Overview** - Is a summary of the operating budget.



- **Financial Targets** - Shows how the 2023/2024 budget key financial indicators compare to targets (based on a 3 year average).
- **Our Goals** - Provides an overview of the key Annual Business Plan and Budget information included in the document aligned to the headings of the four strategic plan goals identified in the City of Mount Gambier Strategic Plan 2020-2024 being: Our People; Our Location; Our Economy; and Our Climate, Natural Resources, Art, Culture and Heritage. Each strategic plan goal includes the following information:
 - **Strategic Plan Objectives** - Key objectives from the City of Mount Gambier Strategic Plan 2020-2024 to which the Annual Business Plan and Budget are aligned.
 - **Annual Objectives** - Priority outcomes that Council are planning to achieve in the coming year.
 - **Key Performance Indicators** - Measures that will highlight the expected performance in the delivery of services and annual objectives.
 - **Services** - The list of services that Council will deliver for the community.
 - **Projects** - Project names, a brief description of the project, the gross cost, expected grants/contributions and the net cost to Council (after taking account of the expected contribution).
- **Rating Policy and Rate Rebate Policy** - Both draft rating policies have been included in the Annual Business Plan and Budget document rather than as a separate report to ensure that the document is aligned with the regulations.

Financial Overview:

Summary	Key Measure	Adopted Budget 2023	Budget 2024	Adopted LTFP 2024	Target
Revenue Assumptions	General Rate Increase	4.5%	6.2%	4.5%	4.5%
	Waste Service Charge	4.5%	6.2%	4.5%	4.5%
	Total Rate Revenue Increase	4.5%	6.2%	4.5%	4.5%
Key Financial Indicators	Operating Surplus Ratio	-7.2%	-6.7%	-4.9%	> \$0 by FY 2027
	Net Financial Liabilities	135%	117%	126%	< 100% by FY 2027
	Asset Renewal Funding Ratio	120%	100%	100%	> or = 100%
Operating Expenditure	Operating expenditure (\$'m)	39.6	45.1	39.5	
Capital Expenditure	Asset Renewals (\$'m)	7.4	5.8	7.5	
	New/Upgrade (\$'m)	14.1	3.9	1.0	

- **Total Rate Revenue Increase** - Council has taken the decision to increase rates by more than that included in the previously adopted LTFP to counteract the impact of lower than CPI increases in rates in previous years as well as increases in inflation, interest rates and other significant costs such as utilities. A smoothing approach has been taken to ensure that whilst key ratios are achieved in FY 2027, the required increase has been spread across three years.
- **Inflation** - CPI has been assumed to be 4.2% based on Deloitte Access Economics forecast for FY 2024 as at September 2022 (broadly in line with 4.1% as at March 2023).



- **Operating Deficit** - Council's estimated operating deficit for 2023/2024 is forecast to be (\$2.8m) which is higher than that included in the previously adopted LTFP target of (\$1.9m). This is mainly as a result of materials, contracts and other expenditure increasing by (\$2.6m) (increased inflation / utility prices), increase in depreciation expected of (\$0.6m) (Wulanda and Caroline) and increase in interest of \$0.7m (rate rises and increased expenditure). Income is forecast to increase that will partly offset this increase by \$3.3m with increased rates and landfill charges.
 - **Operating Expenditure** - A total of \$45.1m will be spent on operating expenditure including waste management and disposal, development assessment and planning services, library services, community development and events plus the maintenance/depreciation of infrastructure and building assets including roads, footpaths, lighting, stormwater drainage, cemeteries and other council properties. As stated above, this is an increase on the current adopted LTFP.
 - **Renewal Program** - Next year \$5.8m has been allocated to renew assets including Buildings and Structures \$0.7m, Infrastructure \$3.2m and Plant and Equipment \$1.7m.
 - **New/Upgrade** - Next year \$3.9m has been allocated to New/Upgrade including Caroline Landfill \$2.2m, Wulanda \$0.6m, other buildings \$0.4m, and Infrastructure \$0.4m.
 - **Key Financial Indicators** - The key ratios have been compared to the adopted LTFP as shown below:
 - **Operating Deficit Ratio** - The operating deficit ratio is higher than the adopted LTFP (unfavourable variance) mainly due to the increases in operating expenditure (with more detail provided above).
 - **Net Financial Liabilities Ratio** - This is lower than the LTFP target (favourable) mainly due to the increase in revenue detailed above.
 - **Asset Renewal Funding Ratio** - Both the current plan and LTFP target are 100% reflective of updated Asset Management Plan.
4. **Grant Funding** - Council has also been successful in securing significant grant funding from Local Roads and Community Infrastructure.
5. **Financial Statements** - Includes the following statements for 2022/23 and 2023/2024:
- Statement of Comprehensive Income;
 - Statement of Financial Position (Balance Sheet);
 - Statement of Changes in Equity;
 - Statement of Cash Flows;
 - Uniform Presentation of Finances; and
 - Financial Indicators.
6. **Net Borrowing** - Council's net borrowing (budget deficit) as shown in the Uniform Presentation of Finances in 2023/2024 is expected to be (\$1.8m). This is a higher borrowing figure than the previously adopted LTFP target mainly due to expenditure increases as detailed above. This indicates the extent to which net financial liabilities of the Council can be met by the Council's total operating revenue. The resulting draft plan outlines Council's objectives and goals in accordance with Council's Strategic Plan and Long-Term Financial Plan maintaining a financial and strategic focus to provide sustainability for residents and ratepayers in the future.
7. **Rating Policy and Rate Rebate Policy** - These two policies have been included in the draft Annual Business Plan document to ensure alignment with the recent regulatory changes. They identify the framework within which Council must operate and make policy choices. They will be included for adoption with the Annual Business Plan and Budget in June 2023.



LEGAL IMPLICATIONS

As shown in more detail in the background section of this report including Section 123 of the Local Government Act 1999 and Part 2 (6) and (7) of the Local Government (Financial Management) Regulations 2011.

STRATEGIC PLAN

The Draft Annual Business Plan and Budget 2023/2024 is aligned with the City of Mount Gambier Strategic Plan 2020-2024.

COUNCIL POLICY

[R105 Draft Rating Policy 2022/2023](#) (included in this agenda item)

[R130 Rates General Matters](#)

[R155 Rate Rebate Policy](#) (included in this agenda item)

[P195 Community Consultation and Engagement Policy](#)

[T150 Treasury Management Policy](#)

[B300 Budget Framework Policy](#)

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

ECONOMIC IMPLICATIONS

The Annual Business Plan and Budget was developed considering the adopted Long-Term Financial Plan 2023-2032 and aligned with the development of the draft Long Term Financial Plan 2024-2033 and draft Asset Management Plans 2024-2033 also included in the agenda for this meeting.

ENVIRONMENTAL IMPLICATIONS

The Draft Annual Business Plan and Budget 2023/2024 includes Council's environmental budget for the year, annual objectives and key performance indicators, services and projects aligned with the strategic goals of Our Diverse Economy and Our Climate, Natural Resources, Arts, Culture and Heritage.

SOCIAL IMPLICATIONS

The application of rates is recognised as a system of taxation of residents, and as such, Council strives to the best of its ability to ensure that rates are applied fairly and that the burden is shared equally by those with ability to pay in proportion to their wealth.

Council has and will continue to consider the impact of rates on all sections of the community and those on fixed incomes and with limited financial resources.

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

The development of the Draft Annual Business Plan and Budget 2023/2024 has been managed within existing staff resources.

The capacity and capability of the organisation to deliver the Draft Annual Business Plan outcomes has been reviewed and confirmed with key stakeholders.

VALUE FOR MONEY

The Draft Annual Business Plan 2023/2024 includes the budget. Procurement of goods and services included in the budget will be aligned with P420 Procurement, & Disposal of Land And Assets Policy.



RISK IMPLICATIONS

The capacity to deliver the Draft Annual Business Plan and Budget has been reviewed by the Executive Leadership Team (ELT) with a particular focus on the delivery of the operating and capital works programs.

EQUALITIES AND DIVERSITY IMPLICATIONS

Annual objectives and KPIs in relation to implementation of these plans have been included in the Draft Annual Business Plan and Budget

ENGAGEMENT AND COMMUNICATION STRATEGY

Community consultation timelines and approach is aligned with that defined in the Local Government Act and 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."

Decision to be made	Make recommendations for the Draft Annual Business Plan 2023/2024.
Key factors to be considered in decision	<ul style="list-style-type: none"> • Draft Long Term Financial Plan 2024-2033 • Draft Asset Management Plans 2024-2033 • City of Mount Gambier Strategic Plan 2020-2024 • Local Government Act 1999
Area of community influence	<ul style="list-style-type: none"> • Aspects that are fixed – Legislative factors; • Key areas for community input – The community may make submissions on all sections of the Annual Business Plan.
Method of consultation, informing the community	<p>Copies will be available at:</p> <ul style="list-style-type: none"> • The Mount Gambier Library; and • The Customer Service counter. • Have Your Say website <p>A facility will be available for the community to ask questions and receive submissions on Council's Have Your Say website during the public consultation period.</p> <p>A Special Council meeting will be held on Tuesday 20 June 2023 at 5:00pm to hear feedback from the community.</p>
Feedback to stakeholders/Council	A written response will be made to all submissions once the Annual Business Plan 2023/2024 has been adopted by Council.
Timeframe for Consultation	25 May - 15 June 2023.

IMPLEMENTATION STRATEGY

Following the adoption of the 2023/2024 Annual Business Plan and Budget in June 2023 the following will occur:

- **Budget** - the budget will be formally rolled out across the organisation to all budget holders and will form the basis of financial performance reporting.



- **Annual Objectives and Key Performance Indicators** - Performance against the annual objectives and Key Performance Indicators included in this document will form the basis for quarterly Annual Business Plan Performance reporting that will be brought to Council.

CONCLUSION AND RECOMMENDATION

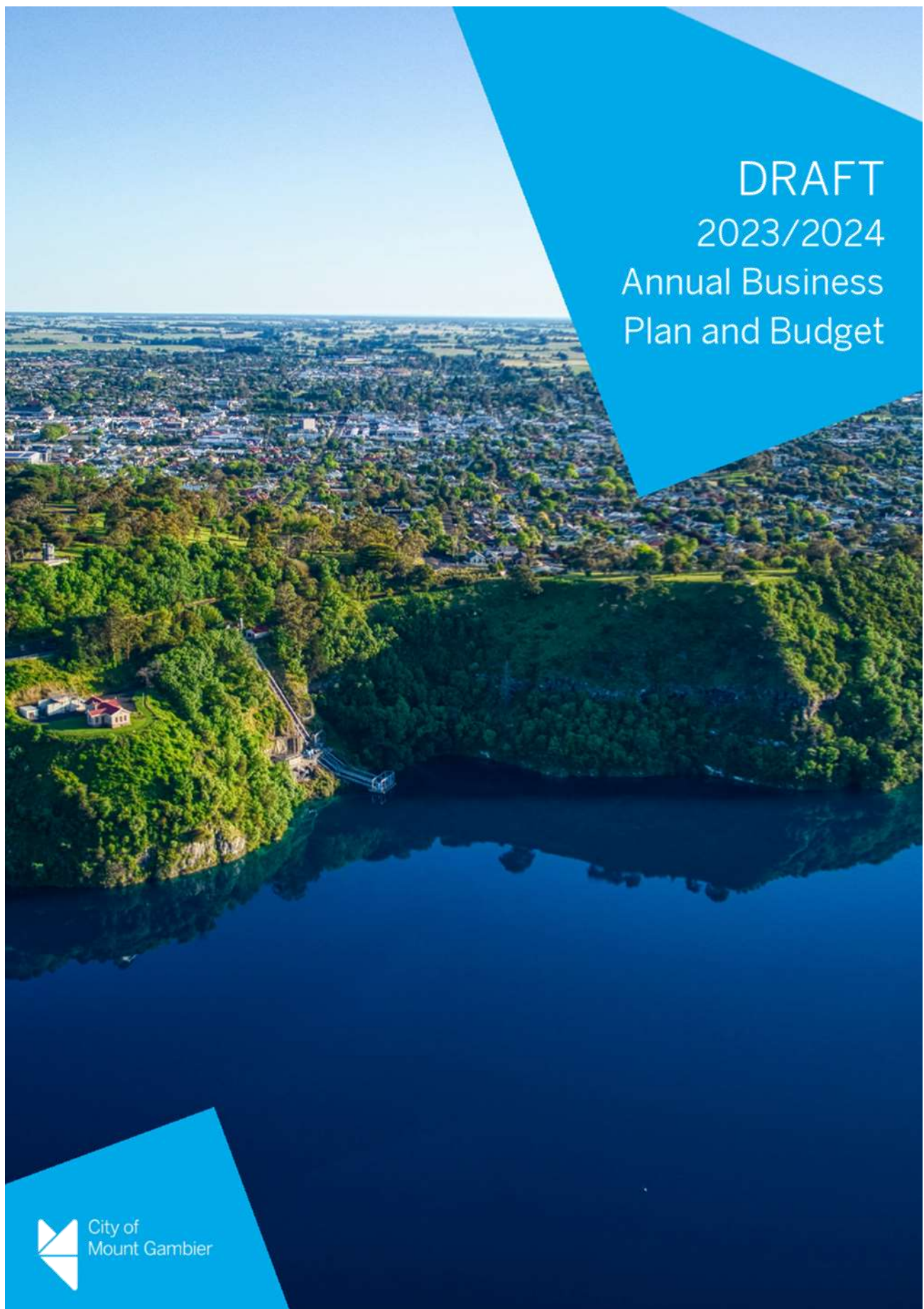
The Draft Annual Business Plan, detailing Council's intended programs for the 2023/2024 financial year including the rating policy and annual budget will be presented for endorsement for public consultation on 25 May 2023 and will be available for comment and submission by the community until 15 June 2023.

The process that was undertaken to build the budget achieved the key outcomes established prior to the start of the process.

ATTACHMENTS

1. Draft ABP 2023/2024

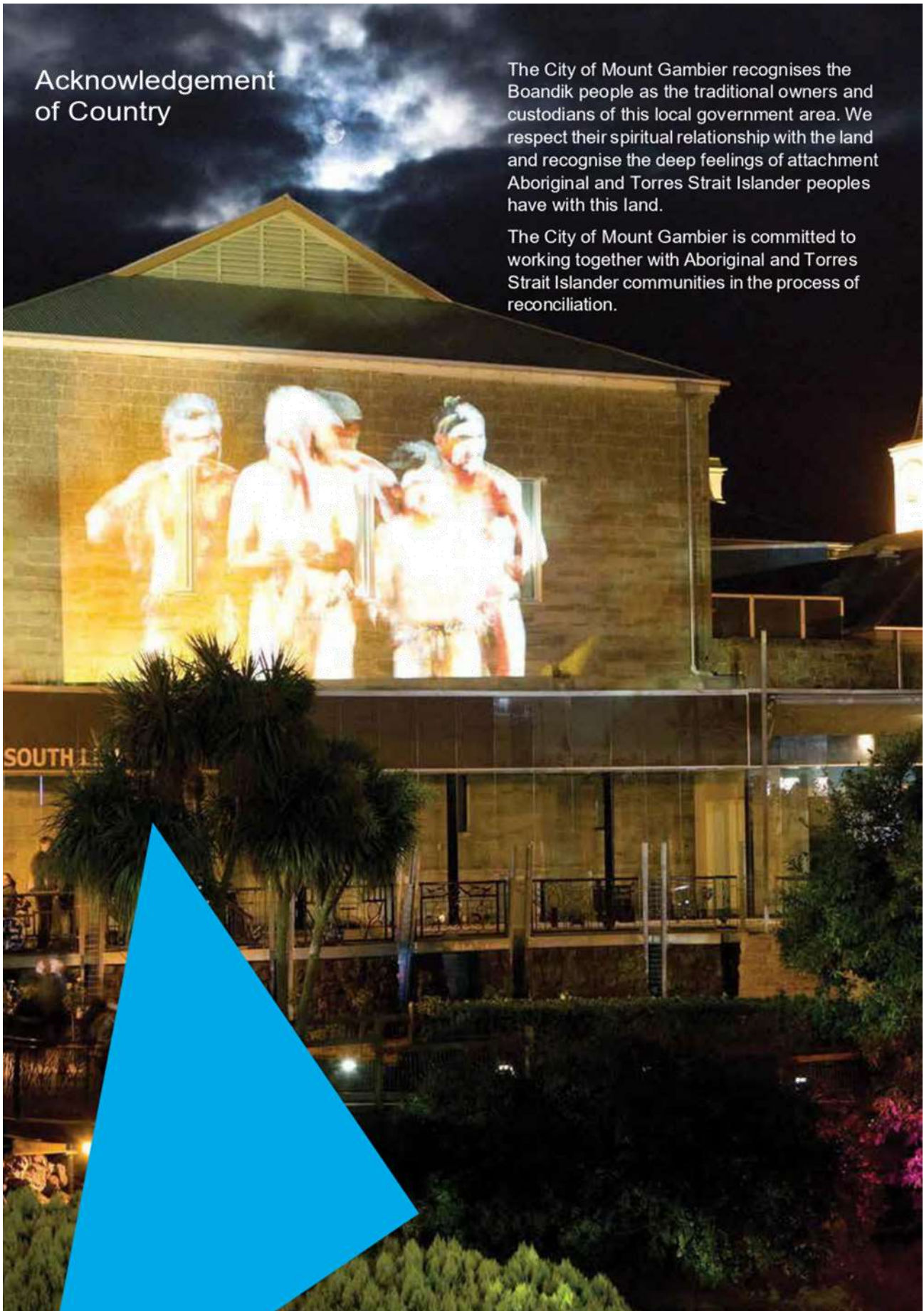




Acknowledgement of Country

The City of Mount Gambier recognises the Boandik people as the traditional owners and custodians of this local government area. We respect their spiritual relationship with the land and recognise the deep feelings of attachment Aboriginal and Torres Strait Islander peoples have with this land.

The City of Mount Gambier is committed to working together with Aboriginal and Torres Strait Islander communities in the process of reconciliation.





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A message from the Mayor

On behalf of Elected Members, I am pleased to present the City of Mount Gambier Annual Business Plan for the 2023/2024 financial year.

The 2023/2024 Annual Business Plan and Budget outlines the program of work the City of Mount Gambier will undertake as we enter the new financial year.

Council have undertaken careful deliberations to ensure that our priorities are delivered in the context of long term financial sustainability. The Annual Business Plan has been developed in alignment with the Long Term Financial Plan and Asset Management Plan.

In 2020/2021, to assist ratepayers during COVID, Council applied a zero rate increase, and in 2022/2023, rate increases were below CPI. As a consequence of this and relatively high inflation continuing beyond the 2023 financial year, Council has made the difficult decision to increase rates by more than is set out in the current Long Term Financial Plan.

Therefore, Council has taken a smoothing approach to rate revenue increases for the next three years as we recognise the financial pressures residents and businesses are experiencing. We are committed to providing a high level of service to our community whilst remaining financially sustainable by managing expenditure within the ten years of the Long Term Financial Plan to minimise the impact on ratepayers.

Current indications demonstrate that the average rates notice in Mount Gambier will remain below the average in both South Australia and neighbouring council areas.

City of Mount Gambier is proud to provide services, programs and support to the community as an inclusive city where people lead fulfilling lives.

I look forward to working with Elected Members and Council staff as we continue to build the foundations to support our city for growth, both economic and social.

Yours faithfully,

Lynette Martin OAM
MAYOR



A message from the CEO

It is a pleasure to present to you the 2023/2024 Annual Business Plan and Budget for the City of Mount Gambier.

Council's 2023/2024 Business Plan and Budget focuses on building foundations and positioning our city for future growth and opportunities.

The current inflation in Australia has created cost pressures in various areas. This inflation is now affecting our ability to provide services to the expected standard, and all councils across South Australia face similar challenges.

The City of Mount Gambier remains dedicated to offering a wide range of services that benefit our residents every day. We are proud to provide these services and committed to ensuring ongoing sustainability so that services and facilities are provided to a good standard.

Our community now has access to an extraordinary facility, Wulanda Recreation and Convention Centre. Council will continue to focus on providing inclusive community access to a diverse range of recreation, cultural and corporate activities within the state-of-the-art facility.

We have been taking time to evaluate our role as custodians in our natural landscape, with a clear focus on shaping our tourism future and the development of the Crater Lakes Master Plan.

The 2023/2024 Annual Business Plan and Budget also includes continued investment in sport and recreation, local roads and community infrastructure, and waste management.

I look forward to continuing to work together on many projects and initiatives in the coming year.

Yours faithfully,

Sarah Philpott
CHIEF EXECUTIVE OFFICER



How the Annual Business Plan and Budget was prepared

PURPOSE

The Annual Business Plan is the key operational and financial document for Council. It sets proposed operational programs and capital projects for 2023/2024 and how we will allocate our budget.

STRATEGIC DIRECTION

The content has been developed after taking into consideration the long-term direction of the Futures Paper, Strategic Plan 2020-2024, The Long Term Financial Plan (10 Year Plan) and the Asset Management Plan (10 years). Maintaining an adequate level of expenditure on existing assets on an annual basis ensures intergenerational equity, that is the burden of costs is met equally by current and future ratepayers.

Strategic priorities were reviewed with the Executive Leadership Team, Management Team and Elected Members to inform timing and deliverables for 2023/24. Many of the strategic priorities will be resourced using current budget and staff allocations. Some of these projects may be delivered over multiple years while others impact only 2023/24.

RATING

A review of rating strategy was undertaken, benchmarking against other South Australian councils and developing different scenarios for rates in 2023/2024 and beyond.

These scenarios were reviewed with Council's Executive Team and Elected Members at budget workshops with the approach to smooth the required rate increase over three years.

OPERATIONS BUDGET BUILD APPROACH

The Annual Business Plan 2023/2024 adopted a 'bottom up' budget approach where meetings were held with budget holders to examine their costs, which required managers to justify expenditure and provide assumptions for revenue.

ELECTED MEMBER REVIEW

A number of workshops were held with Elected members to develop this budget and discuss priorities within the draft plan during April 2023.

Significant Influences

In the development of the Annual Business Plan we have undertaken a review of our internal environment and broader external environment that includes social, environmental, economic and planning elements. This review identifies key issues that help provide the context for the development of this plan.

PUBLIC HEALTH AND WELLBEING

The COVID-19 pandemic has driven global changes. In South Australia, there are still ongoing ramifications that will continue to affect the local community and economy.

Council's focus will be on vigilance and rapid response when appropriate.

Over the last three years Council has seen the impact of COVID-19 on the availability and cost of materials and resources to support its capital works program. If this trend continues it may mean that additional contingency may be required to fund the program included in this Annual Business Plan and Budget.

LOCAL ECONOMY

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,
- Education,
- Visitor economy,
- Health services,
- Agribusiness, and
- Transport and logistics.

Significant Influences

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.

LEGISLATIVE REFORM

There are two significant legislative changes which will impact on Local Government - The new Planning, Development and Infrastructure Act (PDI Act) and changes to the Local Government Act. These changes will have significant impact on our community and council operations. It is essential Council continues to plan for these changes and work with the State Government to influence legislative reform and its implementation.

TOURISM SECTOR

A cross-government approach to the development of access to Mount Gambier's natural attractions has been advocated. This would include scoping, master planning and the facilitation of approvals to consider infrastructure development and marketing.

DEVELOPMENT

Over the next year, the State Planning Commission will be working with regional councils across the state in the development of Regional Plans. These Regional Plans will identify and guide land use and infrastructure requirements, and the City of Mount Gambier will provide information and strategic direction towards the Limestone Coast Regional Plan.

The Regional Assessment Panel developed in the last financial year amongst a number of councils in the region will continue which will result in some changes to processes for development.

POLITICAL ENVIRONMENT

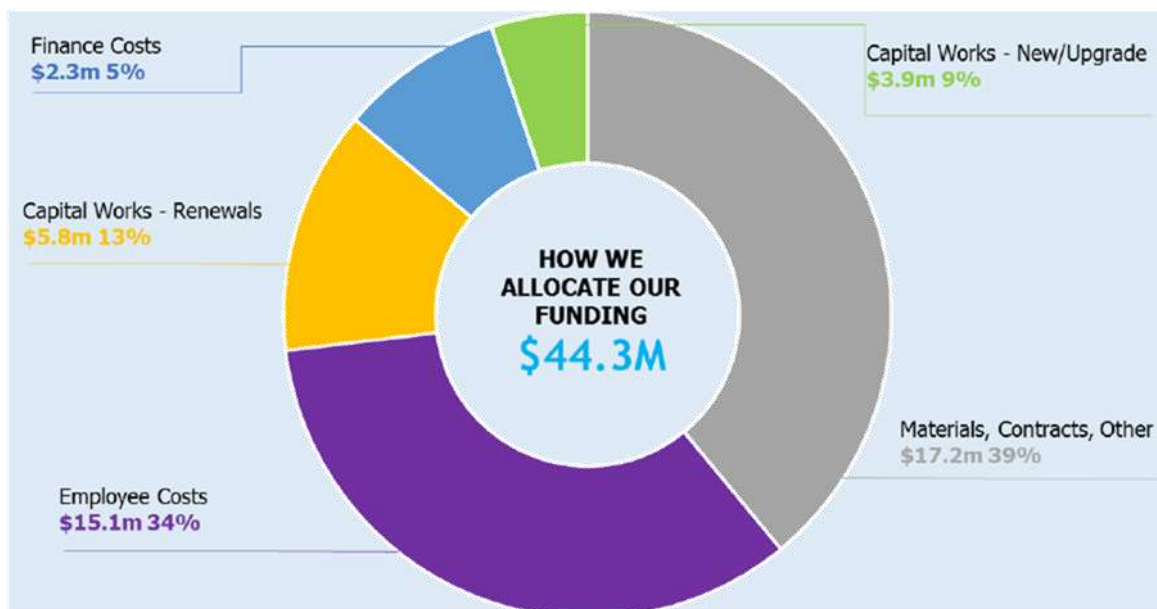
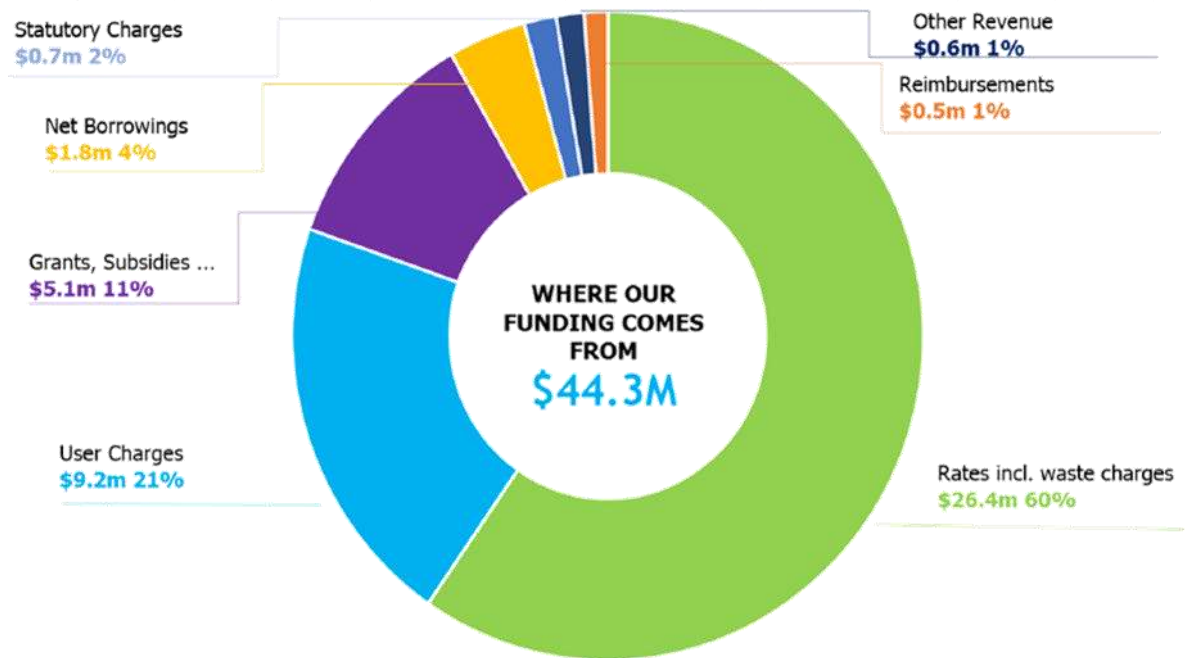
State and federal governments will continue to have an impact on the political environment in which Council operates. This may also influence the grants and partnering opportunities available to the local government sector.

GLOBAL ECONOMY

COVID 19 and other economic events have had a significant impact on the Australian, South Australian and ultimately the local economy. This has impacted the following:

- Inflation - The cost of goods and services and in particular the cost of capital projects and utilities,
- Interest rates - Council has structured its debt to minimise the impact of fluctuations in interest rates. However, 11 increases over the last 12 months have increased finance costs.

Funding and Expenditure Summary



Council

AREA
33.88
SQUARE
KILOMETRES

STAFF FTE
144

POPULATION
27,771

TOTAL RATES
REVENUE
INCREASE
6.2%

ROADS
SEALED ROADS
230.13
KILOMETRES
UNSEALED ROADS
1.33
KILOMETRES

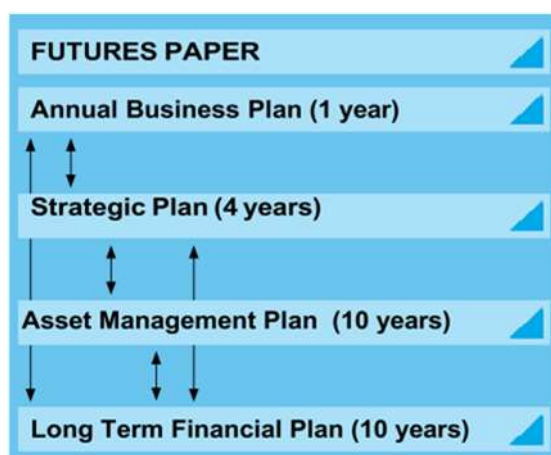
ECONOMIC
PROFILE
GROSS REGIONAL PRODUCT
\$1,464M
LARGEST SECTOR:
CONSTRUCTION



Strategic Context

Hierarchy of Documents - Brings together the key planning documents to ensure that the vision, goals and objectives set by the Futures Paper are implemented in the Long Term Financial Plan, Asset Management Plan, Strategic Plan, and Annual Business Plan.

The Annual Business Plan guides and is guided by other key strategic management documents as shown below:



The Futures Paper outlines strategies for action at the individual, organisation and community level that will enable the community to achieve their collective aspirations.

Long Term Financial Plan (10 years) (LTFP) - shows the financial impact of the implementation of the Strategic Plan over the next 10 years and incorporates key assumptions from the Strategic Plan and Asset Management Plan. The LTFP is reviewed by Council on an annual basis.

Asset Management Plan (10 years) - identifies the required future expenditure on infrastructure and funding required to maintain service levels. It is aligned with the LTFP.

Strategic Plan (4 years) - represents the vision, aspirations and priorities of our community now and into the future. The Strategic Plan is informed by the Futures Paper and identifies the outcomes Council seeks to achieve and the strategies that will put in place to get there.

Annual Business Plan (1 year) - Each year, Council develops an Annual Business Plan guided by Council's strategic financial framework which sets strategic directions over the medium and long term and converts these into annual actions and outcomes. This shows the outcomes Council expects to achieve in the year and the services, key measures of success and the budget required to deliver these outcomes.

Highlights

With finite resources, pressures to deliver more and changes in consumer's expectations of Council's services, there is a growing need for Council to deliver services tailored to demand.

This Annual Business Plan will focus on maintaining service standards efficiently.

Highlights for the year ahead include:

WULANDA RECREATION AND CONVENTION CENTRE

Continue to operate and activate the Wulanda Recreation and Convention Centre facility. This will increase the ability for Mount Gambier to host major sporting competitions, conferences, events and performances providing significant social and economic benefits.

LOCAL ROADS AND COMMUNITY INFRASTRUCTURE

Council will utilise the funding provided by the Phase 4 program to design the Frew Park amenities design in 2023/2024 with a view to construct the building in the following financial year.

SPORT, RECREATION AND OPEN SPACE STRATEGY

To continue to provide quality, well-planned spaces and guide the future direction of open spaces and facilities in Mount Gambier, Council will prioritise the projects outlined in the adopted Sport, Recreation and Open Space Strategy to inform an implementation plan for 2023/2024 and beyond.

CRATER LAKES ACTIVATION

To enable Council to capitalise on the Crater Lakes precinct, Council will use the guiding principles outlined in the Crater Lakes Activation Plan (once adopted) to inform future projects for 2023 / 2024 and beyond.

WASTE MANAGEMENT STRATEGY

Council will develop a holistic strategy and plan that supports the targets and outcomes of South Australia's Waste Strategy 2020-2025, with a key emphasis on initiatives that reduce avoidable waste to landfill to zero by 2030. The strategy will investigate circular economy opportunities, regional and cross border waste management capacity and needs, land use and zoning requirements for the future and application of relevant agency policies and legislation.

RECONCILIATION ACTION PLAN

Council's current Reconciliation Action Plan, Yerkalalpata, expired in 2022 and requires review to inform Council's work to support reconciliation for a further two years. Council will continue to focus on strengthening positive relationships, acknowledging and respecting Aboriginal and Torres Strait Islander cultures, and providing opportunities to ensure that our First Nations peoples have the same life opportunities as other Australians.

ORGANISATIONAL IMPROVEMENTS

We will progress work on a number of key organisational initiatives including:

- Elector Representation Review;
- Strategic and Operational Risk Management;
- Iservices Strategy;
- Strategic Planning and Reporting Framework;
- Work Health Safety & Wellbeing Culture;
- Media and Communications Strategy;
- Leadership Capability Framework; and
- Business Process Improvement.



Key Assumptions

RATES

The general rate provides benefits to the whole community and ensures social, economic and environmental sustainability.

The number of rateable properties in 2023/2024 is **TBC** with estimated assessment growth of **0.50%** and CPI of **5.7%** equalling a total increase of **6.2%** in general rate revenue.

Due to prior and current economic conditions and relatively high inflation continuing beyond 2023, Council have taken the difficult decision to increase rates by more than the previously adopted LTFP.

To minimise the impact upon ratepayers, Council have taken a smoothing approach to rate revenue increases (general rates and waste service charge) spreading the required increase across the next 3 years.

INFLATION

Inflation has been applied to revenue (with the exception of rates) based on forecast Adelaide CPI as at September 2022 where appropriate as provided by Deloitte Access Economics.

Inflation has also been applied to expenditure based on contractual agreements i.e. contract terms for other expenditure where appropriate.

Actual Adelaide CPI as confirmed by the Australian Bureau of Statistics for the March Quarter 2023 was 7.9%, which is higher than the budget assumption. The latest Deloitte Access Economics forecast for 2023/2024 is 4.1%.

It should be noted that significant increases have been experienced for goods and services purchased by Council in particular utilities and capital projects.

Strategies will be developed to mitigate additional pressures should inflation be higher than assumed in the budget.

USER PAYS PRINCIPLE

Benefits that are provided to a distinct group of the community will, wherever practicable be charged directly to the recipient of that benefit.

CURRENT SERVICE LEVELS

Council's annual operating program was developed to ensure maintenance of the current level of existing services to the whole community.

KEY FINANCIAL INDICATORS (KFIs)

The following Key Financial Indicators are deemed by the Local Government sector to be the best indicators for determining financial sustainability:

- Operating surplus / (deficit) ratio;
- Net financial liabilities ratio; and
- Asset renewal funding ratio.

Capital

Excluding Wulanda Recreation and Convention Centre Construction

It is essential that Council manages and maintains its assets responsibly, to maximise the value and the services the community derives from them.

The annual capital works program is informed by:

- a. Elected Members and community input
- b. City of Mount Gambier Strategic Plan 2020-2024
- c. The suite of Asset Management Plan (e.g. roads, footpaths), and
- d. The Long Term Financial Plan.

The capital projects budget identifies the amount of money that Council will invest in its long term physical assets and includes two categories:

RENEWALS

Renewals refers to the amount of money that Council will spend in maintaining and replacing its existing asset base.

This category would include such projects as road resurfacing and line marking, street and footway lighting.

NEW CAPITAL/UPGRADE

The amount of money Council will invest in new assets can either be the upgrade of existing assets or the creation of new assets.

The below table provides an indication of what Council will spend to maintain its infrastructure and is based on Council's Asset Management Plan.

\$'k	Renewals	New/ Upgrade	Total
Buildings and Structures	700	460	1,160
Caroline Landfill		2,200	2,200
Infrastructure	3,200	374	3,574
IT	30	30	60
Other	90	179	269
Plant and Equipment	1,742	40	1,782
TOTAL	5,762	3,283	9,045

Capital Expenditure

BUILDINGS AND STRUCTURES

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
Building Design Projects	Design for renewal projects to be delivered in 2024/2025.	50	-	50
Works Depot Automatic Gates and Traffic Management (Building Renewal Programs)	Installation of Automatic Roller gates to create access through swipe/card system from McDonnell Drive, Installation of Backyard Roller Gates to create automatic access from White Avenue.	70	-	70
Carinya mowing strips	Concrete mowing strips at the Carinya Cemetery.	15		15
City of Mount Gambier Works Depot amenities renovation	Continuation of the refurbishment of amenities (toilet/shower block/lunch areas).	100	-	100
Energy efficiency program	Projects that support Council's decision to deliver projects annually.	50	-	50
Frew Park Amenities	Design for the renewal/upgrade of existing Frew Park Amenities (toilets, seating, pergola areas) funded by LRCI Phase 4 Commonwealth grant funding.	50	(50)	-
Library storage unit	Construction of a purpose-built storage unit to be established to host library materials, resources and equipment.	95	-	95
Old Mount Gambier Gaol	Continuation of the renewal of walls, roofing and doors.	330	-	330
Railway Lands Nature Play	Design and construction of a nature play area in the Railway Lands with 50% private funding (received in prior year).	300	(150)	150
Building Renewals	Allocation for additional renewals.	100	-	100
TOTAL		1,160	(200)	960

CAROLINE LANDFILL

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
Construction of Cell 4A	Continuation of the construction of a cell at the Caroline Landfill facility.	2,200		2,200
TOTAL		2,200	-	2,200

INFRASTRUCTURE

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
Car park renewals	Depot car park renewal.	40	-	40
New footpaths	New footpaths that will address high priority items from the CBD accessibility audit.	54	-	54
O'Hallaran Terrace PLEC remediation	Construction of O'Hallaran Terrace remediation works following PLEC works.	320	-	320
Footpath reseals	Including works on the following: Wehl Street South - Helen Street to Commercial Street West, Shepherdson Road - Coutts Street to Bertha Street, and Elliott Drive - Davison Drive to End Section.	50	-	50
Road reconstruction	Including: Bertha Street - Edward Street to Commercial Street West, O'Halloran Terrace - Power Street to Bay Road, Shelley Crescent - Shelley Crescent Mid to Shelley Crescent East.	2,127	-	2,127
Roads to Recovery	Road widening for Wireless Road East - Kennedy Avenue to Attamurra Road.	436	(436)	0
Road reseals program	The resealing of the sealed roads network.	482	-	482
Stormwater drainage renewals	Including grates and lid replacement and side entry pit replacement (Shepherdson Road and Boandik Terrace).	65	-	65
TOTAL		3,574	(436)	3,138

IT

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
IT renewals	Replacement of current IT infrastructure assets - annual program.	30	-	30
Caroline Landfill WiFi	install Wi-Fi extension at Caroline Landfill to provide effective device communication across the entire site.	30	-	30
TOTAL		60		60



Capital Expenditure

OTHER

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
Trees	Priority focus is the bushfire rehabilitation and revegetation of the affected Crater Lakes area	80		80
Christmas Decorations	Renewal of Christmas decorations	20		20
Waste bins	Purchase of waste bins.	70		70
Beacon art project	Design and construction of beacon art project.	99		99
TOTAL		269		269

PLANT AND EQUIPMENT

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
Minor plant	Purchase of new minor plant items as per Asset Management Plan allocation.	40		40
2 Wheel Drive Utility Vehicles	Purchase of 3 vehicles	99		99
Garbage compactors	Purchase of two replacement garbage compactors.	863		863
Water truck	Purchase of replacement water truck.	165		165
Mowers	Purchase of 3 mowers.	392		392
Tip trucks	Purchase of 2 tip trucks	223		223
TOTAL		1,782		1,782



Financial Overview

GENERAL RATE INCREASE

The proposed general rate increase will result in a **6.2%** increase in general rates revenue.

OPERATING DEFICIT

Budget deficit - Council's estimated operating deficit in 2023/2024 is (\$2.8) million.

LTFP target comparison - The operating deficit is greater than the target set by the Long Term Financial Plan for 2023/2024 as adopted by Council in June 2022 of (\$1.9) million. The increase has been driven by inflationary pressures in materials, contracts and other (materials, services and utilities), which has been partly offset by additional rates revenue and landfill charges.

Organisational requirements - Operating in a deficit environment means that we will need to ensure that we have strong financial controls in place and that public value is maximised.

Future planning - A number of service reviews are planned to take place in 2023/2024 so that Council efficiently delivers both core and non-core services efficiently.

SERVICE PROVISION

A total of \$45.1 million will be spent on operating expenditure including waste management and disposal, development assessment and planning services, the library, community development, events and depreciation of assets, plus maintenance of infrastructure assets including roads, footpaths, lighting, storm water drainage, street trees, sporting facilities, open space, cemeteries and other council properties.

RISKS TO THE BUDGET

It should be noted that there are a number of risks that have not been considered in this year's Annual Business Plan and Budget as their impact at this time is unknown:

- Infrastructure Condition Audit and Valuation - The valuation for this category of assets is due as at 30 June 2023 which will have an impact on the future capital works program and depreciation.
- Buildings Condition Audit Valuation - The valuation is scheduled at this stage to be undertaken as at 1 July 2023 which is also expected to have an impact on depreciation and the valuation of the capital works program. The condition audits will be undertaken over two years that will inform the future maintenance and renewals program for this significant asset class.
- Ongoing Inflationary Pressures - Inflation is based on current forecasts. Any further increases will put additional pressure on the budget.



Financial Targets

OPERATING SURPLUS RATIO

What is the purpose of this ratio?

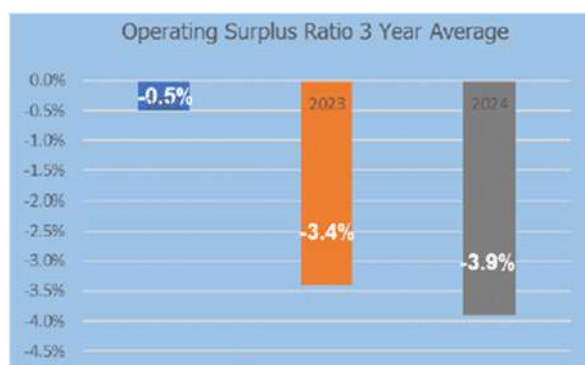
This financial indicator is useful in determining if current ratepayers are paying enough to cover products and services provided in each period.

How is this ratio calculated?

Operating surplus before capital revenues as a percentage of total operating revenue.

What is the target?

The target to be achieved by FY2027 is that Council will achieve a positive ratio.



NET FINANCIAL LIABILITIES RATIO

What is the purpose of this ratio?

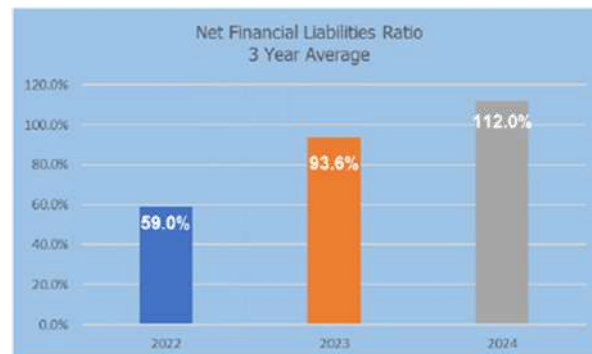
This financial indicator is useful in determining the level of indebtedness that Council has in comparison to its operating revenue.

How is this ratio calculated?

Net financial liabilities as a percentage of total operating revenue.

What is the target?

Council will achieve a net financial liabilities ratio of less than 100% of total operating revenue by FY 2027.



Financial Targets

ASSET RENEWAL FUNDING RATIO

What is the purpose of this ratio?

This financial indicator is useful in determining if Council is maintaining all its assets.

This is best demonstrated by comparing total capital renewal expenditure planned against Asset Management Plan requirements.

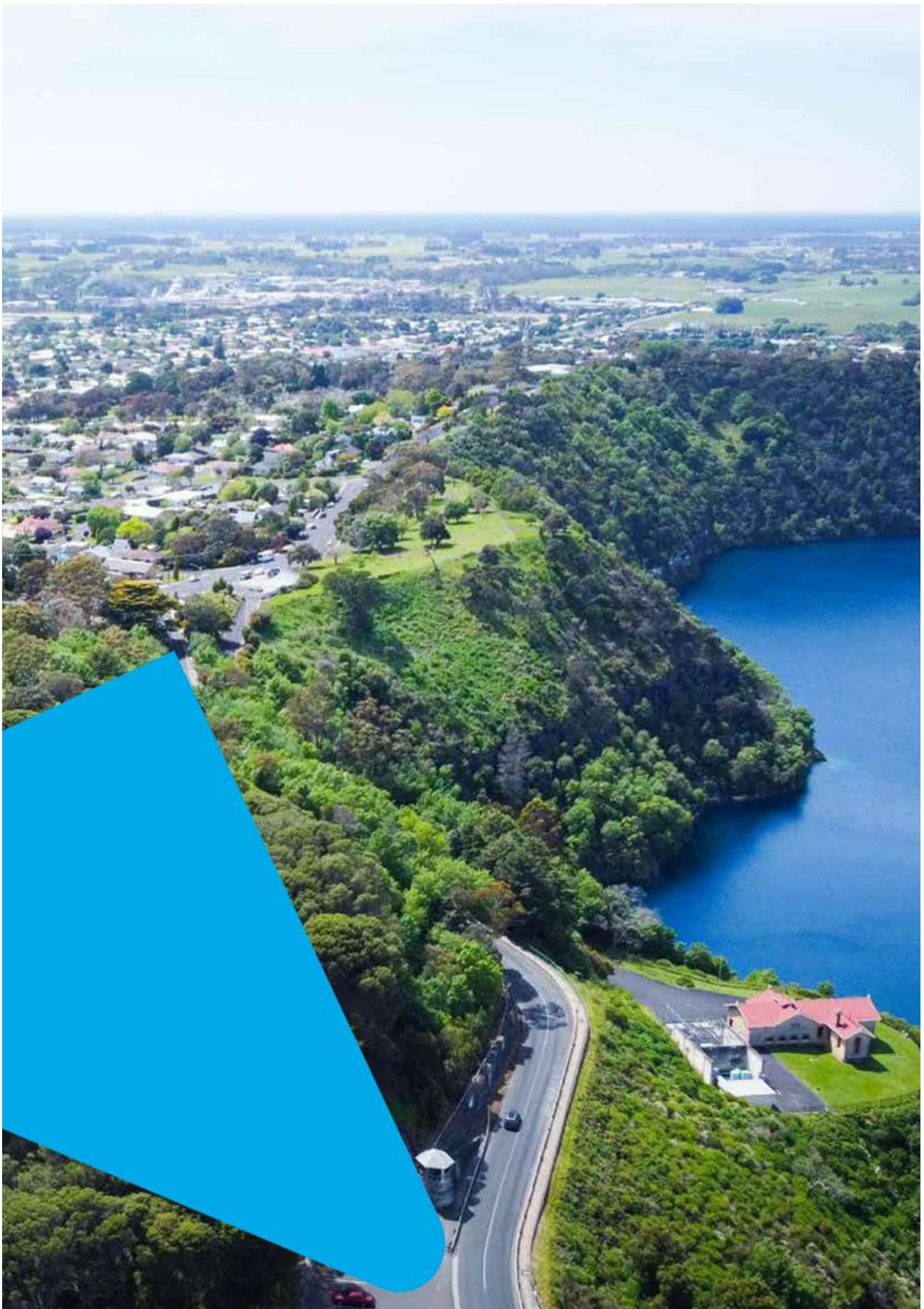
How is this ratio calculated?

Capital expenditure on renewal or replacement of existing assets as a percentage of Asset Management Plan allocations.

What is the target?

Council will maintain an asset renewal funding ratio of greater than or equal to 100% of Asset Management Plan.





Strategic Plan - Our Role and Goals

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:



1. OUR PEOPLE

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.



2. OUR LOCATION

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.



3. OUR DIVERSE ECONOMY

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.



4. OUR CLIMATE, NATURAL RESOURCES AND HERITAGE

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.

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.





GOAL 1: Our People

This goal brings together five key themes that affect our people – whether they live, work, study or visit the City of Mount Gambier.

- 18.1 Community based organisations and networks. Our community groups and networks develop and grow to achieve their aspirations.
- 18.2 Community growth. We foster a sense of community by encouraging and supporting participation in community life.
- 18.3 Sense of community. The community grows in real terms at a rate that helps sustain and grow the services available within the City and for the region.
- 18.4 Care for the community. We will develop our service offering to the community to ensure all members have access to required levels of support.
- 18.5 Becoming an 'earning and learning' community. We are driving the development of local career, education and entrepreneurship pathways that build skills to grow the economy, facilitate new businesses, and provide exciting and relevant employment opportunities for all our people as we transition to an 'earning and learning' city.

ANNUAL OBJECTIVES

- Delivery of community programs.
- Development of the Disability Access and Inclusion Plan 2024-2028 and supporting implementation plan.
- Implementation of a Volunteer Management Plan.
- Implementation of a consistent approach to the administration of community grants to ensure transparency and accountability.
- Progressing development of new Reconciliation Action Plan and deliver the initial stage of actions.
- Development of Affordable Housing Strategy in line with other levels of Government.
- Develop a Dog and Cat Management Plan aligned with legislation.

KEY PERFORMANCE INDICATORS

- Delivery of Disability Access and Inclusion plan and supporting implementation plan by June 2024. Delivery of grants program outlining tranches and requirements.
- Delivery of grants program outlining tranches and requirements.
- Delivery of Reconciliation Plan actions defined for 2023/2024.
- Adoption of Dog and Cat Management Plan by 31 December 2023.

SERVICES

- Cemetery services and maintenance,
- Community facilities management,
- Public health and safety,
- Volunteer management,
- Community support programs,
- Library services,
- Community development activities,
- Strategic planning,
- Inspectorial services, including parking and animal management,
- Community engagement and social inclusion,
- Youth development and programming

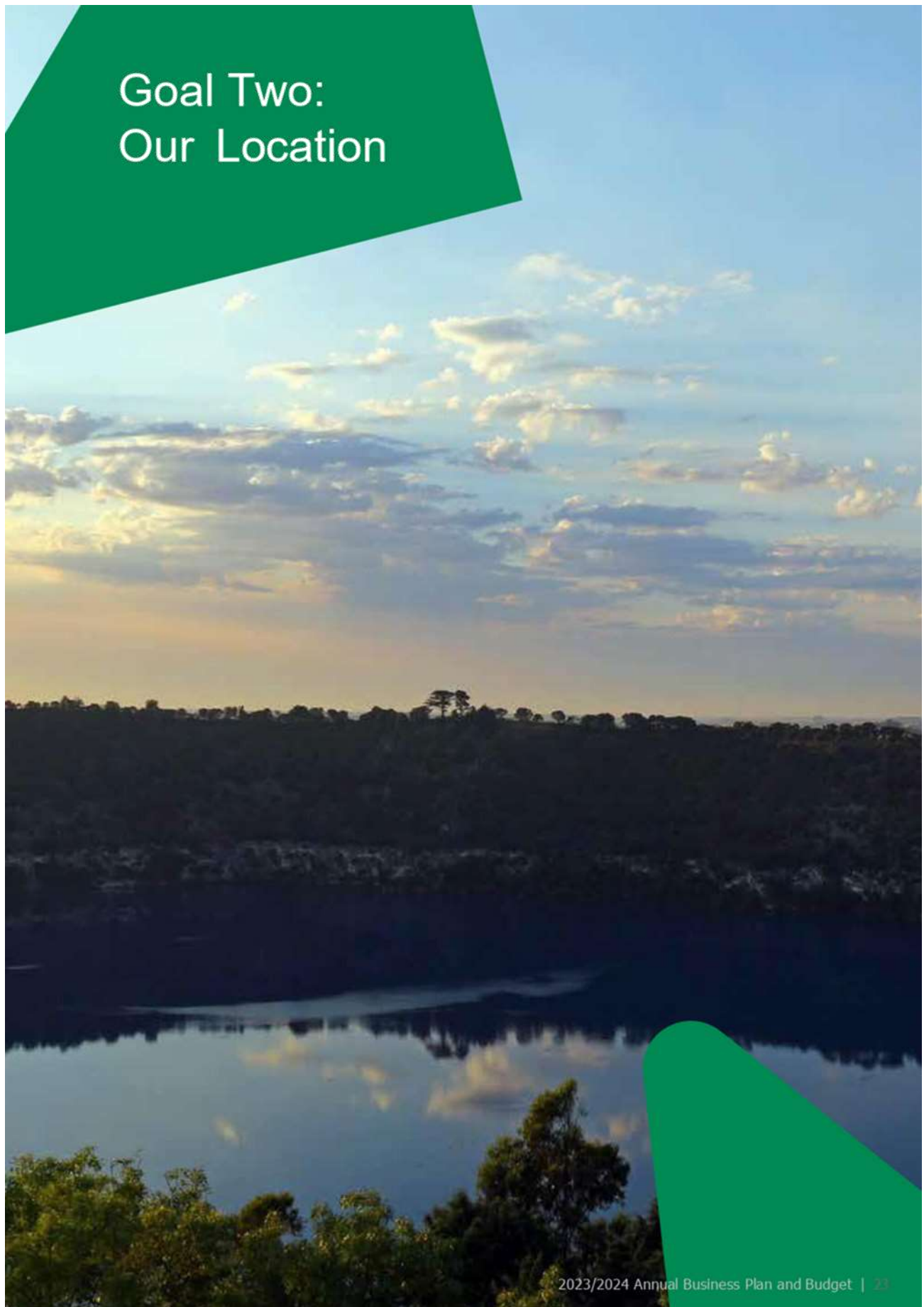


GOAL 1: Our People

PROJECTS

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
Carinya mowing strips	Concrete mowing strips.	15	-	15
City of Mount Gambier Works Depot amenities renovation	Renovate existing amenities to ensure compliance.	100	-	100
Library storage unit	A purpose-built storage unit to be established to host library materials, resources and equipment.	95	-	95
TOTAL		210	-	210

Goal Two: Our Location



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GOAL 2: Our Location

Mount Gambier is ideally located between both Adelaide and Melbourne, allowing the city to tap into markets in both South Australia and Victoria.

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

22.2 Regional collaboration. Significant planning work has been done by the City of Mount Gambier, Limestone Coast councils and Regional Development Australia (Limestone Coast). Councils within the region are keen to collaborate on a number of initiatives including land use planning, infrastructure, waste management, recycling and tourism.

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

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

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

ANNUAL OBJECTIVES

- Deliver the capital works program.
- Phased delivery of maintenance plans identified for FY 2024.
- Develop the asset management planning approach and implement in 2023/24.
- Undertake a review of Council's property and land assets to understand risks and opportunities to Council's financial sustainability.
- Support State Government in the development of the Regional Plan.
- Progress discussions with State Government on former rail lands adjacent to Hastings Cunningham Reserve.
- Finalise Blue Lake Sports Park Masterplan and seek opportunities for grant funding or other options to progress the masterplan outcomes.

KEY PERFORMANCE INDICATORS

- Deliver 85% of all infrastructure projects within the capital works program on time, within scope and within budget.
- Have maintenance programs that have been designed and are ready to be implemented across respective teams by the end of June 2024.
- Delivery of draft Asset Management Plan and forward works program by December 2023.
- Complete property and land assets review by 30 June 2024.



GOAL 2: Our Location

SERVICES

- Asset (roads etc) infrastructure renewal and maintenance,
- Management and maintenance of infrastructure including roads, footpaths, parks, public open spaces, street lighting and stormwater drainage,
- Street cleaning and rubbish collection,
- Infrastructure planning,
- Infrastructure project delivery.

PROJECTS

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
Building Design Projects	Design for renewal projects to be delivered in 2024/2025	50	-	50
Works Depot Automatic Gates and Traffic Management (Building Renewal Programs)	Installation of Automatic Roller gates to create access through swipe/card system from McDonnell Drive, Installation of Backyard Roller Gates to create automatic access from White Avenue.	70	-	70
Frew Park Amenities	Design for the renewal/upgrade of existing Frew Park Amenities (toilets, seating, pergola areas) funded by LRCI Phase 4 Commonwealth grant funding.	50	(50)	-
Old Mount Gambier Gaol	Renewal of walls, roofing and doors.	330	-	330
Railway Lands Nature Play	Design and construction of a nature play area in the Railway Lands with 50% private funding (received in prior year).	300	(150)	150
Car park renewals	Depot car park renewal.	40	-	40
New footpaths	New footpaths that will address high priority items from the CBD accessibility audit.	54	-	54
O'Hallaran Terrace PLEC remediation	Construction of O'Hallaran Terrace remediation works following PLEC works.	320	-	320



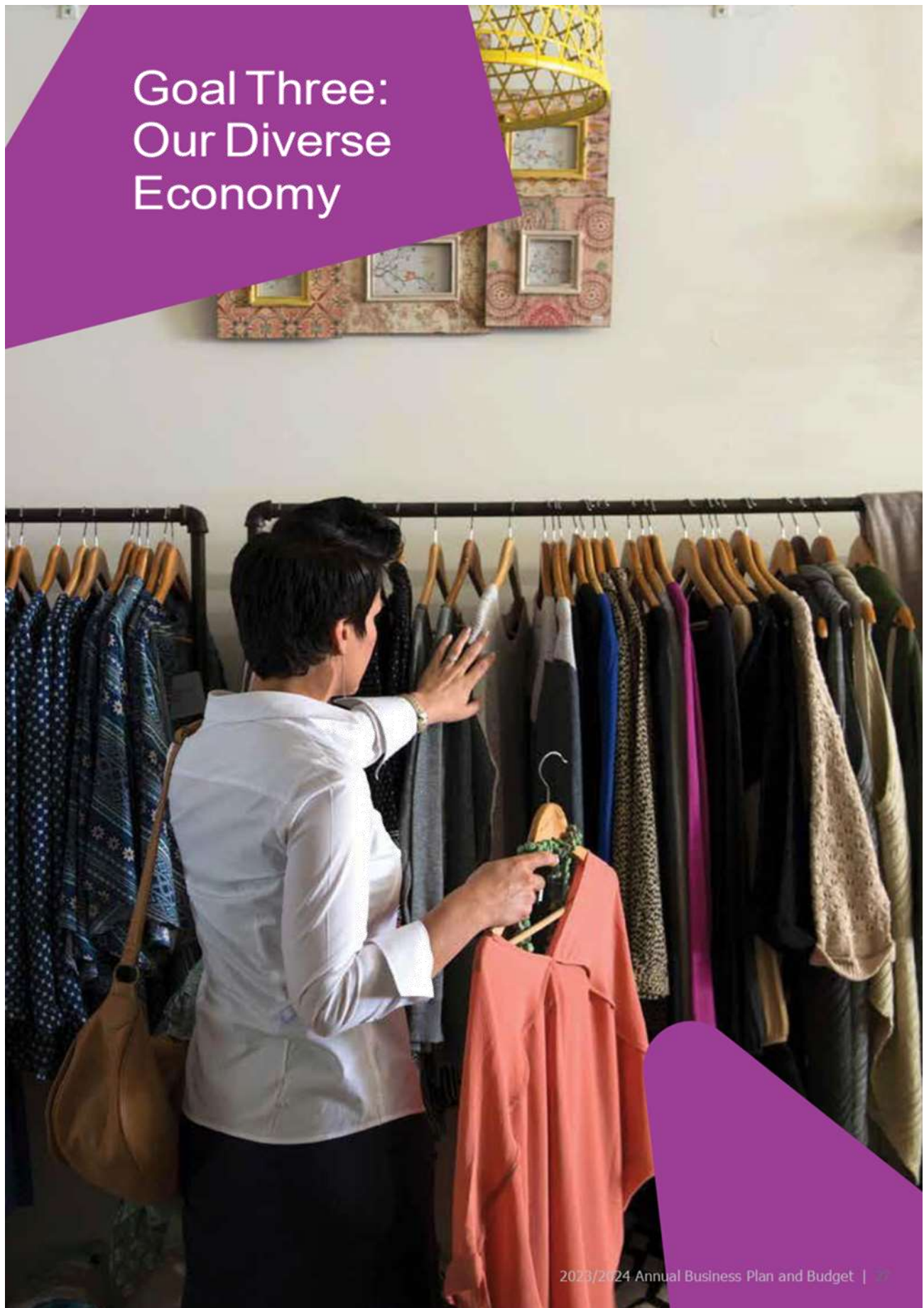
GOAL 2: Our Location

PROJECTS

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
Footpath reseals	Including works on the following: Wehl Street South - Helen Street to Commercial Street West, Shepherdson Road - Coutts Street to Bertha Street, and Elliott Drive - Davison Drive to End Section.	50	-	50
Road reconstruction	Including: Bertha Street - Edward Street to Commercial Street West, O'Halloran Terrace - Power Street to Bay Road, Shelley Crescent - Shelley Crescent Mid to Shelley Crescent East.	2,127	-	2,127
Roads to Recovery	Road widening for Wireless Road East - Kennedy Avenue to Attamurra Road.	436	(436)	-
Road reseals program	The resealing of the sealed roads network.	482	-	482
IT renewals	Replacement of current IT infrastructure assets - annual program.	30	-	30
Minor plant	Purchase of new minor plant items as per Asset Management Plan allocation.	40	-	40
Water truck	Purchase of replacement water truck.	165	-	165
Mowers	Purchase of 3 mowers.	392	-	392
2 Wheel Drive Utility Vehicles	Purchase of 3 vehicles	99	-	99
Tip trucks	Purchase of 2 tip trucks	223	-	223
TOTAL		5,258	(636)	4,622



Goal Three: Our Diverse Economy



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GOAL 3: Our Diverse Economy

A diverse economy provides a greater range of opportunities and helps provide a degree of resilience during economic downturns.

- 3.1 Identity, gateways and support for our businesses. Establish a strong, positive, aspirational identity that includes the message that the city of Mount Gambier is 'open for business'.
- 3.2 Land use planning settings. Planning that provides for future economic and lifestyle changes and continued growth whilst protecting the natural environment.
- 3.3 Appealing and affordable housing for growth. We have appealing and affordable housing appropriate to incomes, aspirations and cultures to attract and retain new residents.
- 3.4 Tourism is contributing to a diverse economy and creating opportunity. Mount Gambier, its surrounding townships and the tourism region are positioned as a unique and desirable activity-based destination for travellers from Adelaide and Melbourne.
- 3.5 Reusing, recycling and waste management. We will work with the community to ensure there is better understanding of the impacts and responsible options available for reuse, recycling and waste management, including investigations as to how the city and region can be more self-sufficient.

ANNUAL OBJECTIVES

- Create a seamless, soft landing website/webpage for investment/attraction (and retention) in Mount Gambier.
- Create a seamless, soft landing website/webpage for Tourism in Mount Gambier.
- Activate and operate the Wulanda Recreation and Convention Centre.
- Development of consultation activities that ensure that the community is engaged.
- To provide professional advice and assistance to Council, colleagues, industry partners and the community in respect to development matters.
- To ensure development is carried out in accordance with relevant legislation, standards and codes to facilitate outcomes.
- To provide professional advice and assistance to Council, colleagues, industry partners and the community in respect to development matters.
- To ensure development is carried out in accordance with relevant legislation, standards and codes to facilitate outcomes.
- Provide community education, awareness and incentive programs to reduce waste.
- Continue sift and sort activities and programs to support the reduction in waste to landfill.
- Development of Waste Management Masterplan.
- Undertake a review of the delivery and location of visitor information services.



GOAL 3: Our Diverse Economy

KEY PERFORMANCE INDICATORS

- Investment attraction website to be designed and delivered by 30 June 2024.
- Review of community engagement policy undertaken by 30 June 2024.
- 90% of development Applications are processed in accordance with statutory time frames as specified within the Planning, Development and Infrastructure Act 2016.
- 90% of building inspections are undertaken in accordance with the Practice Directions.
- Delivery of at least five waste education activities.
- 2% reduction of waste to landfill per capita.
- Delivery of signage strategy by 30 June 2024.

SERVICES

- Event management and sponsorship support,
- Attracting major events to the city,
- Economic development activities,
- Investment attraction,
- Waste and recycling services,
- Tourism attraction and development,
- Visitor Information Centre,
- Free public wifi,
- Development policy planning,
- Development services, and
- Land use and urban planning.

PROJECTS

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
Building Renewals	Allocation for additional renewals.	100	-	100
Construction of Cell 4A	Construction of a cell at the Caroline Landfill facility.	2,200	-	2,200
Caroline WiFi	install Wi-Fi extension at Caroline Landfill to provide effective device communication across the entire site.	30	-	30
Waste bins	Purchase of waste bins.	70	-	70
Garbage compactors	Purchase of two replacement garbage compactors.	863	-	863
Investment, Retention & Attraction	Be a strong (competitive) consideration for living, working, playing & investing by leveraging our liveability proposition to retain and attract investment.	30	-	30
Christmas Decorations	Renewal of Christmas decorations	20	-	20
TOTAL		3,313	-	3,313





Goal Four: Our Climate, Natural Resources, Arts, Culture and Heritage

30 Mount Gambier

GOAL 4: Our Climate, Natural Resources, Arts, Culture and Heritage

We have an amazing natural and semi-natural environment in our region, which provides the setting for many of our keynote activities.

- 4.1 Natural assets. We are effective at protecting and conserving the high-quality values of our natural environment.
- 4.2 Open Space. We will ensure that future growth is planned in a manner that provides access to, and does not detract from, the community's environmental values.
- 4.3 Planned reduction of our carbon footprint. Council will lead by example in the fields of sustainable development and resource efficiency.
- 4.4 Recreational and cultural pursuits. We will ensure that community members are provided with opportunities for cultural growth and development through provision of innovative services and programs.
- 4.5 A City brought to life with public art. We will ensure that opportunities for public art are created within our city, this means not just spaces for the artwork, but also spaces where creative industries can connect and flourish.

ANNUAL OBJECTIVES

- Deliver a beacon art project and agree the approach for future similar projects.
- Completion of holistic document to guide the activation of the Crater Lakes Precinct and delivery of supporting implementation plan.
- Reduce carbon and other greenhouse gas emissions in capital projects and operational practices.
- Reduce carbon and other greenhouse gas emissions in capital projects and operational practices.
- Establish renewable energy capability on Council facilities.
- Develop the Shared Use Path implementation plan.
- Develop and adopt a prioritised implementation plan (SROSS) to inform Council's actions to deliver, including required masterplans for Council's Open Space assets.

KEY PERFORMANCE INDICATORS

- Increase the percentage of renewable energy used on Council occupied facilities each year.
- Annual increase of 5% in recycled materials being procured for general projects.
- Completion of Shared Use Path implementation plan by June 2024.

SERVICES

- Urban design and open space planning,
- Open space and trails planning and management,
- Arboriculture (tree services),
- Fire prevention,
- Recycled product use,
- Community planting and weed eradication projects,
- Environmental programs,
- Environmental sustainability projects,
- Biodiversity projects,
- Horticulture services,
- Tree planting and revegetation projects,
- Animal management,
- The Riddoch Arts and Cultural Centre and venue hire,
- Recreation facilities provision, and
- Social and recreation planning.



GOAL 4: Our Climate, Natural Resources, Arts, Culture and Heritage

PROJECTS

Project Name	Project Description	Gross Expenditure \$'000s	Grant Contribution \$'000s	Net Expenditure \$'000s
SROSS Masterplan	Commence the development of a masterplan in support of the SROSS strategy (with completion in 2024/25)	50		50
Energy efficiency program	Projects that support the Council decision to deliver projects annually.	50	-	50
Stormwater drainage renewals	Including grates and lid replacement and side entry pit replacement (Shepherdson Road and Boandik Terrace).	65	-	65
Beacon art project	Design and construction.	99	-	99
Trees	Priority focus is the bushfire rehabilitation and revegetation of the affected Crater Lakes area	80		80
TOTAL		344	-	344



Rating Strategy

In 2023/2024 approximately 62% of Council's operating revenue will come from overall rates revenue. As a result, Council's rating policies and strategies are key components of financial planning.

The 2023/2024 Annual Business Plan and Budget includes a 6.2% general rate and waste service charge revenue increase for this year with consistent increases forecast for the following two years as Council smooths the impact of the required increase.

Council plans to raise \$22.168m from general rates (excluding Regional Landscape Levy and service charges).

RATES MODELLING

Methodology

Our rates are determined by multiplying the applicable rate in the dollar by the capital valuation of rateable land in the council area plus a fixed charge (as detailed below).

Valuation methods

Council has the option of adopting one of three valuation methodologies to assess the properties in its area for rating purposes:

- **Capital value** - The value of the land and all improvements on the land;
- **Site value** - The value of the land and any improvements which predominantly affect the amenity of use of the land, such as drainage works, but excluding the value of buildings and other improvements. (Note: Site value will cease to be an option from 1 September 2023); or,
- **Annual value** - A valuation of the rental potential of the property.

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:

- **Relative wealth** - This is the most appropriate measure of relative wealth in the community;
- **Capacity to pay** - As a measure of wealth, it most closely reflects the property owners' capacity to pay; and
- **Taxation principle** - 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.

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 less than one half of total rate revenue (before rebates and remissions) required for the 2023/2024 financial year.

Rationale for fixed charge

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

- **Range of services** - 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
- **Equal contribution** - Council considers it appropriate that all ratepayers contribute equally to the cost of administering Council's services and activities.

Differential general 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.

General amenity

Every resident benefits in some part from the general amenity of the council area. 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.

Rationale for differential rates

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,
- Provide a disincentive to withholding land from development.

Expected Rates Revenue:

Please Note - The figures shown below represent a considered estimate of Expected Rate Revenue based on the most current information available at the time of going out to consultation on the DRAFT Annual Business Plan and Budget (ABP&B). This information is updated regularly and therefore these figures may be subject to confirmation at the time of actual adoption of the ABP&B (as per Section 167 of the Local Government Act 1999).

Rating Strategy

	2022/2023 (as adopted)	2023/2024	Notes	Change
GENERAL RATES REVENUE				
General rates (existing properties)	\$20,873,843	\$22,168,021	(a)	6.2%
General rates (new properties)	0	\$TBC	(b)	
General rates (GROSS)	\$20,873,843	\$22,168,021	(c)	6.2%
Less: Mandatory rebates	(\$239,728)	(\$255,000)	(d)	
General rates (NET)	\$20,634,115	\$21,913,021	(e)	6.2%
	(e)=(c)+(d)			
OTHER RATES (incl. service charges)				
Regional Landscape Levy	\$1,240,568	\$1,351,252	(f)	8.9%
Waste collection	\$2,916,585	\$3,098,511	(g)	
	\$24,791,268	\$26,362,784		
Less: Discretionary rebates	(\$12,745)	(\$14,000)	(l)	
Expected total rates revenue	\$23,537,955	\$24,997,532	(m)	6.2%
	(m)= (e)+(g)+(h)+(i)+(j) +(k)+(l)			

Notes

- (a) **General rates (existing properties)** - In 2023/2024 this will reflect the revenue from properties that existed in 2022/2023. Please note that 2022/2023 has been restated so that year on year numbers are comparable.
- (b) **General rates (new properties)** - In 2023/2024 this will include newly created assessments.
- (c) **General rates (GROSS)** - General rates revenue prior to the application of any rebates, remissions or objections.
- (d) **Mandatory rebates** - Councils are required under the *Local Government Act 1999* to provide a rebate to qualifying properties under a number of categories. The rates which are foregone via mandatory rebates are redistributed across the ratepayer base (i.e. all other ratepayers are subsidising the rates contribution for those properties who receive the rebate). Please refer to R155 Rate Rebate Policy for further details.
- (e) **General rates (NET)** - Presented as required by the *Local Government (Financial Management) Regulations 2011* reg 6(1)(ea). Please note: The percentage figure in (e) relates to the change in the total amount of general rates revenue to be collected from all rateable properties, not from individual rateable properties (i.e. individual rates will not necessarily change by this figure).
- (f) **Regional Landscape Levy** - Councils are required under the *Landscape South Australia Act 2019* to collect the levy on all rateable properties on behalf of the State Government. The levy helps to fund the operations of regional landscape boards who have responsibility for the management of the State's natural resources. Council collects this levy on behalf of State Government and does not retain the revenue nor determine how the revenue is spent.

Rating Strategy

- (g) **Waste collection (Waste Service Charge)** 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 associated costs. This service charge of **\$TBC** is intended to cover costs including bin collection, waste treatment and disposal and maintaining, improving and replacing the service.
- (l) **Discretionary rebates** - A council may grant a rebate of rates or service charges in a number of circumstances. The rates which
- are foregone via Discretionary Rebates are redistributed across the ratepayer base (ie. all other ratepayers are subsidising the rates contribution for those properties who receive the rebate). Please refer to R155 Rate Rebate Policy for further details.
- (m) **Expected total rates revenue** - Excludes other charges such as penalties for late payment and legal and other costs recovered. It also excludes a provision for objections.

ESTIMATED GROWTH IN NUMBER OF RATEABLE PROPERTIES

	2022/2023 (as adopted)	2023/2024	Notes	Change
Number of rateable properties	14,534	TBC	(n)	TBC
	Actual			

At this stage Council has not received final data from the Office Valuer General and as such the estimated number of rateable properties is not available at this time. To be updated for the 2023/2024 Annual Business Plan to be adopted by Council.

- (o) **Average per rateable property** - Calculated as general rates for a category, including any fixed charge but excluding any separate rates, divided by number of rateable properties within that category in the relevant financial year.

Notes

- (n) **"Growth"** - As defined in the *Local Government (Financial Management) Regulations 2011* reg 6(2). "Growth" is defined in the regulations as where new properties have been created which has added rateable properties to Council's ratepayer base. Growth can also increase the need and expenditure related to infrastructure, services and programs which support these properties and residents.



Rating Strategy

ESTIMATED AVERAGE GENERAL RATES PER RATEABLE PROPERTY

Property valuations - Councils use property valuations to calculate each rateable property's contribution to the required rate revenue total.

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

Total general rates - The total general rates paid by all rateable properties will equal the amount adopted in the budget.

The estimated 'average' - This is based on the total of all rateable properties and is therefore not necessarily indicative of either the rate or change in rates that individual ratepayers will experience. It should be noted (as above) that Council have not at this stage calculated an estimate of number of rateable properties. At this stage for the calculations below this has been estimated at the same level as 2022/2023.

	2022/2023 (as adopted)	2023/2024	Notes	Change
Average per rateable property	\$1,436	TBC	(o)	TBC
	(o)=(c)/(n)			

** Does not include WSC



	Total expected revenue			No. of rateable properties		Average per rateable property				Cents in the \$
	2022/23	2023/24	Change	2022/23	2023/24	2022/23	2023/24		Change	2023/24
Land Use (General Rates - GROSS)										
Residential	\$14,893,483	\$15,817,168	6.2%	12,761	TBC	\$1,167	TBC	(p)	TBC	TBC
Commercial - Shop	\$1,932,140	\$2,051,933	6.2%	461	TBC	\$4,191	TBC	(p)	TBC	TBC
Commercial - Office	\$357,548	\$379,716	6.2%	144	TBC	\$2,483	TBC	(p)	TBC	TBC
Commercial - Other	\$1,756,900	\$1,865,828	6.2%	446	TBC	\$3,939	TBC	(p)	TBC	TBC
Industry - Light	\$315,714	\$335,289	6.2%	133	TBC	\$2,374	TBC	(p)	TBC	TBC
Industry - Other	\$772,674	\$820,580	6.2%	100	TBC	\$7,727	TBC	(p)	TBC	TBC
Primary Production	\$65,664	\$69,735	6.2%	38	TBC	\$1,728	TBC	(p)	TBC	TBC
Vacant Land	\$603,419	\$640,831	6.2%	387	TBC	\$1,559	TBC	(p)	TBC	TBC
Other	\$176,027	\$186,941	6.2%	64	TBC	\$2,750	TBC	(p)	TBC	TBC
Total Land Use	\$20,873,570	\$22,168,021	6.2%	14,534	TBC	\$1,436	TBC	(p)	TBC	TBC

All items in red reflect current data available to Council. The most recent valuations available to Council at the time that Council adopts its budget under Section 167 of the Act will govern the assessment of rates for the financial year which will result in changes to the rate in the dollar and the distribution of general rates detailed in the table above.

EXPECTED DIFFERENTIAL RATES REVENUE

Council uses a differential rating system, using land use codes as the factor to apply such differential rates.

In applying differential general rates, Council has considered and is satisfied that the rating system addresses the issue of consistency and comparability across all council areas, particularly as it relates to the various sectors of the business . . .

Notes

(p) Average per rateable property – This is calculated as general rates for category, including any fixed charge but excluding any separate rates, divided by number of rateable properties within that category in the relevant financial year.

Rating Strategy

FIXED CHARGE

Base amount - A fixed charge ensures all rateable properties pay a base amount to the cost of administering council activities and maintaining the services and infrastructure that supports each property.

Fixed charge allocation - Rates based on values are then applied in addition to the fixed charge. Council is limited to the amount that can be raised by the fixed charge in that it cannot raise more than 50% of its general rate revenue from the fixed charge component. In 2023/2024 Council proposes to raise 37% of its general rate revenue by way of a fixed charge, or 45% including the Waste Service Charge.

This revenue amount is included in the general rates GROSS figure at (c).

	Total expected revenue			Charge		
	2022/2023	2023/2024	Change	2022/2023	2023/2024	Change
Fixed charge	\$7,723,232	\$8,202,036	6%	\$533	TBC	(q) TBC

Notes

- (q) Fixed charge - A fixed charge can be levied against the whole of an allotment (including land under a separate lease or licence) and only one fixed charge can be levied against two or more pieces of adjoining land (whether intercepted by a road or not) if they are owned by the same owner and occupied by the same occupier. Refer to the Rating Policy (page 45) for details.



Appendices

Draft 2023/2024 Financial Statements

City of Mount Gambier - Uniform Presentation of Finances Draft Budget 2023/ 2024

2022 Actuals	\$'000s	2023 Adopted Budget	2023 Adopted Budget	BR3 2023	Budget 2024
37,162	Income		36,963	38,256	42,280
35,161	Expenses		39,631	42,238	45,117
2,001	Operating surplus / (deficit)		(2,669)	(3,981)	(2,837)
Net outlays on existing assets					
5,623	Capital expenditure on renewal and replacement of existing assets		7,421	7,219	5,762
(8,479)	Depreciation, amortisation and impairment		(9,209)	(9,928)	(10,467)
(112)	Proceeds from sale of replaced assets		(333)	(159)	(277)
(2,968)	Net outlays on existing assets		(2,121)	(2,868)	(4,982)
Net outlays on new and upgraded assets					
35,134	Capital expenditure on new and upgraded assets (including investments property & real estate developments)		14,079	20,974	3,903
(20,443)	Amounts received specifically for new and upgraded assets Proceeds from sale of surplus assets (including investment property and real estate developments and non-current assets held for resale)		(5,962)	(5,644)	0
14,691	Net outlays on new and upgraded assets		8,117	15,330	3,903
(9,722)	Net lending / (borrowing) for financial year		(8,665)	(16,443)	(1,759)

Appendices

Draft 2023/2024 Financial Statements

City of Mount Gambier - Statement of Comprehensive Income Draft Budget 2023/2024

2022 Actuals	\$'000s	2023 Adopted Budget	BR3 2023	Budget 2024
Income				
23,822	Rates	24,832	24,843	26,416
633	Statutory Charges	575	698	734
5,515	User Charges	6,268	6,373	9,193
6,615	Grants, Subsidies and Contributions	4,728	5,346	5,048
14	Investment Income	0	47	40
65	Reimbursements	65	65	538
498	Other Income	495	883	311
37,162	Total Income	36,963	38,256	42,280
Expenses				
13,090	Employee Costs	14,682	14,637	15,087
13,234	Materials, Contracts & Other Expenses	14,675	16,219	17,288
8,479	Depreciation, Amortisation & Impairment	9,209	9,928	10,467
358	Finance Costs	1,064	1,453	2,275
35,161	Total Expenses	39,631	42,238	45,117
2,001	Operating Surplus / (Deficit)	(2,669)	(3,981)	(2,837)
1,760	Physical Resources Received Free of Charge	0	1,000	1,000
17,940	Amounts Received Specifically for New or Upgraded Assets	6,215	6,045	0
(787)	Asset Disposal & Fair Value Adjustments	0	0	0
20,914	Net Surplus / (Deficit)	3,547	3,063	(1,837)
Other Comprehensive Income				
Amounts which will not be reclassified subsequently to operating result				
0	Changes in Revaluation Surplus - I, PP&E	2,355	2,592	9,662
0	Impairment (Expense) / Recoupments Offset to Asset Revaluation Reserve	0	(932)	0
0	Total Other Comprehensive Income	2,355	1,660	9,662
20,914	Total Comprehensive Income	5,902	4,724	7,824

Appendices

Draft 2023/2024 Financial Statements

City of Mount Gambier - Statement of Financial Position Draft Budget 2023/2024

2022 Actuals	\$'000s	2023 Adopted Budget	BR3 2023	Budget 2024
ASSETS				
Current Assets				
250	Cash & Cash Equivalents	500	499	553
2,974	Trade & Other Receivables	1,447	1,624	1,803
64	Inventories	47	59	61
3,288	Total Current Assets	1,994	2,183	2,416
Non-Current Assets				
301,171	Infrastructure, Property, Plant & Equipment	318,117	316,553	327,405
301,171	Total Non-Current Assets	318,117	316,553	327,405
304,459	TOTAL ASSETS	320,111	318,735	329,821
LIABILITIES				
Current Liabilities				
9,331	Trade & Other Payables	4,127	4,419	5,162
1,222	Borrowings	2,930	2,930	1,269
2,784	Provisions	2,981	2,778	2,848
13,337	Total Current Liabilities	10,037	10,127	9,279
Non-Current Liabilities				
22,311	Borrowings	38,003	35,068	38,801
3,507	Provisions	3,842	3,513	3,890
25,818	Total Non-Current Liabilities	41,845	38,581	42,691
39,155	TOTAL LIABILITIES	51,883	48,708	51,970
265,304	Net Assets	268,229	270,027	277,852
EQUITY				
83,080	Accumulated Surplus	89,504	88,828	86,991
180,852	Asset Revaluation Reserves	177,840	179,827	189,489
1,372	Other Reserves	884	1,372	1,372
265,304	Total Equity	268,229	270,027	277,852

Appendices

Draft 2023/2024 Financial Statements

City of Mount Gambier - Statement of Cashflows Draft Budget 2023/2024

2022 Actuals	\$'000s	2023 Adopted Budget	BR3 2023	Budget 2024
Cash Flows from Operating Activities				
Receipts:				
23,829	Rates Receipts	24,802	26,193	26,237
633	Statutory Charges	573	698	734
4,335	User Charges	6,231	6,373	9,193
6,615	Grants, Subsidies and Contributions	5,153	5,346	5,048
14	Investment Receipts	0	47	40
65	Reimbursements	68	65	538
896	Other Revenue	407	883	311
Payments:				
(13,157)	Payments to Employees	(14,664)	(14,637)	(15,087)
(13,852)	Payments for Materials, Contracts & Other Expenses	(14,416)	(15,163)	(17,189)
(136)	Finance Payments	(1,064)	(1,453)	(2,275)
9,242	Net Cash provided (or used in) Operating Activities	7,090	8,353	7,550
Cash Flows from Investing Activities				
Receipts:				
20,443	Amounts Received Specifically for New/Upgraded Assets	5,962	5,644	0
112	Sale of Replaced Assets	333	159	277
Payments:				
(5,623)	Expenditure on Renewal/Replacement of Assets	(7,421)	(7,219)	(5,762)
(35,134)	Expenditure on New/Upgraded Assets	(14,079)	(20,974)	(3,903)
(20,202)	Net Cash provided (or used in) Investing Activities	(15,205)	(22,390)	(9,389)
Cash Flows from Financing Activities				
Receipts:				
9,581	Proceeds from Loans	25,000	15,565	5,002
Payments:				
0	Repayments of Loans	(16,885)	(1,100)	(2,930)
(202)	Repayment of Lease Liabilities	0	(179)	(181)
(62)	Repayment of Bonds & Deposits	0	0	0
9,317	Net Cash Flow provided (used in) Financing Activities	8,115	14,286	1,892
(1,643)	Net Increase/(Decrease) in Cash & Cash Equivalents	(0)	249	53
1,893	plus: Cash & Cash Equivalents - beginning of year	500	250	499
250	Cash & Cash Equivalents - end of the year	500	499	553

Appendices

Draft 2023/2024 Financial Statements

City of Mount Gambier - Statement of Equity Draft Budget 2023/ 2024

2022 Actuals	\$'000s	2023 Adopted Budget	BR3 2023	Budget 2024
242,752	Opening Balance	262,327	265,304	270,027
1,638	Adjustment for prior year corection			
20,914	Net Surplus / (Deficit) for Year	3,547	3,063	(1,837)
	Other Comprehensive Income			
	- Gain (Loss) on Revaluation of I,PP&E	2,355	2,592	9,662
	- Available for Sale Financial Instruments: change in fair value			
	- Impairment (loss) reversal relating to I,PP&E			
	- Impairment (expense) / recoupments offset to asset revaluation reserve		(932)	
	- Share of OCI - Equity Accounted Council Businesses			
	- Other Equity Adjustments - Equity Accounted Council Businesses			
	- Other Movements			
	Other Comprehensive Income	2,355	1,660	9,662
20,914	Total Comprehensive Income	5,902	4,724	7,824
265,304	Equity - Balance at end of the reporting period	268,229	270,027	277,852

Appendices

Draft 2023/2024 Financial Statements

City of Mount Gambier -Key Financial Ratios Draft Budget 2023/2024

2022 Actuals	\$'000s	2023 Adopted Budget	BR3 2023	Budget 2024
5.4%	Operating surplus ratio	-7.2%	-10.4%	-6.7%
	<u>Operating surplus</u> Total operating revenue			
97%	Net financial liabilities ratio	135%	122%	117%
	<u>Net financial liabilities</u> Total operating revenue			
79%	Asset renewal funding ratio	120%	117%	100%
	<u>Expenditure on renewal/replacement of assets</u> Optimal level of such expenditure as per IAMP			



 City of Mount Gambier	R105 RATING POLICY	Version No:	14.0
		Issued:	June 2023
		Next Review:	May 2024

1. INTRODUCTION

Councils are required to raise revenue for governance, administration and the delivery of goods and services to the community.

Council's major source of revenue is Rates, derived as a tax on land within the Council area. All ratepayers receive benefits from paying rates, but those benefits are consumed in different quantities and types over the life of the ratepayer.

This document sets out the policy of the City of Mount Gambier ("Council") for setting and collecting rates from its community.

2. PURPOSE

Chapter 10 of the *Local Government Act 1999* ("the Act") prescribes Council's powers to raise rates. The Act provides the framework within which the Council must operate, but also leaves room for the Council to make a range of policy choices. This document includes reference to:

- Compulsory features of the rating system.
- The policy choices that the Council has made on how it imposes and administers the collection of rates.

3. SCOPE

Strategic Focus

In determining a suitable Rating Policy, Council has taken into consideration:

- The Council's Strategic Management Plan
- Council's Long Term Financial Plan
- Council's Annual Business Plan and Budget
- Council's Treasury Management and Debt Strategy
- Required funding for future Asset Replacement (Infrastructure and Asset Management Plan)
- The current economic climate of our City and its district
- The specific issues faced by our community
- The impact of general rate increases upon our community, either generally or for specific classes of the community
- The impact of rates on our community and the need to balance our community's capacity to pay with the needs and desires of the wider interests that form our community.

There will continue to be economic pressures applying to the Council in a number of ways that will have an impact on the Council's budget and as a result will place pressure on rates.



 City of Mount Gambier	R105 RATING POLICY	Version No:	14.0
		Issued:	June 2023
		Next Review:	May 2024

4. POLICY STATEMENT

4.1 Communication of the Policy

Section 123 of the Local Government Act 1999 requires a Council to prepare an Annual Business Plan and Budget. As per Section 123 (2) (d) of the Act, the Annual Business Plan must set out the rates structure and policies for the financial year. A summary of the Annual Business Plan must be included with the first rates notice.

4.2 Method Used to Value Land

Councils may adopt one of three valuation methodologies to value the properties in their areas. They are:

- Capital Value – the value of the land and all the improvements on the land.
- Site Value – the value of the land and any improvements which permanently affect the amenity of use of the land, such as drainage works, but excluding the value of buildings and other improvements.
- Annual Value – a valuation of the rental potential of the property.

The City of Mount Gambier has decided to continue to use Capital Value as the basis for valuing land within the Council area. The Council considers that this method of valuing land provides the fairest method of distributing the rate burden across all ratepayers because property value is considered a reasonable indicator of income and capital value, which closely approximates the market value of a property and provides the best indicator of overall property value.

4.3 Adoption of Valuation

The City of Mount Gambier will adopt the most recent valuations made by the Valuer-General. If a ratepayer is dissatisfied with the valuation made by the Valuer-General then the ratepayer may object to the valuation referred to in the rate notice by writing served personally or by post on the Valuer-General within 60 days after the date of service of the notice, provided they have not:

- previously received a notice or notices under the *Local Government Act 1999* referring to the valuation and informing them of a 60-day objection period, the objection period is 60 days after service of the first such notice; or
- Previously had an objection to the valuation considered by the Valuer-General.

The Valuer-General may extend the 60-day objection period where it be shown there is reasonable cause to do so by a person entitled to make an objection to a valuation.

Objections can be submitted to the Office of the Valuer-General via:

Online: www.valuergeneral.sa.gov.au

Email: QVGObjections@sa.gov.au

Post: GPO Box 1354, Adelaide 5001

Fax: 08 8115 5709

In Person: Land Services SA, Level 9, 101 Grenfell Street, Adelaide

 City of Mount Gambier	R105 RATING POLICY	Version No:	14.0
		Issued:	June 2023
		Next Review:	May 2024

4.4 Objection to Valuation and/or Land Use

A person may object to a valuation of the Valuer-General by notice in writing, setting **out the full and detailed grounds for objection, including any supporting information**, and the Valuer-General must consider the objection. If the person then remains dissatisfied with the valuation the person has a right to a review. Applications must be made within 21 days of receipt of the notice of the decision (in relation to the objection) from the Valuer-General. A payment of the prescribed fee for the review to be undertaken together with the review application must be lodged in the State Valuation Office, who will then refer the matter to an independent Valuer. If the person remains dissatisfied with the valuation then they may apply to the South Australian Civil and Administrative Tribunal (SACAT) for a review of the decision.

The address of the Office of the Valuer-General is:

Online: www.valuergeneral.sa.gov.au

Email: OVGObjections@sa.gov.au

Post: GPO Box 1354, Adelaide 5001

Fax: 08 8115 5709

In Person: Land Services SA, Level 9, 101 Grenfell Street, Adelaide

The Council has no role in the valuation review process & the lodgement of an objection does not change the due date for payment of rates.

4.5 Notional Values

Certain properties may be eligible for a notional value under the Valuation of Land Act 1971. This can relate to certain primary production land or where there is State heritage recognition. A notional value is generally less than the capital value and generally results in a reduced rate liability being incurred.

Application by the ratepayer for a notional value must be made to the Office of the Valuer-General.

The address of the Office of the Valuer-General is:

Online: www.valuergeneral.sa.gov.au

Email: OVGObjections@sa.gov.au

Post: GPO Box 1354, Adelaide 5001

Fax: 08 8115 5709

In Person: Land Services SA, Level 9, 101 Grenfell Street, Adelaide

4.6 Business Impact Statement

Current Economic Environment

Council will consider the impact of rates on all businesses in the Council area, including industry, commercial and primary production sections. In considering the impact, Council will assess the following matters:

- Those elements of Council's Strategic Management Plan relating to business development.

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- Relevant economic forecast reports.
- Council's recent development approval trends.
- The operating and capital projects and new programs for the coming year that will principally benefit industry and business development.
- Valuation changes.
- Consumer Price Index (CPI) and Local Government Price Index (LGPI) Movements.

Council recognises the importance of supporting and encouraging a diverse and healthy business sector.

4.7 Council's Revenue Raising Powers

All land within a council area, except for land specifically exempt (e.g. Crown land, Council occupied land and other land prescribed in the Local Government Act – refer Section 147 of the Act), is rateable. The Local Government Act provides for a Council to raise revenue for the broad purposes of the Council through a general rate, which applies to all rateable properties, or through differential general rates, which apply to classes of properties. In addition, Council can raise separate rates, for specific areas of the Council or service rates or charges for specific services. The Council also raises revenue through fees and charges, which are set giving consideration to the cost of the service provided and any equity issues. The list of applicable fees and charges is available at the Mount Gambier Civic Centre, 10 Watson Terrace, Mount Gambier or on our website at www.mountgambier.sa.gov.au. A Goods and Services Tax at a rate determined under the Goods and Services Tax Act 1999 will be charged on those fees not given exemption under the Act.

4.8 Fixed Charge

Council has decided that a component of the total rate will be a fixed charge on every rateable property. The fixed charge affects most ratepayers and must not, in relation to any financial year, raise more than half of total rate revenue (before rebates and remissions).

Section 152 of the Act provides for a fixed charge component of rates. 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 and administrative services. No particular group of ratepayers benefit more than any other group of ratepayers by the provision of the support and administrative services.
- The Council therefore considers it appropriate that all ratepayers contribute equally to the cost of administering Council's activities and services.

The fixed charge will affect all ratepayers and is set to raise less than one half of total rate revenue.

The fixed charge is uniformly paid by each ratepayer, irrespective of capital value, has the effect of limiting the impact changes in valuation have on individual assessments.

Where two or more adjoining properties have the same owner and occupier only one fixed charge is payable by the ratepayer.

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Applications for "adjoining properties" must be in writing addressed to Chief Executive Officer (as per 4.22 of this Policy) and will only be considered by Council within the relevant financial year received.

No application will have an effect on past fixed charges assessed.

4.9 Differential General Rates

In addition to the use of a Fixed Charge, the Local Government Act 1999, allows councils to differentiate rates based on the use of the land, the locality of the land or on the use and locality of the land. Current categories of land use defined by the Local Government (General) Regulations 1999 are:

1. Residential
2. Commercial-Shops
3. Commercial-Office
4. Commercial-Other
5. Industrial-Light
6. Industrial-Other
7. Primary Production
8. Vacant Land
9. Other.

4.10 Land Use

Land use is a factor to levy differential rates. If a ratepayer believes that a property has been wrongly classified as to its land use, then an objection in writing may be made within 60 days of being notified of the land use classification.

The address of the Office of the Valuer-General is:

Online: www.valuergeneral.sa.gov.au

Email: OVGObjections@sa.gov.au

Post: GPO Box 1354, Adelaide 5001

Fax: 08 8115 5709

In Person: Land Services SA, Level 9, 101 Grenfell Street, Adelaide

Note: Lodgement of an objection does not change the due date for the payment of rates.

4.11 Minimum Rate

Council does not use the minimum rate provisions, instead Council uses the combination of fixed charge and valuation based rating.

4.12 Limestone Coast Landscape Levy

From 1 July, 2020 the new *Landscape South Australia Act 2019* replaced the *Natural Resource Management Act 2004*. The Council is in the new Limestone Coast Landscape area and is required under the new Act to make a specified annual contribution to their Regional Landscape Board. As such, Council collects the levy on behalf of the State Government for no gain to Council.

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The Council is simply operating as a revenue collector for the Landscape Levy in this regard. It does not retain this revenue nor determine how the revenue is spent.

4.13 Service Charges

In accordance with Section 155 of the Act a Council may impose a service rate on rateable land within its area for a **prescribed service**. A prescribed service is described as treatment or provision of water, collection, treatment or disposal of waste, a television transmission service or any other service prescribed by the regulations for the purposes of this definition.

Council is focused on environmentally sound waste management practices and will impose a Waste Service Charge (WSC) as a tool to become more responsive to waste management related costs and share the costs and benefits within the community.

The WSC will be charged on the basis of the service being available at the property. It will exclude vacant land and primary production where there is no dwelling on the land and will be charged irrespective if the land owner/occupier is using the service or not. Charge will be for full financial year i.e. 1st July to 30th June with no pro rata.

The charge includes:

- a 140L domestic waste bin and weekly collection service
- a 240L recycling bin and fortnightly collection service
- a 240L green waste bin and fortnightly collection service * (bin not included)

Where two or more adjoining properties have the same owner and occupier only one waste service fee is payable by the ratepayer.

Rateable recreational or sporting activities (community groups) will be provided x1 general waste and x1 recycle bin.

A rate rebate will not be available on Waste Service Charge

4.14 Cost of Living Concessions

Eligible Pensioners, Low Income Earners and Self-Funded Retirees

Pensioners, low income earners or Self-Funded Retirees may be entitled to a cost of living concession. The cost of living concession helps those on low or fixed incomes with their cost of living expenses, whether that be electricity, gas, water bills or council rates.

Eligibility is based on living arrangements as at 1 July each year. Applications for the each financial year can be submitted by contacting the Concession Hotline on 1800 307 758.

Applications are administered by the State Government. Payment of rates must not be withheld pending assessment of an application by the State Government as penalties apply to unpaid rates.

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4.15 Payment of Rates

The Council will collect rates quarterly on the dates to be specified on the rates notice, in the following months:

- September
- December
- March
- June.

Rate notices will be issued quarterly however the total outstanding balance of rates may be paid at any time.

Rates may be paid:

- Over the Internet - www.mountgambier.sa.gov.au
- By telephone: using credit card, phone 1300 276 468, 24 hours a day 7 days per week (BPoint Number 1345263)
- By BPay: Use Biller Code 464263
- By direct debit: from savings or cheque account
- By post: P O Box 56, Mount Gambier SA 5290
- In person: at the Council Offices during Council business hours Monday to Friday excluding public holidays
- By Centrepay deductions from social security payments
- Any Australia Post outlet.

Any ratepayer who may, or is likely to, experience difficulty with meeting the standard instalments and due dates can contact the Council to discuss alternative payment arrangements. Note, fines and interest may still be levied in accordance with the Act.

4.16 Late Payment of Rates

The Local Government Act provides that Councils impose a penalty of 2% on any payment for rates, whether instalment or otherwise, that is received late. A payment that continues to be late is then charged an interest rate, set each year according to a formula in the Act, for each month it continues to be late. Interest charged on late payments is charged on both the amount of the rate arrears and any interest that has previously been imposed. The purpose of this penalty is to act as a genuine deterrent to ratepayers who might otherwise fail to pay their rates on time, to allow councils to recover the administrative cost of following up unpaid rates and to cover any interest cost the Council may incur because it has not received the rates on time.

The City of Mount Gambier imposes late payment penalties strictly in accordance with the Local Government Act. The ability to remit penalties in whole or part is a power vested in Council. At the City of Mount Gambier each case will be considered on its merit based on the information provided.

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4.17 Debt Recovery

Council has determined that Rate Payments will be applied in accordance with the provisions of Section 183 of the Act.

When Council receives a payment in respect of overdue rates the Council applies the money received in accordance with Section 183 of the Local Government Act, as follows:

- Firstly – to satisfy any costs awarded in connection with court proceedings
- Secondly – to satisfy any interest costs
- Thirdly – in payment of any fines imposed; and
- Fourthly – in payment of rates, in date order of their imposition (starting with the oldest account first).

4.18 Rebate of Rates - Mandatory

The Local Government Act requires councils to rebate the rates payable on some land uses. Specific provisions are made for land used for health services, community services, religious purposes, public cemeteries, the Royal Zoological Society and educational institutions. These rebates vary from 25% to 100% and will be applied upon application and on verification.

Rate rebates do not apply to Council Waste Service Charge.

4.19 Rebate of Rates - Discretionary

The Local Government Act 1999 enables Council (upon application and subject to certain eligibility criteria) to grant discretionary rebates of up to 100% for land used for the purposes of a community benefit and that meet certain legislative and Council Policy criteria.

Council (by Policy) has agreed to grant specific Rate Rebates pursuant to the said Act.

Councils Rate Rebate Policy (incorporating Rate Rebate Application) is available from the Council website - www.mountgambier.sa.gov.au.

Rate Rebates do not apply to Council Waste Service Charge.

4.20 Rate Relief Options

- 4.20.1 Where an owner/occupier/principal place of residence property with a Category 1 (Residential) Land Use experiences an increase in general rates payable, for the preceding financial year as compare to the general rates payable for the current financial year (excluding any rebates/remissions) and where that increase, in monetary terms, is greater than 15%.

The amount of the rate rebate is the amount of gross rates for the current year over and above the calculation referred to above. I.e. the difference (in monetary terms) between 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/concessions).

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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 or 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 the Council declared its general rates for the current financial year than on the date the Council declared its general rates for the preceding financial year. or
- (d) The ownership of the rateable property has changed since 1st 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(s) 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.
- (b) The current financial year only then subject to an annual review.

Where an entitlement to a Residential Rate Capping ceases or no longer applies during the course of a financial year, the Council is entitled to recover full rates for the financial year.

4.20.2 Vacant Land

The vacant land rate in the dollar is set higher than the residential rate in the dollar.

For those owners of vacant land who intend to develop that land, in the short term as their principal place of residence (as opposed to land speculation), may be entitled to a rebate on Council rates.

Applications must be in writing with the maximum rebate calculated so that the rates payable are equivalent to the average residential land use.

4.20.3 Postponement of Rates - Seniors

Any person holding a State Seniors Card issued by the State Government may make application to Council for a postponement of the prescribed proportion of rates for the current or future financial years.

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All applications of postponement will need to be considered in accordance with the relevant legislative provisions.

4.21 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. All arrangements will be strictly confidential.

4.22 Applications

All applications for rebates, remissions or postponements must be in writing, addressed to the Chief Executive Officer, City of Mount Gambier, P O Box 56, Mount Gambier SA 5290 and include sufficient details to identify the relevant property and support the application.

Application forms are available from Council's website www.mountgambier.sa.gov.au.

Please refer to Council's *Rate Rebate Policy* for further information.

4.23 Sale of Land for Non-Payment of Rates

The Local Government Act provides that a Council may sell any property where the rates have been in arrears for three years or more. The Council is required to provide the principal ratepayer and the owner (if not the same person) with details of the outstanding amounts and advise the owner of its intention to sell the land if payment of the outstanding amount is not received within one month. The City of Mount Gambier enforces the sale of land for non-payment of rates after 3 years or more in accordance with the provisions of the Act.

4.24 Changes to Assessment Records

All changes to postal address of ratepayer/owner and changes of ownership of a property must be notified promptly to Council in writing.

4.25 Disclaimer

A rate cannot be challenged on the basis of non-compliance with this policy and must be paid in accordance with the required payment provisions.

Where a ratepayer believes that the Council has failed to properly apply this policy it should raise the matter with the Council. In the first instance contact Council's General Manager Council Business Services on (08) 8721 2555 to discuss the matter. If, after this initial contact, a ratepayer is still dissatisfied they should write to the Chief Executive Officer, City of Mount Gambier, P O Box 56, Mount Gambier SA 5290, or email city@mountgambier.sa.gov.au.

5. REVIEW & EVALUATION

This Policy is scheduled for review by Council annually and will be reviewed as required by any legislative changes which may occur.

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6. AVAILABILITY OF POLICY

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



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File Reference:	AF18/48
Applicable Legislation:	Local Government Act, 1999 - Chapter 10
Reference: Strategic Plan – Beyond 2015	Goal 5, Strategic Objective 5.
Related Policies:	R105 Rating Policy/Statement R155 Rates - Rebate Policy Statement and Application Process R130 Rates - General Policy
Related Procedures:	Nil
Related Documents:	Nil

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	13.0
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Minute reference:	28 June 2022 - Item No. 4.1 - Resolution 2022/80
Next review date:	May, 2024
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 th October, 2011 Annually



1. INTRODUCTION

It is the policy of the City of Mount Gambier (the Council) that a rebate of rates in respect of any rateable land in the Council area will be available only when the applicant satisfies the requirements under the Local Government Act 1999 (the Act) and where appropriate, the requirements of this Policy.

2. SCOPE

- 2.1 The Act sets out in Chapter 10, Division 5 (Sections 159 to 166) those provisions applicable to the Council granting a rebate of rates to persons or bodies.
- 2.2 The Council has decided to adopt a Policy to assist it in its decision making functions relative to the operation of the rate rebate provisions contained in the Act.
- 2.3 This Policy is intended to provide guidance to the community as to the grounds upon which a person or body is, or may be entitled to receive a rebate of rates and the matters that the Council will take into account in deciding an application for a rebate.
- 2.4 In accordance with the rebate provisions contained in the Act, this Policy sets out the type of use in respect of land where the Council must grant a rebate of rates and the amount of that rebate and these types of land use where the Council has a discretion to grant a rebate of rates.

3. PURPOSE

- 3.1 Section 159(3) of the Act provides that the Council may grant a rebate of rates under the Act if it is satisfied that it is appropriate to do so.
- 3.2 The Act provides for a mandatory rebate of rates in specified cases and the amount of that mandatory rebate (see Clause 3 below).
- 3.3 The Act also provides that where the Council must grant a rebate of rates under the Act, and the amount of that rebate is fixed by the Act at less than 100%, the Council **may** increase the amount of the rebate.
- 3.4 The Act provides, at Section 166 for the Council to provide a discretionary rebate of rates in the cases set out in that Section.

4. MANDATORY REBATES

- 4.1 The Council must grant a rebate in the amount specified in respect of land uses which the Act provides will be granted a rebate.



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4.2 Rates on the following land will be rebated at **100%**:

4.2.1 Health Services

Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the Health Care Act.

4.2.2 Religious Purposes

Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes.

4.2.3 Public Cemeteries

Land being used for the purposes of a public cemetery.

4.2.4 Royal Zoological Society of SA

Land (other than land used as domestic premises) owned by, or under the care, control and management of the Royal Zoological Society of South Australia Incorporated.

4.3 Rates on the following land will be rebated at **75%**:

4.3.1 Community Services

Land being predominantly used for service delivery or administration (or both) by a community services organisation. A "community services organisation" is defined in the Act as a body that –

- 4.3.1.1 *Is incorporated on a not for profit basis for the benefit of the public; and*
- 4.3.1.2 *Provides community services without charge or for a charge that is below the cost to the body of providing the services; and*
- 4.3.1.3 *Does not restrict its services to persons who are members of the body.*

It is necessary for a community services organisation to satisfy all of the above criteria to be entitled to the mandatory 75% rebate.

The Act further provides that eligibility for a rebate by a community services organisation is subject to it providing one or more of the following community services:

- 4.3.1.4 Emergency accommodation;
- 4.3.1.5 Food or clothing for disadvantaged persons;
- 4.3.1.6 Supported accommodation: Local Government Act defines as:
 - (a) *Residential care facilities that are approved for Commonwealth funding under the Aged Care Act 1997 (Cwlth); or*
 - (b) *Accommodation for persons with mental health difficulties, intellectual or physical difficulties, or other difficulties, who require support in order to live an independent life; or*
 - (c) *Without limiting paragraph (b), accommodation provided by a community housing provider registered under the Community Housing Providers National Law that is incorporated on a not-for-profit basis for the benefit of the public, other than accommodation provided by such a body:*
 - (i) *that has as a principal object of the body the provision of housing for members of the body; or*
 - (ii) *that is excluded from the ambit of this paragraph by the Minister by notice published in the Gazette;*
- 4.3.1.7 Essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;
- 4.3.1.8 Legal services for disadvantaged persons;
- 4.3.1.9 Drug or alcohol rehabilitation services; or
- 4.3.1.10 the conduct of research into, or the provision of community education about, diseases or illnesses, or the provision of palliative care to persons who suffer from diseases or illnesses.
- 4.3.1.11 Disadvantaged person are persons who are disadvantaged by reason of poverty, illness, frailty or mental, intellectual or physical disability.

4.3.2 Educational Purposes

- 4.3.2.1 Land occupied by a government school under a lease or licence and being used for educational purposes; or
- 4.3.2.2 Land occupied by a non-government school registered under The Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes; or
- 4.3.2.3 Land being used by a University or University College to provide accommodation and other forms of support for students on a not for profit basis.



- 4.4 Where the Council is satisfied from its own records or from other sources that a person or body meets the necessary criteria for a mandatory 100% or 75% rebate, the Council will grant the rebate of its own initiative. Where the Council's records or other sources do not meet the criteria, it will require the person or body to apply for the rebate in accordance with Clause 6 of this Policy.
- 4.5 Where a person or body is entitled to a rebate of 75% the Council may, pursuant to Section 159(4) of the Act, increase the rebate up to a further 25%. The Council may grant the further 25% rebate upon application or on its own initiative. In either case the Council **will** take into account those matters set out at Clauses 6.4 of this Policy and **may** take into account any or all of those matters set out at Clause 6.5 of this Policy.
- 4.6 Where an application is made to the Council for a rebate of up to a further 25% the application will be made in accordance with Clause 7 of this Policy and the Council will provide written notice to the applicant of its determination of that application.
- 4.7 Council has delegated the determination of entitlement to Mandatory Rebates to the Chief Executive Officer.

5. DISCRETIONARY REBATES

- 5.1 The Council may in its absolute discretion grant a rebate of rates or service charges in any of the following cases pursuant to Section 166 of the Act: -
 - 5.1.1 *where it is desirable for the purpose of securing the proper development of the area (or a part of the area);*
 - 5.1.2 *where it is desirable for the purpose of assisting or supporting a business in its area;*
 - 5.1.3 *where it will be conducive to the preservation of buildings or places of historic significance;*
 - 5.1.4 *where the land is being used for educational purposes;*
 - 5.1.5 *where the land is being used for agricultural, horticultural or floricultural exhibitions;*
 - 5.1.6 *where the land is being used for a hospital or health centre;*
 - 5.1.7 *where the land is being used to provide facilities or services for children or young persons;*
 - 5.1.8 *where the land is being used to provide accommodation for the aged or disabled;*
 - 5.1.9 *where the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Commonwealth) or a day therapy centre;*
 - 5.1.10 *where the land is being used by an organisation which, in the opinion of the Council, provides a benefit or service to the local community;*
 - 5.1.11 *where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment;*



- 5.1.12 *where the rebate is considered by the Council to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable due to:*
- (i) *a redistribution of the rates burden within the community arising from a change to the basis or structure of the Council's rates; or*
 - (ii) *a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.*
- 5.1.13 *where the rebate is considered by Council to be appropriate to provide relief in order to avoid a liability to pay a rate or charge that is inconsistent with liabilities that were anticipated in the annual Business Plan or a liability that is unfair or unreasonable;*
- 5.1.14 *where the rebate is to give effect to a review of a decision of the Council under Chapter 13 Part 2; and*
- 5.1.15 *where the rebate is contemplated under another provision of this Act.*
- 5.2 *A council must, in deciding whether to grant a rebate of rates or charges under Section 166, subsection (1)(d), (e), (f), (g), (h), (i) or (j), take into account:*
- (a) *The nature and extent of council services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in its area; and*
 - (b) *The community need that is being met by activities carried out on the land for which the rebate is sought; and*
 - (c) *The extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons; and*
 - (d) *May take into account other matters considered relevant by the council.*

The Council may take into account, but not limited to, the following:

- (i) *Why there is a need for financial assistance through a rebate;*
- (ii) *The level of rebate (percentage and dollar amount) being sought and why it is appropriate;*
- (iii) *The extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies;*
- (iv) *Whether the applicant has made/intends to make applications to another Council;*
- (v) *Whether, and if so to what extent, the applicant is or will be providing a service within the Council area;*
- (vi) *Whether the applicant is a public sector body, a private not for profit body or a private for profit body;*



- (vii) Whether there are any relevant historical considerations that may be relevant for all or any part of the current Council term;
 - (viii) The desirability of granting a rebate for more than one year in those circumstances identified at Clause 4.2 of this policy;
 - (ix) Consideration of the full financial consequences of the rebate for the Council;
 - (x) The time the application is received;
 - (xi) the availability of any community grant to the person or body making the application;
 - (xii) whether the applicant is in receipt of a community grant; and
 - (xiii) Any other matters, and policies of the Council, which the Council considers relevant.
- 5.3 The Council has an absolute discretion to:
- (a) *Grant a rebate of rates or service charges in the above cases; and*
 - (b) *Determine the amount of any such rebate to a maximum of 100% of the relevant rate.*
- 5.4 Discretionary rebates granted under this policy will be reviewed in accordance with Section 166(3) (3a) or at the time of reviewing the policy (Section 10).
- 5.5 Persons or bodies that or who seek a discretionary rebate will be required to submit an application form to the Council and provide such information as stipulated on the application form and any other information that the Council may reasonably require.

6. LIMESTONE COAST LANDSCAPE LEVY

From 1 July, 2020 the new *Landscape South Australia Act 2019* (the Act) replaced the *Natural Resource Management Act 2004*. Local Government continues to play a key role in collection of the Regional Landscape Levy. Councils are required under the Act to make a specified contribution to their Regional Landscape Board. Council recovers this contribution by imposing a separate rate on individual rateable properties in the Council area.

The Council will provide a concession or rebate off the Landscape levy for rateable properties who presently receive a mandatory or discretionary rebate of rates. The level of the Landscape Levy concession will be equivalent (in percentage terms) to the level of rate rebate Council has granted to those same rateable properties.



7. SERVICE CHARGE

In accordance with Section 155 of the Act a Council may impose a service rate on rateable land within its area for a **prescribed service**. A prescribed service is described as treatment or provision of water, collection, treatment or disposal of waste, a television transmission service or any other service prescribed by the regulations for the purposes of this definition.

Council is focused on environmentally sound waste management practices and will impose a Waste Service Charge (WSC) as a tool to become more responsive to waste management related costs and share the costs and benefits within the community.

The WSC will be charged on the basis of the service being available at the property. It will exclude vacant land and primary production where there is no dwelling on the land and will be charged irrespective if the land owner/occupier is using the service.

A rate rebate will not be available on Council Waste Service Charge.

8. APPLICATIONS

8.1 The Council will inform the community of the provisions for rate rebates under the Act by the inclusion of suitable details in the Council's Business Plan (and on the Draft Annual Business Plan) in accordance with Council's adopted Public Consultation Policy.

8.2 Application forms are available from the Council Office located at The Civic Centre, 10 Watson Terrace, Mount Gambier, telephone 8721 2555 or download from the Council website www.mountgambier.sa.gov.au.

8.3 All persons or bodies that/who want to apply to the Council for a rebate of rates must do so by completing and lodging a Rate Rebate Application on or before 31st March in each year to be considered for a rebate in the new rating year commencing 1st July of each year. The Council reserves the right to refuse to consider applications received after that date. However, applicants which satisfy the criteria for a mandatory 100% rebate will be granted the rebate at any time.

8.4 The Act provides that the Council may grant a rebate of rates or charges on such conditions as the Council considers fit.

8.5 The Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.



- 8.6 It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act.

The maximum penalty for this offence is \$5,000.

- 8.7 If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases. If a person or body fails to do so that person or body is guilty of an offence.

The maximum penalty for this offence is \$5,000.

- 8.8 The Council will, in writing, advise an applicant for a rebate of its determination of that application within sixty (60) business days of receiving the application or of receiving all information requested by the Council. The advice will state whether the application:

6.11.1 Has been granted and the amount of the rebate; or

6.11.2 Has not been granted and the reason(s) why.

- 8.9 A person or body that is aggrieved by a determination of Council in respect of an application for a rate rebate may seek a review of that determination by writing to the Council in accordance with Council's Internal Review of Decisions Policy.

9. DELEGATION

- 9.1 The Council has delegated its power, pursuant to Section 44 of the Act, to grant applications for mandatory rebates which meet the requirements of the Act.
- 9.2 The Council has delegated its power to refuse applications for an increase of mandatory rebates to a greater percentage than that provided by the Local Government Act.
- 9.3 All discretionary rebates shall be determined by the Council.

10. RATE RELIEF OPTIONS

To address any potential inequities in how rates are levied across the Council area the following rate relief options are provided:

10.1 Residential Rate Cap

Where an owner/occupier's principal place of residence property with a Category 1 (Residential) Land Use, experiences an increase in general rates payable, for the preceding financial year compared to the general rates payable for the current financial year (excluding any rebates/remissions) and where that increase, in monetary terms, is greater than 15%.



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The amount of the rate rebate is the amount of total rates for the current year over and above the calculation referred to above, i.e. the difference (in monetary terms) between the general rates imposed in the preceding financial year plus 15%.

(All calculations referenced herein are total (gross) rates figures i.e. excluding 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 or 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 the Council declared its general rates for the current financial year than on the date the Council declared its general rates for the preceding financial year; or
- (d) The ownership of the rateable property has changed since 1st 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(s) have been altered in some way (e.g. subdivision, boundary alignment etc.) and 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 and excludes second and subsequent properties and all other non-principal place of residence properties;
- (b) The current financial year only then subject to an annual review.

Where an entitlement to a Residential Rate Capping ceases or no longer applies during the course of a financial year, the Council is entitled to recover full rates for that financial year.



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10.2 For Land Use Category 8 (Vacant Land) Use

Vacant land owned by person(s) intending to be developed in the short term as their principal place of residence, may be considered for a rebate/deferral on Council rates on a case by case basis through the existing relief provisions of the Act, (i.e. hardship application). The maximum rate rebate calculated resulting in the rates payable being equivalent to the average residential land use (Category 1).

10.3 Postponement of Rates - Seniors

Section 182A of the Act provides for applications to be made to Council for a postponement of the payment of the prescribed proportion of rates for the current or future financial years if:

- (a) the person is a prescribed ratepayer, or is the spouse of a prescribed ratepayer; and
- (b) the rates are payable on land that is the principal place of residence of the prescribed ratepayer; and
- (c) the land is owned by the prescribed ratepayer and his or her spouse and no other person has an interest, as owner in the land.

The Act defines a 'prescribed ratepayer' as a person who holds a current State Seniors Card issued by the State Government; or who has the qualification(s) to hold such a card and has applied for the card but has yet to be issued with the card.

All Postponement Applications will be considered and must comply with the provisions of Section 182A of the Act and Regulation 18 of the Local Government (General) Regulations 2013.

All applications for rebates, remissions or postponements must be in writing, addressed to the Chief Executive Officer, City of Mount Gambier, 10 Watson Terrace, Mount Gambier SA 5290 or emailed to city@mountgambier.sa.gov.au

10.4 Retirement Villages

For the purpose of providing a rebate to Retirement Villages, particularly upon issues arising from circumstances where the ratepayer(s) claim to provide or maintain infrastructure that might otherwise be maintained by the Council, a rebate does not generally apply. The power to provide a rebate will be exercised as appropriate and in accordance with the Act.

11. REVIEW AND EVALUATION


This Policy is scheduled for review by the Council annually. However, the Policy will be reviewed as required by any legislative changes which may occur.

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12. AVAILABILITY OF POLICY

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



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RATE REBATE APPLICATION

1. DETAILS OF APPLICANT

Organisation Name

Postal Address

..... Postcode

Telephone Email

Please provide details of a contact person for the Applicant

Given Name Surname

Postal Address

..... Postcode

Telephone Email

2. DETAILS OF LAND

Council Assessment Number

Certificate of Title Reference

Address


.....

Owner of Land (if not you)

3. CATEGORIES OF REBATE

Please tick the category of rebate under which you are seeking a rebate.



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3.1 **Mandatory - 100%**

- Health Services – Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976 (Section 160 of the Local Government Act 1999);
- Religious Purposes – Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes (Section 162 of the Local Government Act 1999);
- Public Cemeteries – Land being used for the purposes of a public cemetery (Section 163 of the Local Government Act 1999);
- Royal Zoological Society of SA – Land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated (Section 164 of the Local Government Act 1999).

3.2 **Mandatory - 75%**

- 3.2.1 Community Services – Land being predominantly used for service delivery or administration by a community services organisation (Section 161 of the Local Government Act 1999).

To qualify as a Community Service Organisation under the rebate provisions of the Local Government Act 1999 an organisation **MUST MEET ALL THREE** of the following criteria. (See section 'Additional Information' at end of this form).

(a) is incorporated on a not for profit basis for the benefit of the public; **and**

YES ■ NO ■

(b) provides community services without charge or for a charge that is below the cost to the body of providing the services; **and**

YES ■ NO ■

(c) does not restrict its services to persons who are members of the body.

YES ■ NO ■



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If you have ticked (a), (b) and (c) above which of the following services does your organisation provide from the property specified in this application. If these services apply only to part of your property, please supply additional details. You must answer these below questions in respect of your application.

- *Emergency accommodation;*
- *Food or clothing for disadvantaged persons (i.e., persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability);*
- *Supported accommodation - Local Government Act defined as:*
 - (a) *Residential care facilities that are approved for Commonwealth funding under the Aged Care Act 1997 (Cwth); or*
 - (b) *Accommodation for persons with mental health difficulties, intellectual or physical difficulties, or other difficulties, who require support in order to live an independent life; or*
 - (c) *Without limiting paragraph (b), accommodation provided by a community housing provider registered under the Community Housing Providers National Law that is incorporated on a not-for-profit basis for the benefit of the public, other than accommodation provided by such a body that:*
 - (i) *has as a principal object of the body, the provision of housing for members of the body; or*
 - (ii) *is excluded from the ambit of this paragraph by the Minister by notice published in the Gazette.*
- *Essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;*
- *Legal services for disadvantaged persons;*
- *Drug or alcohol rehabilitation services; and/or*
- *Research into, or community education about, diseases or illnesses, or palliative care to persons who suffer from diseases or illnesses.*
- *Disadvantaged person are persons who are disadvantaged by reasons of poverty, illness, frailty, or mental, intellectual or physical disability.*

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■ **3.2.2 Educational Purposes** - (Section 165 of the Local Government Act 1999)

Which of the following criteria apply:

- *Land occupied by a government school under a lease or licence and being used for educational purposes; or*
- *Land occupied by a non-government school registered under The Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes; or*
- *Land being used by a University or University College to provide accommodation and other forms of support for students on a not for profit basis.*

3.3 **Discretionary** - (Section 166 of the Local Government Act 1999)

The Council may in its discretion grant a rebate of rates or service charges in any of the following cases. Please indicate which of the following is applicable to your application:

- *The rebate is desirable for the purpose of securing the proper development of the area (or a part of the area);*
- *The rebate is desirable for the purpose of assisting or supporting a business in its area;*
- *The rebate will be conducive to the preservation of buildings or places of historic significance;*
- *The land is being used for educational purposes;*
- *The land is being used for agricultural, horticultural or floricultural exhibitions;*
- *The land is being used for a hospital or health centre;*
- *The land is being used to provide facilities or services for children or young persons;*
- *The land is being used to provide accommodation for the aged or disabled;*
- *The land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1987 (Commonwealth) or a day therapy centre;*
- *The land is being used by an organisation which, in the opinion of the Council provides a benefit or service to the local community;*

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- *the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment;*
- *the rebate is appropriate to provide relief against what would otherwise amount to a substantial change in rates payable by a rate payer due to a change in the basis of valuation used for the purposes of rating, rapid changes in valuations, or anomalies in valuations.*

4. **AMOUNT OF REBATE**

- 4.1 If you are seeking a mandatory rebate under Clause 3.2 of this Application, for which you are entitled to a 75% rebate, are you also applying to the Council to increase that rebate?

YES ■ NO ■

Please specify the amount of rebate that you are applying for: \$_____

- 4.2 If you are applying for a discretionary rebate under Clause 3.3 of this Application, please specify the rebate amount you are applying for:

\$_____

Please specify why you (or the organisation you represent) need financial assistance through a rebate and why the amount of rebate you have applied for is appropriate.

.....


.....

.....

.....

.....



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5. **ADDITIONAL INFORMATION REQUIRED**

The Council requires you to attach the following additional information to this Application:


- 5.1 Where you are seeking a rebate under Clause 3.2 of this Application – Community Services:
 - 5.1.1 Evidence that the land is being used for service delivery and/or administration;
 - 5.1.2 A copy of the organisation's Constitution and/or other documentation establishing that it is incorporated on a not-for-profit basis;
 - 5.1.3 A copy of the organisation's latest Annual Report;
 - 5.1.4 Evidence that the organisation provides services free of charge or below cost;
 - 5.1.5 Evidence that the organisation provides services to persons other than its members.
- 5.2 Where you are seeking a rebate in any other case:
 - 5.3.1 Evidence that the land is being used for the purpose for which the rebate is being sought;
 - 5.3.2 Information as to whether, and if so, to what extent you (or the organisation you represent) will be providing a service within the Council area;
 - 5.3.3 Whether you have made or intend to make an application to another council;
 - 5.3.4 The extent of financial assistance (if any) being provided by Commonwealth or State agencies;
 - 5.3.5 Whether you are in receipt of a community grant;
 - 5.3.6 Any other information that you believe is relevant in support of this Application.



6. APPLICATION FORMS

Failure to submit application forms or to provide the additional information required by the Council to assess the application by the due date may result in the Council declining to consider the application.

DATED this day of 20
Print Name
Signature
Position Title

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		Issued:	June 2023
		Next Review:	May 2024

File Reference:	AF18/48
Applicable Legislation:	Local Government Act, 1999 Chapter 10, Division 5 (Sections 159 to 166)
Reference: Strategic Plan – Beyond 2015	Goal 5, Strategic Objective 5
Related Policies:	R105 Rating Policy/Statement R130 Rates - General Matters
Related Procedures:	Nil
Related Documents:	Nil

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	12.0
Last revised date:	28 June 2022
Effective date:	28 June 2022
Minute reference:	28 June 2022 - Item No. 4.1 - Resolution 2022/80
Next review date:	May, 2024
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	May 2002 Annually







City of
Mount Gambier

10 Watson Terrace (PO Box 56)
Mount Gambier SA 5290
Phone 08 8721 2555
Email city@mountgambier.sa.gov.au
www.mountgambier.sa.gov.au

16.5 DRAFT LONG TERM FINANCIAL PLAN 2024-2033 – REPORT NO. AR23/33289

Committee:	Audit and Risk Committee
Meeting Date:	5 June 2023
Report No.:	AR23/33289
CM9 Reference:	AF11/863
Author:	Julie Scoggins, Manager Financial Services
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	<p>Legislation - Council is required to develop and adopt a Long Term Financial Plan (LTFP) in accordance with the Local Government Act and Regulations.</p> <p>Annual Review - Council has decided to review the LTFP annually aligned with the timing of the Annual Business Plan and Asset Management Plan.</p>
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

1. That Audit and Risk Committee Report No. AR23/33289 titled 'Draft Long Term Financial Plan 2024-2033' as presented on 05 June 2023 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Long Term Financial Plan 2024-2033 and/or the associated processes and risks, as follows:
 - XXXXX
 - XXXXX
 - XXXXX

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on 27 June 2023 for consideration of the adoption of the Draft Long Term Financial Plan 2024-2033.



TYPE OF REPORT

Corporate

BACKGROUND

1. **Audit and Risk Committee Terms of Reference** - The following section of the Audit and Risk Committee Terms of Reference is relevant to this report:

12.6 Review of Strategic Management and Business Plans:

The Committee shall review and provide advice on Council's strategic management plans (at the time of their preparation and scheduled review), which include the following:

- *Strategic Plan;*
 - *Key principles and assumptions of the Long Term Financial Plan;*
 - *Various Asset Management Plans; and*
 - *Annual Business Plan.*
2. **Legislation** - Under Section 122 of the Local Government Act 1999 a Council must develop and adopt a Long Term Financial Plan for a period of at least 10 years. A Council may review its strategic management plans at any time, but must undertake a review of its Long Term financial plan as soon as practicable after adopting the Council's Annual Business Plan (ABP) for a particular financial year; and in any event, undertake a comprehensive review within 2 years after each general election of the Council.
 3. **Previously Adopted LTFP** - The LTFP was previously adopted by Council in June 2022.
 4. **Strategic Management Plans** - At the November 2021 Council meeting, the proposal to review the LTFP and Asset Management Plan at the same time as constructing the Annual Business Plan and Budget was presented. This approach ensures that these key documents are aligned.
 5. **Elected Member LTFP Information & Briefing Sessions** - The Manager, Financial Services presented scenarios in relation to potential rating options and talked through some key assumptions underpinning the draft long term financial plan at sessions in April and May.
 6. **Audit and Risk Committee Workshops** - Two workshops were held with the members of Audit and Risk Committee to discuss rating strategy, scenarios and key assumptions underpinning the Draft LTFP
 7. **Council Endorsement of the Draft Long Term Financial Plan** - Council endorsed the Draft Long Term Financial Plan 2024-2033 for community consultation at the Council meeting on 23 May 2023.

PROPOSAL

1. **Purpose of the LTFP** - The LTFP is a road map that illustrates financially the needs and aspirations of our community which supports and is supported by such documents as the Asset Management Plan, Strategic Plan (Community Plan) and Futures Paper.
2. **Target Setting for Future Annual Business Plan and Budgets** - Council uses the LTFP to frame its Annual Business Plan and Budget by setting high-level parameters and targets that will assist Council in maintaining and improving the level of services of its existing assets.
3. **Key Objective** - The key objective of Council's LTFP is financial sustainability in the medium to long term, while still achieving the objectives detailed in Council's suite of strategic management plans.
4. **LTFP Baseline** - The LTFP has been updated to include the Budget Review 3 for 2022/23 and the draft budget for 2023/24.
5. **Revised LTFP** - The draft Long Term Financial Plan has been updated to consider changes from 2022/23 onwards.



Operating Surplus Ratio				Net Financial Liabilities Ratio				
%	Average Ratio	Minimum Target	Number of Years Above Minimum	Average Ratio	Maximum Target	Peak Ratio	Peak Year	Number of Years Below Maximum
Adopted LTFP	1.6%	0.0%	6	90.3%	100.0%	135.1%	2022/23	6
Draft LTFP	2.1%	0.0%	7	61.5%	100.0%	117.3%	2023/24	8

6. Based upon the analysis summarised in the table above it can be seen that the Draft LTFP achieves (over the long term) the Key Financial Indicators (KFI) targets as included in the Draft Treasury Management Policy (on average over the LTFP) and by the target date of FY 2027:
- **Operating Surplus Ratio** - The average operating surplus ratio over the ten years is 2.1% (target of positive ratio by FY 2027) and is higher than the average included in the previously adopted LTFP.
 - **Net Financial Liabilities Ratio (NFL)** - The target of a ratio of lower than 100% by FY 2027 is achieved and on average the target of lower than 100% is achieved over the 10 years of the LTFP.
7. **Inflation Assumptions** - The draft Long Term Financial Plan 2024-2033 key assumptions are based upon the September 2022 Deloitte Access Economics forecast of 4.2%. More recent forecasts have been analysed and are in line with this figure.
8. **Key Assumptions** - The draft Long Term Financial Plan key assumptions are as follows:
- **General Rate Revenue** - The general rate revenue increase including growth is 6.2% for 23/24, 24/25 and 25/26 where the required rate revenue increase has been 'smoothed' over three years to ensure that key ratios are achieved whilst minimising the impact on ratepayers, then reverting back to 4.5% in line with the previously adopted LTFP.
 - **Waste Service Charge** - The waste service charge revenue increase is the same as the General Rates increase.
 - **Other Operating Revenue** - Is expected to increase by forecast CPI (exception being statutory charges at 1.9% per State Government indexation).
 - **Employee Costs** - Broadly aligned with forecast South Australian Wage Price Index for initial years, and then CPI for subsequent years.
 - **Operating Expenditure** - Forecast CPI has been applied.
 - **Forward Capital Works Program** - Based on the Draft Interim Asset Management Summary presented at this meeting. It should be noted that the forward works program is inflated each year by estimated CPI.
 - **Debt structure assumptions** - The mix of borrowings between fixed debt and flexible debt and the term of the loans used to fund Council's activities have been considered in the context of the Treasury Management Policy (T150) for this version of the LTFP.
 - **Wulanda** - Is based on the latest approved business case and grant deeds.
9. **Exclusions** - The following potential significant investment/items are excluded from this version of the LTFP:
- **Infrastructure Condition Audits and Valuation** - The condition audits and valuation for this significant asset category are due for completion in FY 2023 (as at 30 June 2023). At this stage Council does not have information to incorporate in this version of the LTFP. The result of these condition audits/valuation are expected to have an impact on both depreciation and the value of the capital forward works program. A comprehensive review will be undertaken in preparation for the FY 2023 financial statements with the results to be incorporated in the next version of the LTFP to be undertaken in December 2023.



- **Buildings Condition Audits and Valuation** - The condition audits are scheduled across the next two financial years with the valuation for this asset category due for completion in FY 2024 (as at 1 July 2023). At this stage Council does not have information to incorporate in this version of the LTFP. The result of these condition audits/valuation are expected to have an impact on both depreciation and the value of the capital forward works program. A comprehensive review will be undertaken in preparation for the FY 2024 financial statements with the results to be incorporated in the next version of the LTFP to be undertaken in December 2023.
 - **Caroline Landfill Depreciation** - Further work will be undertaken aligned with the development of the draft masterplan. This is expected to further define the cost of future cell construction, capping and the post closure provision and unwinding of net present value
 - **Asset Management** - Further review to be undertaken in preparation for the development of the next iteration of the Asset Management Plan / LTFP in December 2023.
 - **PLEC** - Further investment in PLEC beyond the current agreement (\$0.5m in FY 2023). Initial cost benefit analysis has been undertaken and was presented to Elected Members as part of the 2023/2024 budget workshops. Further review will be undertaken for future stages by June 2023.
 - **LED Lighting** - Further investment in LED lighting beyond the recently delivered Stage 1 is excluded. A cost benefit analysis will be undertaken for future stages by June 2023.
 - **Sport, Recreation & Open Space Strategy** - A masterplan is expected to commence in 2023/2024 with completion in 2024/2025 and has been included in the budget and LTFP. This will provide direction for the implementation of this strategy. It should be noted that the costs of projects to support the implementation of this strategy have not been included in this version of the LTFP.
10. **Local Government Reform** - The LTFP will become a primary document that will be reviewed by ESCOSA on a four year rotating schedule as part of a range of strategic planning documents with advice provided to the Council. This review is currently scheduled to be undertaken in 2024/2025.
11. **The draft LTFP (Attached)** - Is presented as a set of financial statements and includes the following statements for years FY 2022 to FY 2033;
- Statement of Comprehensive Income
 - Statement of Financial Position (Balance Sheet)
 - Statement of Changes in Equity
 - Statement of Cash Flow
 - Uniform Presentation of Finances
 - Key Financial Indicators.

LEGAL IMPLICATIONS

Under Section 122 of the Local Government Act a Council must develop and adopt a Long Term Financial Plan for a period of at least 10 years.

Local Government Act 1999 - Section 122

Local Government (Financial Management) Regulations - 2011 - Regulations 5 & 7.

STRATEGIC PLAN

The LTFP as a strategic management document is informed by and informs the Strategic Plan and Futures paper. It is also aligned with the Asset Management Plans.



COUNCIL POLICY

[A900 Asset Management Policy](#)

[B300 Budget Framework Policy](#)

[T150 Treasury Management Policy](#)

ECONOMIC IMPLICATIONS

The LTFP models Council to be financially sustainable over the long term.

ENVIRONMENTAL IMPLICATIONS

As determined in the Strategic Plan.

SOCIAL IMPLICATIONS

As determined in the Strategic Plan.

CULTURAL IMPLICATIONS

As determined in the Strategic Plan.

RESOURCE IMPLICATIONS

Completed within staff resources.

VALUE FOR MONEY

The LTFP models Council to be financially sustainable over the long term.

RISK IMPLICATIONS

The LTFP models Council to be financially sustainable over the long term. The LTFP is updated annually and needs to have regard to relevant risk, opportunities and mitigation strategies.

A number of key risks have been identified in the development of the Annual Business Plan and Budget and the LTFP:

- **Indexation** - Escalation of expenditure and revenue in terms of CPI (with the exception of total rates revenue that has been increased as above). The forecast inflation rates have been applied as at 30 September 2022. Should rates be higher, expenditure will be reviewed to ensure that key financial indicator target ratios are maintained.
- **Interest Rates** - Interest rates have been forecast by applying future forecast rate changes to the LGFA interest rate for variable debt. Debt strategy has also been considered in the development of the LTFP in terms of fixed versus variable debt.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

Decision to be made	Make a recommendation that the Long Term Financial Plan be endorsed for public consultation.
Key factors to be considered in decision (dot points)	<ul style="list-style-type: none"> • Annual Business Plan • Asset Management Plans • Community Plan • Local Government Act 1999
Area of community influence	<p>Aspects that are fixed:</p> <ul style="list-style-type: none"> - Legislative Factors <p>Key areas for community input:</p>



	- Community may make submissions on all sections of the Draft Long Term Financial Plan.
Method of consultation, informing community & cost	<p>Copies will be available at:</p> <ul style="list-style-type: none"> • The City of Mount Gambier Library; • Civic Centre. • Council's Have Your Say platform <p>A facility will be available for the community to ask questions and receive submissions on Council's website during the public consultation period.</p>
Feedback to stakeholders/Council	A written response will be made to all submissions once the Long Term Financial Plan 2024-2033 has been adopted by Council.
Timeframe for consultation	Commencing on 25 May and concluding on 15 June 2023.
Community Input	Commentary on the Draft LTFP

IMPLEMENTATION STRATEGY

Targets from the LTFP will be communicated to Council staff to inform the 2023/24 Annual Business Plan and Budget process.

CONCLUSION AND RECOMMENDATION

The Long Term Financial Plan is a high level strategic planning document which is a key aid to Council's budgeting and planning process. It will assist Council staff and Elected Members in planning for the delivery of facilities and services to meet the expectations of the community in a sustainable manner.

Council's Strategic Plan includes significant additional infrastructure and services, planning which includes consideration for the timing of revenue and expenditure, and the feasibility of each project. Proactive planning and modelling are vitally important to the ongoing financial sustainability of Council.

While Council uses the LTFP to inform its Annual Business Plan and budget, the plan is a roadmap and as such does not determine the rates or charges in each year.

ATTACHMENTS

1. Draft LTFP 2024-2033





Draft Long Term Financial Plan 2024 - 2033



Draft Long Term Financial Plan 2024-2033

1. Acknowledgement of Country	1
2. Overview	2
3. Significant Influences and Challenges	3
4. Hierarchy Of Documents	8
5. Strategic Plan - Our Roles and Goals	9
6. CEO Statement of Financial Sustainability	11
7. Rate Setting	12
8. Key Assumptions	13
9. Key Financial Ratios	15

Appendix:

Assumptions

Financial Statements

Public Consultation:

Council is committed to listening and responding to the feedback from our community, and we endeavour to make it easy and convenient for your views to be shared.

Council invites you to:

- Take a look at each of the Draft Annual Business Plan, Draft Long Term Financial Plan and Draft Asset Management Plan.
- Have your say through any of the following options:
 - Online at the 'Have Your Say' website
- www.haveyoursaymountgambier.com.au or
 - By email at city@mountgambier.sa.gov.au or
 - In writing addressed to: City of Mount Gambier, PO Box 56, Mount Gambier SA 5290.

To be considered, all written submissions must include accurate details of the author and be received by Council by 5pm Thursday 15 June 2023.



The City of Mount Gambier recognises the Boandik people as the traditional owners and custodians of the land Mount Gambier sits upon today.

We respect their spiritual relationship with the land and recognise the deep feelings of attachment Aboriginal and Torres Strait Islander peoples have with this land.

The City of Mount Gambier is committed to working together with Aboriginal and Torres Strait Islander communities in the process of reconciliation.

Image: Belinda Bonney, Reconciliation of the Nation: we all walk together as one (detail).



Draft Long Term Financial Plan 2024-2033

2. Overview

What Is This Document? - This is the Long Term Financial Plan (LTFP) for the City of Mount Gambier Council for the period 2024 - 2033. While the Long Term Plan covers 10 years ahead, we review it every year. This is because the opportunities and challenges facing our community and city, and the context we work in, are always evolving.

Purpose - The purpose of a Long Term Financial Plan (LTFP) is to guide the future direction of Council in a financially sustainable manner. The LTFP is designed as a 'high-level' summarised document focusing on the future planning of Council's financial operations, particularly in relation to key components such as rate increases, service levels to our community, asset replacement/renewal and loan indebtedness.

Legislation – Section 122 (1) of the Local Government Act 1999 ("the Act") requires that Councils must develop and adopt Strategic Management Plans including the LTFP which is a moving document updated on a rolling basis over a ten year term.

Hierarchy Of Documents - City of Mount Gambier Council's LTFP provides the forward strategic financial framework to resource the community's needs and aspirations. Through the alignment of this plan with the Strategic Plan, Futures Paper and the Asset Management Plan, Council is able to plan, manage and communicate its future objectives in a sustainable way for the long term.

Previous Versions - The Council's LTFP was adopted in March 2019 and subsequently reviewed and adopted in June 2020, February 2021, December 2021 and June 2022.

Roadmap - The LTFP is developed in the context of the Strategic Plan 2020-2024 and sets a road map to implement the community's priorities for the coming decade. As such the LTFP provides a target for future Annual Business Plans and Budgets. It also provides guidance in terms of direction and financial capacity, and does not determine the rates and charges for the future. If key assumptions such as growth, capital investment or interest rates change then this may drive changes in the annual budget.

Financial Position - Over the life of this Plan, Council has planned to achieve its financial targets by FY2027. Over the medium to long term, Council is expected to be financially sustainable in accordance with the information contained within this Plan.

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.

Development of This Version of the LTFP - This version of LTFP was developed in consultation with Councils Executive Leadership Team and Elected Members. A number of workshops were held to specifically review rating strategy and subsequently rating scenarios with Elected Members to develop the approach for this year's LTFP

Financial Statements - At a high level, the LTFP projects:

- **Statement of Comprehensive Income** - Details the profit and loss account (operating surplus (deficit) and capital transactions);
- **Statement Of Financial Position (Balance Sheet)** - This presents the financial position of Council at a given date. It comprises three main components: assets, liabilities and equity;



Draft Long Term Financial Plan 2024-2033

- **Statement Of Cashflows** - This shows the amount of cash and cash equivalents entering and leaving the Council;
- **Uniform Presentation Of Finances** - The Net Lending/(Borrowing) for the Financial Year result is a measure that takes account of both operating and capital activities for the financial year; and
- **Statement of Changes in Equity** - This reflects the movement in equity reserves during the period, being the financial performance of the year plus any other comprehensive income gains.



Draft Long Term Financial Plan 2024-2033

3. Significant Influences and Challenges

Overview - The LTFP is a long-term forecast and as such it is supported by many assumptions, for example: community aspirations, needs and wants, growth, inflation, service levels, federal and state government policy settings and interventions. Many of these factors inevitably are external to Council and as such outside of its control.

Hierarchy Of Documents - The Plan complements and is complemented by other important Council plans and strategies:

- Futures Paper;
- Strategic (Community) Plan 2020-2024;
- Asset Management Plan; and
- Annual Business Plan.

Wulanda Recreation & Convention Centre (WRCC) - The Wulanda Recreation and Convention Centre is a multi-purpose facility designed to be a community space, with facilities and activities for all ages and abilities. This facility provides substantial year round indoor facilities, addressing many community needs both now and for future generations to come. The Wulanda Recreation and Convention Centre has already shown that it is able to increase the ability for Mount Gambier to host major sporting competitions, conferences, events and performances providing significant social and economic benefits.

Local Government Reform - The LTFP will become a primary document that will be reviewed by ESCOSA on a four-year rotating schedule as part of a range of strategic planning documents with advice

provided to the Council. This Council's review is scheduled for 2024/2025.

Total Rate Revenue - Council's major source of income is rates, which accounts for c66% of operating revenue over the ten years and is an important part of the planned long-term strategy. It contributes towards the funding of Council's services to meet the expectations of the Community, by maintaining services, roads, waste management, footpaths, buildings, etc. and the Asset Management Plan (both the renewals and new/upgrade) and funding. An initial review has been undertaken of rating strategy to ensure that Council balances the requirement for rate increases to fund recurring cost increases with the need to keep rate increases across the ratepayer base at an acceptable level.

Inflation - This Long Term Financial Plan has incorporated the Consumer Price Index (CPI) based on Adelaide forecast CPI as predicted by Deloitte Access Economics. This assumption has been updated as at the end of September 2022. It should be noted that Council chose to continue to apply these assumptions further to updated forecasts in March 2023, as the changes were not deemed to be material.

Asset Management Plan - The Asset Management Plan has been updated and the document will be issued for public consultation at the same time as the Annual Business Plan and this document. This is aligned with the LTFP which allows Council to factor in the new and ongoing costs associated with renewals required to maintain our asset base at the required standard and investment in new assets.



Draft Long Term Financial Plan 2024-2033

Updated Assumptions - It should be noted the following assumptions have been updated:

- **Base Year** - The LTFP has been updated to include the Draft Budget Review 3 position for FY 2023 and the Draft Budget for FY 2024.
- **Interest Rates** - Interest rates have been updated to reflect actual interest/forecast rates for credit foncier loans and variable LGFA rates have been updated using Deloitte Access Economics as at 31 March 2023.
- **Indexation** - Forecast CPI assumptions have been updated based on Deloitte Access Economics (DAE) forecasts.
- **Capital Works Program** - This program, aligned with the Draft Asset Management Plan, has been updated to reflect include indexation, changes to the plant renewal program to reflect latest practices, carry forwards identified as at Budget Review 3, and capital for new/upgrade expenditure following engagement with relevant Council staff and Elected Members.

Key Financial Indicators:

The following targets have been set in line with the adopted T150 Treasury Management Policy:

- **Operating Surplus Ratio %** - Positive surplus ratio by FY 2027.
- **Net Financial Liabilities Ratio %** - Net Financial Liabilities Ratio of lower than 100% to be achieved by FY 2027.
- **Asset Renewal Funding Ratio %** - 100% or greater throughout the duration of the LTFP.

If any of the targets are not achieved (i.e. if growth or CPI is lower than planned), this will mean that other assumptions will need to be changed to ensure that the targets set by the LTFP are achieved.

Risks - The LTFP is updated annually and needs to have regard to relevant risk, opportunities and mitigation strategies. During the development of this LTFP we have identified the following:

- **State Government** - Local Government reforms and funding/cost shifting.
- **Climate Change Impact** - The future impact on the way in which Council operates will need to be considered.
- **Indexation** - Escalation of expenditure and revenue.
- **Interest Rates** - Interest rates have been forecast based on data available on 31 March 2023 from Deloitte Access Economics and LGFA rates. Following RBA rate increases over the last year, interest rates for credit foncier (fixed loans) and variable loans (CADs) have increased. Council's debt structure has been reviewed to ensure alignment with Council's Treasury Management Policy, with an appropriate mix of loan terms and fixed and variable debt.
- **Service Levels** - Adjusting service levels may result in increased cost of renewal/upgrade, maintenance and depreciation for example new footpaths.
- **Grant Revenue** - Whilst grant revenue may fund additional capital works, additional maintenance/renewal expenditure will be incurred as a result.
- **Procurement Market Conditions** - Current market conditions have either driven up costs, or less availability of contractors which will also impact on the capacity to deliver.



Draft Long Term Financial Plan 2024-2033

- **Wulanda** - Impact on the organisation to support activation and operations.

Opportunities - The following potential opportunities have also been identified:

- **Efficiencies** - Efficiencies will be investigated in operating expenditure to support capital works expenditure or through strategic procurement activities (where like activities are 'bundled up').
- **Timing** - A review of strategic priorities has been undertaken by the Executive Leadership Team further to consultation across the organisation. The organisation's capacity to deliver has been considered.
- **Commercial Partnerships / Grant Funding** - Seek greater contributions from others to fund current activities / additional projects.
- **Borrowings** - Have been assessed and the structure has been reviewed for this version of the LTFP. In line with our Treasury Management Policy the intent is to have an optimal structure that ensures that the net interest costs associated with borrowing and investing are reasonably likely to be minimised on average over the longer term. It should be noted that the debt structure has been presented and discussed with Elected Members and the Audit and Risk Committee.
- **Grant Revenue** - Attracting further grant revenue will improve ratios if used to fund works already in LTFP.

Exclusions - The following potential significant investment/items are excluded from this version of the LTFP:

- **Infrastructure Condition Audits and Valuation** - The condition audits and valuation for this significant asset category are due for completion in FY 2023 (as at 30 June 2023). At this stage Council does not have information to incorporate in this version of the LTFP. The result of these condition audits/valuation are expected to have an impact on both depreciation and the value of the capital forward works program. A comprehensive review will be undertaken in preparation for the FY 2023 financial statements with the results to be incorporated in the next version of the LTFP to be undertaken in December 2023.
- **Buildings Condition Audits and Valuation** - The condition audits are scheduled across the next two financial years with the valuation for this asset category due for completion in FY 2024 (as at 1 July 2023). At this stage Council does not have information to incorporate in this version of the LTFP. The result of these condition audits/valuation are expected to have an impact on both depreciation and the value of the capital forward works program. A comprehensive review will be undertaken in preparation for the FY 2024 financial statements with the results to be incorporated in the next version of the LTFP to be undertaken in December 2023.
- **Caroline Landfill Depreciation** - Further work will be undertaken aligned with the development of the draft masterplan. This is expected to further define the cost of future cell construction, capping and the post closure provision and unwinding of net present value.
- **Asset Management** - Further review to be undertaken in preparation for the development of the next iteration of the Asset Management Plan / LTFP in December 2023.



Draft Long Term Financial Plan 2024-2033

- **PLEC** - Further investment in PLEC beyond the current agreement (\$0.5m in FY 2023). Initial cost benefit analysis has been undertaken and was presented to Elected Members as part of the 2023/2024 budget workshops. Further review will be undertaken for future stages by June 2023.
- **LED Lighting** - Further investment in LED lighting beyond the recently delivered Stage 1 is excluded. A cost benefit analysis will be undertaken for future stages by June 2023.
- **Sport, Recreation & Open Space Strategy** - A masterplan is expected to commence in 2023/2024 with completion in 2024/2025 and has been included in the budget and LTFP. This will provide direction for the implementation of this strategy. It should be noted that the costs of projects to support the implementation of this strategy have not been included in this version of the LTFP.



Draft Long Term Financial Plan 2024-2033

4. Hierarchy Of Documents

Hierarchy of Documents - Brings together the key planning documents to ensure that the vision, goals and objectives set by the Futures Paper are implemented in the Long Term Financial Plan, Asset Management Plan, Strategic Plan, and Annual Business Plan.

The Long Term Financial Plan - Guides and is guided by other key strategic management documents as shown below:



- **Futures Paper** - The paper outlines strategies for action at the individual, organisation and community level that will enable the community to achieve their collective aspirations.

- **Long Term Financial Plan (10 Years)** - The Long Term Financial Plan shows the financial impact of the implementation of the Strategic Plan over the next 10 years and incorporates key assumptions from the Strategic Plan and Asset Management Plan. The LTFP will be reviewed by Council on an annual basis.
- **Asset Management Plan (10 Years)** - Identifies the required future expenditure on infrastructure and funding required to maintain service levels. It is aligned with the LTFP.
- **Strategic Plan (4 Years)** - Represents the vision, aspirations and priorities of our community now and into the future. The Strategic Plan is informed by the Futures Paper and identifies the outcomes Council seeks to achieve and the strategies Council will put in place to get there.
- **Annual Business Plan (1 Year)** - Each year, Council develops an Annual Business Plan guided by Council's strategic financial framework which sets strategic directions over the medium and long term and converts these into annual actions and outcomes. This shows the outcomes Council expects to achieve in the year, the services, the key measures of success and the budget required to deliver these outcomes.

Draft Long Term Financial Plan 2024-2033

5. Strategic Plan - Our Roles and Goals

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:



OUR PEOPLE

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.



OUR LOCATION

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.



OUR DIVERSE ECONOMY

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.



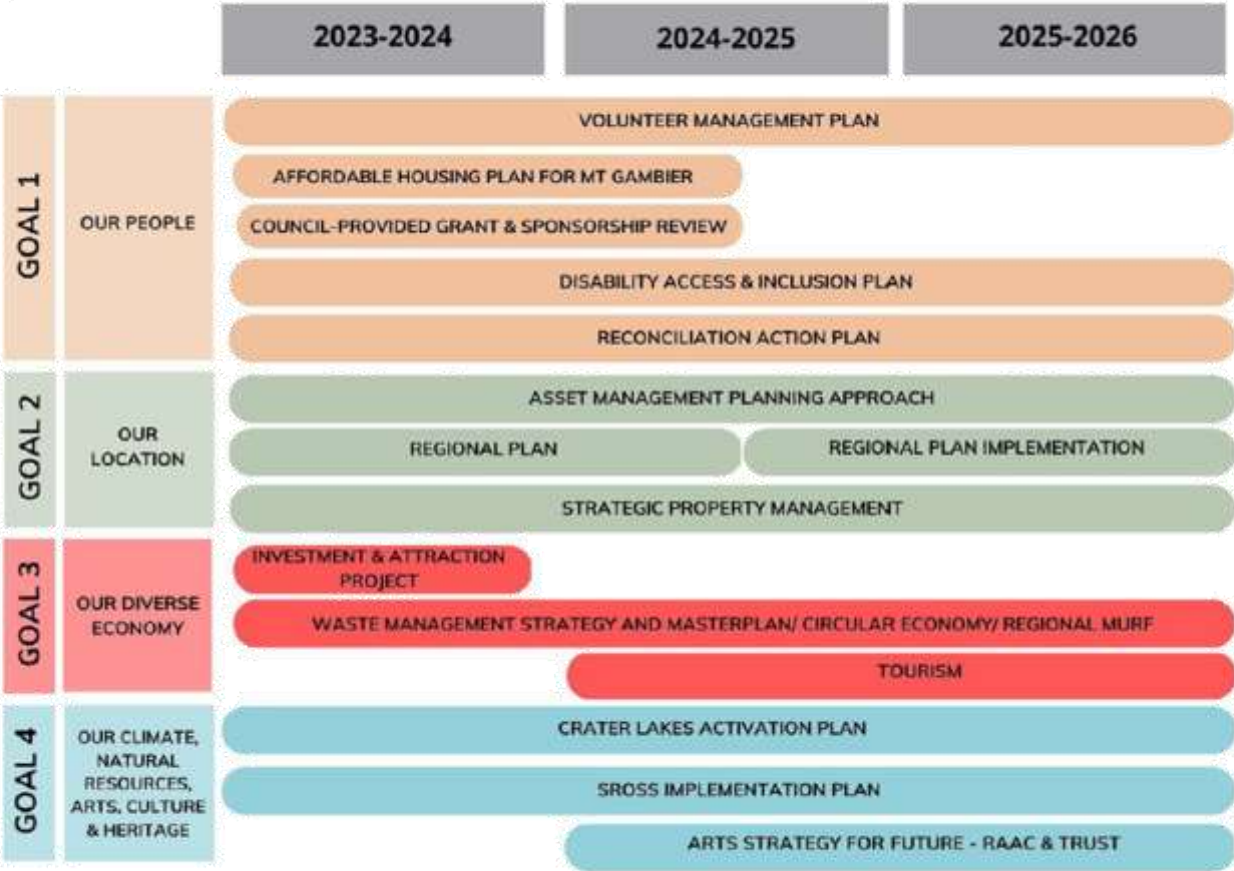
OUR CLIMATE, NATURAL RESOURCES AND HERITAGE

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.

The following pages show the strategic work plan that has been developed to deliver the priorities over the next 3 years.



Draft Long Term Financial Plan 2024-2033





Draft Long Term Financial Plan 2024-2033

6. CEO's Statement of Financial Sustainability

Key Objective - The key objective of preparing a comprehensive and informed LTFP is to enable Council to maintain financial sustainability in the medium to long term whilst achieving the objectives and standards detailed in Council's suite of strategic management plans.

Service Levels - This means Council will be able to manage and maintain current and predicted services and service levels, and infrastructure requirements to adequately provide for needs of the city.

Our LTFP:

- **Guide** - Serves as guiding tool for decision making.
- **ABP** - Informs Annual Business Plan and Budget (ABP) processes by taking a multi-year perspective on spending positions;
- **Financial Sustainability** - Determines organisational financial capacity and sustainability; and
- **Legislation** - Complies with statutory requirements (per the Local Government Act and the Essential Services Commission of South Australia – ESCOSA).

Funding:

To fund our major intergenerational project for the construction of the Wulanda Recreation and Convention Centre, the LTFP has applied debt as a means to achieve intergenerational equity. This ensures that the cost of construction of this project is shared across the current and future

ratepayers, consistent with those that will benefit from the use of this new facility.

Our Financial Sustainability:

Council has three Key Financial Indicators (KFIs) per Council's Treasury Management Policy that measure financial sustainability. It should be noted that all three KFIs achieve the targets set by Council's Treasury Management Policy (T150) as shown below:

- **Operating Surplus Ratio** - The ratio is positive over the 10 year period with an average ratio of 2.1%, achieving a positive ratio from FY 2027 onwards.
- **Net Financial Liabilities Ratio** - The average ratio over the 10 years is 61.5%, achieving a ratio of less than 100% in 2026.
- **Asset Renewal Ratio** - The Asset Renewal Ratio is 100% over the 10 years of the LTFP, aligned with the forward works program and Asset Management Plan.

These indicators are evaluated in more detail within this document and together, show that Council will achieve its financial sustainability in the medium to long term.



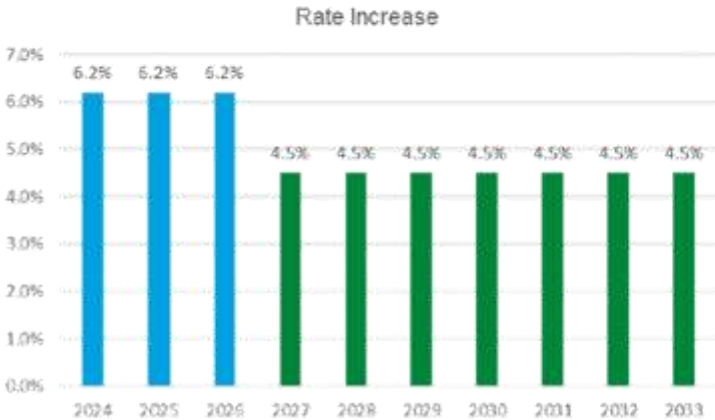
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7. Rate Setting

Council Approach - Due to prior and current economic conditions and relatively high inflation continuing beyond FY 2023, Council have taken a smoothing approach to rate increases (general rates and the waste service charge) for the next 3 years and also intends to manage its expenditure within the ten years of this plan to minimise the impact on ratepayers.

Smoothing - The overall rates increase required to mitigate prior year pressures (zero rate increase in FY 2021, a lower than CPI rate increase in FY 2023 and a high actual Adelaide CPI rate across the first three quarters of 2023) and ensure that Council achieves its operating surplus ratio target by FY 2027 is circa 9.75%. After smoothing the total average rate revenue increase for the first three years of the LTFP is 6.2%. This has the effect of reducing the rate revenue increase for year one (2023/2024). The rate revenue increase for the remaining years will continue to be calculated annually and at this stage the expected total rate increase from 2027 to 2033 (including growth) is aligned with previous LTFPs at 4.5%.

Impact on Individual Ratepayers - It should be noted that the average rate increase per annum is based on the total of all rateable properties. The impact on individual ratepayers may be different based on the change in valuation of their property relative to the overall valuation changes across the council area.



Draft Long Term Financial Plan 2024-2033

8. Key Assumptions

OPERATING REVENUE:

- **General Rates** - Revenue has been indexed by 6.2% over the first three years of the LTFP and 4.5% over the subsequent years of the LTFP.
- **Waste Service Charges** - Aligned with general rates revenue has been indexed by 6.2% over the first three years of the LTFP and 4.5% over the subsequent years of the LTFP.
- **Council Operations User Charges** - CPI increases have been applied over the remaining 10 years aligned with the user pays principle for the majority of user charges.
- **Grant Funding (Recurrent)** - Such as the Financial Assistance Grant (FAG) and Roads to Recovery (RTR) and Local Roads and Community Infrastructure (LRCI) have been assumed to be received within the year they are paid. In particular for Financial Assistance Grants it has been assumed that 50% of the following year's allocation will be paid in the current year and that the Special Local Roads Fund payment will continue.
- **Grant Funding (One-off)** - Is applied in the same year that tied expenditure is planned.

OPERATING EXPENDITURE:

- **Materials, Contracts & Other Expenditure** - Has been indexed in line with forecast CPI increases over the period of the plan. Historically, LGPI (Local Government Price Index) has been applied

as the relevant indicator of movement in local government costs (reflecting historically higher costs for the "basket of goods and services" procured by Council). However, as the LGPI is reported on an annual/historic basis, considering the current economic conditions it has been determined that CPI should be applied as the most reliable and relevant index.

- **Employee Costs** - Standard increases broadly aligned with South Australian Wage Price Index for the initial years of the LTFP. Superannuation costs have been assumed to increase in line with legislation i.e. to reach 12% (+1%) by 2025/26.
- **FTEs** - The number of FTEs employed by Council over the life of the LTFP are assumed to be consistent with no forecast increase.
- **Finance Costs** - Have been modelled factoring in the projected debt Council will hold in each year of the plan, and the forecast interest rate to be charged by the Local Government Finance Authority. In this plan the interest rate used has been modelled based on actual rates provided by the LGFA for credit foncier loans and indicative rates for Convertible Cash Advance Debentures (flexible borrowings) forecasts provided by Deloitte Access Economics and historical data.

CAPITAL EXPENDITURE

- **Asset Renewal** - Is provisioned to allow for Council to meet the renewal requirements as per the revised Asset Management Plan. Renewal, maintenance and depreciation of new and upgraded assets have been included in the plan to ensure these are funded. Indexation applied is in line with forecast CPI increases over the period of the plan.



Draft Long Term Financial Plan 2024-2033

- **New Capital/Upgrade** - Has been included in the plan and are based on Council's Asset Management Plan. At this stage prior to the completion of the Caroline Landfill Masterplan the only significant investment for new capital will be for cell construction.
- **Future Development** - It should be noted that the next iteration of the Asset Management Plan will be prepared for inclusion in the LTFP to be developed in the first half of FY 2024.
- **Borrowings** provide an alternative source of funding to enable Council to achieve its objectives and in particular the funding of the Wulanda Recreation & Convention Centre. Borrowing requirements have been modelled based on the cumulative effect of operating deficits/surpluses, capital expenditure and revenue. The debt structure and allocation between fixed (credit foncier) and flexible (CADs) has been reviewed for this version of the LTFP as presented to Elected Members and the Audit and Risk Committee.

CAPITAL REVENUE

- **Grants** - At this stage no future grants have been incorporated in the LTFP.
- **Physical Resources Received Free Of Charge** - Considering prior year performance an allocation of \$1m per annum has been included in this version of the LTFP.

STATEMENT OF FINANCIAL POSITION (BALANCE SHEET)

- **Assets** such as trade and other receivables, inventories and equity accounted investments have all been modelled based on historical averages, with no significant variances expected over the period of the plan.
- **Infrastructure, Property, Plant and Equipment** are modelled based on the cumulative effect of depreciation, capital expenditure, asset disposals and adjustments made to maintain valuations at fair value.
- **Liabilities** such as trade and other payables and provisions, have been modelled based on historical averages of Council, with no significant variances expected over the period of the plan.



Draft Long Term Financial Plan 2024-2033

9. Key Financial Ratios

OVERVIEW

Local Government Sector Performance - The following Key Financial Indicators are deemed by the Local Government Sector to be the best indicators for determining financial sustainability:

- Operating surplus / (deficit) ratio;
- Net financial liabilities ratio; and
- Asset renewal funding ratio.

Legislative Requirement - These indicators are also a requirement of Council's annual financial reporting in accordance with Local Government legislation and regulations.

Section 122 of the Local Government Act 1999 states that Councils should assess:

"... The sustainability of the Council's financial performance and position, and... The extent of levels of services that will be required to be provided by the council to achieve its objectives and to the extent to which any infrastructure will need to be maintained, replaced or developed by the Council..."

Treasury Management Policy - The following graphs and accompanying commentary are set against targets included in the adopted "Treasury Management Policy" as shown below:

6.3 Key Financial Indicators (KFIs)

- Council ensures long term financial sustainability using key financial indicators in its LTFP. Council has the following targets:
 - **Operating Surplus Ratio** – To achieve a positive operating surplus ratio by FY 2027.
 - **Net Financial Liabilities Ratio** – Achieve a target of less than 100% of total operating revenue by FY 2027; and
 - **Asset Renewal Funding Ratio** - Maintain asset renewal funding ratio of greater than or equal to 100% of the Asset Management Plan."

Additional Ratio – The borrowing to income ratio has been incorporated in the LTFP as an additional measure of financial sustainability.



Draft Long Term Financial Plan 2024-2033

OPERATING SURPLUS RATIO

What is the purpose of this ratio?

This financial indicator is useful in determining if current ratepayers are paying enough to cover products and services provided in each period.

How is this ratio calculated?

Operating surplus before capital revenues as a percentage of total operating revenue.

What is the target?

The target to be achieved by FY2027 is that Council will achieve a positive ratio.



Result:

Council expects to return to a surplus ratio in FY 2027, aligned with the target, delivering a positive ratio for 7 years of the LTFP. The average ratio over the life of the LTFP is 2.1%.

It should be noted that the surplus is required in future years for the repayment of debt.



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NET FINANCIAL LIABILITIES RATIO

What is the purpose of this ratio?

This financial indicator is useful in determining the level of indebtedness that Council has in comparison to its operating revenue.

How is this ratio calculated?

Net financial liabilities as a percentage of total operating revenue.

What is the target?

"Council will achieve a net financial liabilities ratio of less than 100% of total operating revenue by FY 2027".



Result:

Council achieves its target of less than 100% Net Financial Liabilities Ratio by FY 2026 (95.2%), with a ratio of below the target for 8 out of the 10 years, an average ratio of 61.5% and a peak ratio of 117.3% in FY 2024 over the forward 10 years, driven by the funding of the Wulanda Recreation and Convention Centre.

ASSET RENEWAL FUNDING RATIO



Draft Long Term Financial Plan 2024-2033

What is the purpose of this ratio?

This financial indicator is useful in determining if Council is maintaining all of its assets.

This is best demonstrated by comparing total Capital Renewal expenditure planned against Strategic Asset Management Plan requirements.

How is this ratio calculated?

Capital expenditure on renewal or replacement of existing assets as a percentage of asset management plan allocations.

What is the target?

"Council will maintain an asset renewal funding ratio of greater than or equal to 100% of Asset Management Plan".



Result:

Council will achieve over the period of the plan the required expenditure that is set out in the Asset Management Plan.

Renewal expenditure for the future 10 years is expected to be aligned with the Asset Management Plan i.e. a ratio of 100%.



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BORROWING TO INCOME RATIO

What is the purpose of this ratio?

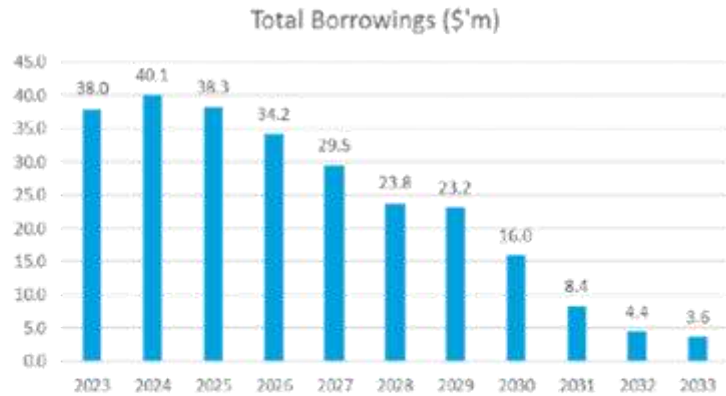
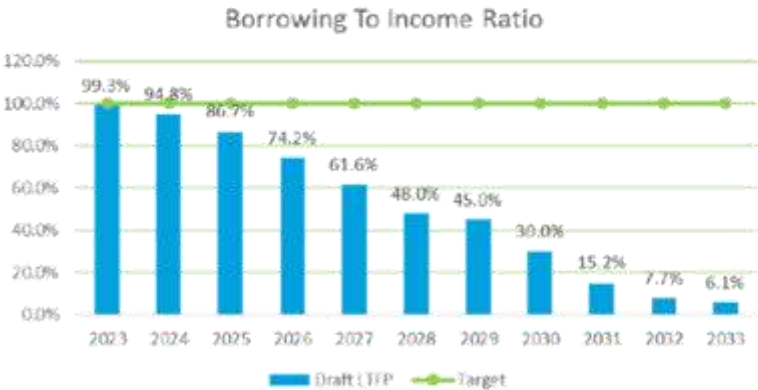
This is a way to measure Council’s ability to make loan repayments comfortably without putting the organisation in financial hardship.

How is this ratio calculated?

Total borrowings including CAD divided by total operating revenue.

What is the target?

“Council will maintain a target of less than 100%”.



Result:

As debt is repaid through rates revenue, it is important that we are mindful of how much we borrow and how quickly we can repay our debt. That is why we have a long term view of debt and have focused on Council’s debt structure and significantly reducing debt from the peak of \$40.1m in FY 2024 to \$3.6m in FY 2033.

For all years of the LTFP the borrowing to income ratio is lower than the 100% target.

Debt structure assumptions i.e. the mix of borrowings between fixed debt and flexible debt and the term of the loans used to fund Council’s activities have been considered in the context of the adopted Treasury Management Policy (T150).



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Assumptions

Key Assumptions	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
General Rates Revenue Increase	6.2%	6.2%	6.2%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
Waste Service Charge Increase	6.2%	6.2%	6.2%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
Consumer Price Index	4.2%	2.5%	2.5%	2.5%	2.5%	2.4%	2.3%	2.3%	2.4%	2.5%

- Council Election costs - FY2027 \$140k, and FY2031 \$150k.
- ESCOSA Local Government Rates Oversight Scheme - FY 2025 \$40k, FY 2029 \$40k, FY 2033 \$40k.



Draft Long Term Financial Plan 2024-2033

Financial Statements - Uniform Presentation Of Finances

2022 Actual	\$'000s	2023 BR3	2024 Draft ABP	2025 LTFP	2026 LTFP	2027 LTFP	2028 LTFP	2029 LTFP	2030 LTFP	2031 LTFP	2032 LTFP	2033 LTFP
37,162	Income	38,256	42,280	44,160	46,126	47,826	49,605	51,443	53,325	55,284	57,335	59,489
35,161	Expenses	42,238	45,117	46,039	46,847	47,773	48,648	50,054	51,400	52,558	53,161	54,684
2,001	Operating surplus / (deficit)	(3,981)	(2,837)	(1,879)	(720)	52	957	1,389	1,925	2,726	4,174	4,805
Net outlays on existing assets												
5,623	Capital expenditure on renewal and replacement of existing assets	7,219	5,762	6,568	5,542	5,754	5,795	7,291	6,392	7,108	5,874	7,409
(8,479)	Depreciation, amortisation and impairment	(9,928)	(10,467)	(10,785)	(10,817)	(10,890)	(10,968)	(11,621)	(12,262)	(12,256)	(12,426)	(12,885)
(112)	Proceeds from sale of replaced assets	(159)	(277)	(329)	(247)	(294)	(299)	(432)	(377)	(514)	(147)	(255)
(2,968)	Net outlays on existing assets	(2,868)	(4,982)	(4,547)	(5,522)	(5,429)	(5,471)	(4,762)	(6,247)	(5,662)	(6,698)	(5,730)
Net outlays on new and upgraded assets												
35,134	Capital expenditure on new and upgraded assets (including investments property & real estate developments)	20,974	3,903	714	711	729	747	4,535	783	801	4,405	840
(20,443)	Amounts received specifically for new and upgraded assets Proceeds from sale of surplus assets (including investment property and real estate developments and non-current assets held for resale)	(5,644)	0	0	0	0	0	0	0	0	0	0
14,691	Net outlays on new and upgraded assets	15,330	3,903	714	711	729	747	4,535	783	801	4,405	840
(9,722)	Net lending / (borrowing) for financial year	(16,443)	(1,759)	1,954	4,091	4,753	5,681	1,616	7,389	7,587	6,467	9,695

Draft Long Term Financial Plan 2024-2033

Financial Statements - Statement of Comprehensive Income

2022 Actual	\$'000s	2023 BRJ	2024 Draft ABP	2025 LTFP	2026 LTFP	2027 LTFP	2028 LTFP	2029 LTFP	2030 LTFP	2031 LTFP	2032 LTFP	2033 LTFP
Income												
23,822	Rates	24,843	26,416	28,011	29,703	31,008	32,373	33,800	35,288	36,843	38,465	40,160
633	Statutory Charges	698	734	748	762	776	791	806	821	837	853	869
5,515	User Charges	6,373	9,193	9,486	9,743	10,014	10,266	10,515	10,755	11,001	11,262	11,544
6,615	Grants, Subsidies and Contributions	5,346	5,048	4,994	4,967	5,042	5,169	5,294	5,415	5,539	5,670	5,812
14	Investment Income	47	40	40	38	36	33	31	27	22	17	11
65	Reimbursements	65	538	562	587	614	629	645	659	674	690	708
498	Other Income	883	311	319	327	335	344	352	360	368	377	386
37,162	Total Income	38,256	42,280	44,160	46,126	47,826	49,605	51,443	53,325	55,284	57,335	59,489
Expenses												
13,090	Employee Costs	14,637	15,087	15,691	16,334	16,859	17,401	17,945	18,481	19,032	19,617	20,245
13,234	Materials, Contracts & Other Expenses	16,219	17,288	17,540	17,888	18,502	18,998	19,359	19,709	20,488	20,751	21,295
8,479	Depreciation, Amortisation & Impairment	9,928	10,467	10,785	10,817	10,890	10,968	11,621	12,262	12,256	12,426	12,885
358	Finance Costs	1,453	2,275	2,024	1,808	1,523	1,280	1,128	948	782	368	259
35,161	Total Expenses	42,238	45,117	46,039	46,847	47,773	48,648	50,054	51,400	52,558	53,161	54,684
2,001	Operating Surplus / (Deficit)	(3,981)	(2,837)	(1,879)	(720)	52	957	1,389	1,925	2,726	4,174	4,805
1,760	Physical Resources Received Free of Charge	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
17,940	Amounts Received Specifically for New or Upgraded Assets	6,045	0	0	0	0	0	0	0	0	0	0
(787)	Asset Disposal & Fair Value Adjustments	0	0	0	0	0	0	0	0	0	0	0
20,914	Net Surplus / (Deficit)	3,063	(1,837)	(879)	280	1,052	1,957	2,389	2,925	3,726	5,174	5,805
Other Comprehensive Income												
Amounts which will not be reclassified subsequently to operating result												
0	Changes in Revaluation Surplus - I/P&E	2,592	9,662	194	244	2,734	7,062	223	2,862	291	6,899	3,380
0	Impairment (Expense) / Recoupments Offset to Asset Revaluation Reserve	(932)	0	0	0	0	0	0	0	0	0	0
0	Total Other Comprehensive Income	1,660	9,662	194	244	2,734	7,062	223	2,862	291	6,899	3,380
20,914	Total Comprehensive Income	4,724	7,824	(685)	524	3,786	9,019	2,612	5,788	4,017	12,072	9,185

Draft Long Term Financial Plan 2024-2033

Financial Statements - Statement of Financial Position (Balance Sheet)

2022 Actual	\$'000s	2023 BR3	2024 Draft ABP	2025 LTFF	2026 LTFF	2027 LTFF	2028 LTFF	2029 LTFF	2030 LTFF	2031 LTFF	2032 LTFF	2033 LTFF
ASSETS												
Current Assets												
250	Cash & Cash Equivalents	499	553	509	505	501	496	495	493	492	1,900	10,649
2,974	Trade & Other Receivables	1,624	1,803	1,902	1,999	2,078	2,153	2,243	2,329	2,419	2,506	2,612
64	Inventories	59	61	62	64	65	67	69	70	72	73	75
3,288	Total Current Assets	2,183	2,416	2,473	2,568	2,644	2,716	2,806	2,892	2,982	4,480	13,336
Non-Current Assets												
301,171	Infrastructure, Property, Plant & Equipment	316,553	327,405	324,947	321,561	320,775	324,294	326,602	325,181	321,791	328,850	328,520
0	Other Non-Current Assets	0	0	0	0	0	0	0	0	0	0	0
301,171	Total Non-Current Assets	316,553	327,405	324,947	321,561	320,775	324,294	326,602	325,181	321,791	328,850	328,520
304,459	TOTAL ASSETS	318,735	329,821	327,420	324,129	323,419	327,009	329,408	328,073	324,774	333,329	341,856
LIABILITIES												
Current Liabilities												
9,331	Trade & Other Payables	4,419	5,162	5,080	5,137	5,238	5,311	5,565	5,436	5,564	5,797	5,697
1,222	Borrowings	2,930	1,269	1,337	1,417	1,484	1,555	1,629	8,744	1,330	753	0
2,784	Provisions	2,778	2,848	2,920	2,992	3,067	3,144	3,221	3,294	3,369	3,450	3,536
13,337	Total Current Liabilities	10,127	9,279	9,336	9,546	9,789	10,010	10,414	17,475	10,264	10,000	9,233
Non-Current Liabilities												
22,311	Borrowings	35,068	38,801	36,936	32,820	27,986	22,239	21,524	7,248	7,048	3,633	3,633
3,507	Provisions	3,513	3,890	3,981	4,073	4,168	4,265	4,362	4,455	4,550	4,712	4,821
25,818	Total Non-Current Liabilities	38,581	42,691	40,918	36,893	32,154	26,504	25,886	11,703	11,598	8,345	8,454
39,155	TOTAL LIABILITIES	48,708	51,970	50,254	46,439	41,943	36,514	36,301	29,178	21,862	18,345	17,687
265,304	Net Assets	270,027	277,852	277,166	277,690	281,476	290,495	293,107	298,895	302,912	314,984	324,169
EQUITY												
83,080	Accumulated Surplus	88,828	86,991	86,112	86,391	87,444	89,401	91,790	94,715	98,441	103,615	109,420
180,852	Asset Revaluation Reserves	179,827	189,489	189,683	189,927	192,661	199,722	199,945	202,807	203,099	209,998	213,377
1,372	Other Reserves	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372
265,304	Total Equity	270,027	277,852	277,166	277,690	281,476	290,495	293,107	298,895	302,912	314,984	324,169

Draft Long Term Financial Plan 2024-2033

Financial Statements - Cashflow Statement

2022 Actual	\$'000s	2023 BR	2024 Draft ABP	2025 LTFP	2026 LTFP	2027 LTFP	2028 LTFP	2029 LTFP	2030 LTFP	2031 LTFP	2032 LTFP	2033 LTFP
Cash Flows from Operating Activities												
Receipts:												
23,829	Rates Receipts	26,193	26,237	27,912	29,606	30,930	32,298	33,710	35,201	36,753	38,378	40,054
633	Statutory Charges	698	734	748	762	776	791	806	821	837	853	869
4,335	User Charges	6,373	9,193	9,486	9,743	10,014	10,266	10,515	10,755	11,001	11,262	11,544
6,615	Grants, Subsidies and Contributions (operating purpose)	5,346	5,048	4,994	4,967	5,042	5,169	5,294	5,415	5,539	5,670	5,812
14	Investment Receipts	47	40	40	38	36	33	31	27	22	17	11
65	Reimbursements	65	538	562	587	614	629	645	659	674	690	708
896	Other Revenue	883	311	319	327	335	344	352	360	368	377	386
Payments:												
(13,852)	Payments for Materials, Contracts & Other Expenses	(15,163)	(17,189)	(17,460)	(17,669)	(18,232)	(18,752)	(20,065)	(19,673)	(20,191)	(21,550)	(21,201)
(13,157)	Payments to Employees	(14,637)	(15,087)	(15,691)	(16,334)	(16,859)	(17,401)	(17,945)	(18,481)	(19,032)	(19,617)	(20,245)
(136)	Finance Payments	(1,453)	(2,275)	(2,024)	(1,808)	(1,523)	(1,280)	(1,128)	(948)	(782)	(368)	(259)
9,242	Net Cash provided (or used in) Operating Activities	8,353	7,550	8,887	10,219	11,133	12,096	12,215	14,137	15,189	15,713	17,678
Cash Flows from Investing Activities												
Receipts:												
20,443	Amounts Received Specifically for New/Upgraded Assets	5,644	0	0	0	0	0	0	0	0	0	0
112	Sale of Replaced Assets	159	277	329	247	294	299	432	377	514	147	255
Payments:												
(5,623)	Expenditure on Renewal/Replacement of Assets	(7,219)	(5,762)	(6,568)	(5,542)	(5,754)	(5,795)	(7,291)	(6,392)	(7,108)	(5,874)	(7,409)
(35,134)	Expenditure on New/Upgraded Assets	(20,974)	(3,903)	(714)	(711)	(729)	(747)	(4,535)	(783)	(801)	(4,405)	(840)
(20,202)	Net Cash provided (or used in) Investing Activities	(22,390)	(9,389)	(6,952)	(6,006)	(5,189)	(6,244)	(11,394)	(6,798)	(7,395)	(10,132)	(7,995)
Cash Flows from Financing Activities												
Receipts:												
9,581	Proceeds from Loans	15,565	5,002	0	0	0	0	914	0	1,130	0	0
Payments:												
(202)	Repayments of Loans	(1,100)	(2,930)	(1,797)	(4,036)	(4,767)	(5,677)	(1,555)	(7,161)	(8,744)	(3,991)	(753)
(62)	Repayment of Lease Liabilities	(179)	(181)	(181)	(181)	(181)	(181)	(181)	(181)	(181)	(181)	(181)
(62)	Repayment of Bonds and Deposits											
9,317	Net Cash Flow provided (used in) Financing Activities	14,286	1,892	(1,978)	(4,217)	(4,948)	(5,858)	(821)	(7,342)	(7,795)	(4,172)	(934)
(1,643)	Net Increase/Decrease in Cash & Cash Equivalents	249	53	(44)	(4)	(4)	(5)	(1)	(2)	(2)	1,408	8,749
1,893	plus: Cash & Cash Equivalents - beginning of year	250	499	553	509	505	501	496	495	493	492	1,900
250	Cash & Cash Equivalents - end of the year	499	553	509	505	501	496	495	493	492	1,900	10,649

Draft Long Term Financial Plan 2024-2033

Financial Statements - Statement of Equity

2022 Actual	\$'000s	2023 BR3	2024 Draft ABP	2025 LTFP	2026 LTFP	2027 LTFP	2028 LTFP	2029 LTFP	2030 LTFP	2031 LTFP	2032 LTFP	2033 LTFP
Accumulated Surplus												
66,406	Balance at the end of previous reporting period	83,080	88,828	86,991	86,112	86,391	87,444	89,401	91,790	94,715	98,441	103,615
20,914	Net result for the year	5,748	(1,837)	(879)	280	1,052	1,957	2,389	2,925	3,726	5,174	5,805
(4,240)	Transfers from other reserves/adjustments	0	0	0	0	0	0	0	0	0	0	0
83,080	Balance at the end of the period	88,828	86,991	86,112	86,391	87,444	89,401	91,790	94,715	98,441	103,615	109,420
Asset Revaluation Reserve												
175,462	Balance at the end of previous reporting period	180,852	179,827	189,489	189,683	189,927	192,661	199,722	199,945	202,807	203,099	209,998
5,390	Gain (Loss) on Revaluation of I, PP&E	(1,025)	9,662	194	244	2,734	7,062	223	2,862	291	6,899	3,380
180,852	Balance at the end of period	179,827	189,489	189,683	189,927	192,661	199,722	199,945	202,807	203,099	209,998	213,377
Other Reserves												
884	Balance at the end of previous reporting period	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372
488	Transfers from Accumulated Surplus	0	0	0	0	0	0	0	0	0	0	0
1,372	Balance at the end of period	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372	1,372
265,304	Total Equity at end of reporting period	270,027	277,852	277,166	277,690	281,476	290,495	293,107	298,895	302,912	314,984	324,169

Draft Long Term Financial Plan 2024-2033

Glossary

Term	Definition
Asset Renewal Funding Ratio	Indicates whether the Council is renewing or replacing existing non-financial assets at the same rate as its assets are used or 'consumed'. The ratio is calculated by measuring capital expenditure on renewal and replacement of assets relative to the level of depreciation. Where a Council has soundly based Asset Management Plan, a more meaningful asset sustainability ratio would be calculated by measuring the actual level of capital expenditure on renewal and replacement of assets (or proposed in the budget) with the optimal level identified in the plan.
Financial Assets	Financial Assets include cash, investments, loans to community groups, receivables and prepayments, but excludes equity held in Council businesses, inventories and land held for resale.
Financial Sustainability	Financial Sustainability is where planned long-term service and infrastructure levels and standards are met without unplanned and disruptive increases in rates or cuts to services.
Asset Management Plan (AMPs)	An operational plan for Council's Landfill, Building and Structures, Infrastructure (Roads), Plant and Equipment and Library, IT & other physical assets with the objective of providing the required level of service, maintenance and renewal of such assets in the most cost effective and efficient manner.
Net Financial Liabilities Ratio (NFLR)	Is Net Financial Liabilities as a percentage of total operating revenue. The ratio allows interested parties to readily equate the outstanding level of the Council's accumulated financial obligations against the level of one-year's operating revenue. Where the ratio reduces over time, it generally indicates that the Council's capacity to meet its financial obligations is strengthening.
Net lending / (borrowing)	Net Lending / (Borrowing) equals Operating surplus / (deficit), less net outlays on non-financial assets. The Net lending / (borrowing) result is a measure of the Council's overall (i.e. Operating and Capital) budget. Achieving a zero result on the Net lending / (borrowing) measure in any one year essentially means that the Council has met its expenditure (both operating and capital) from the current year's revenues.
Non-financial or physical asset	Non-financial or physical assets refers to infrastructure, land, buildings, plant, equipment, furniture and fittings, library books and inventories.
Operating deficit	Where operating revenues are less than operating expenses (i.e. operating revenue is therefore not sufficient to cover all operating expenses).
Operating expenses	Operating expenses are operating expenses shown in the Income Statement, including depreciation, but excluding losses on disposal or revaluation of non-financial assets.



Draft Long Term Financial Plan 2024-2033

Operating revenues	Operating revenues are incomes shown in the Income Statement but exclude profit on disposal of non-financial assets and amounts received specifically for new/upgraded assets (e.g. from a developer).
Operating surplus	Operating surplus is where operating revenues are greater than operating expenses (i.e. operating revenue is therefore sufficient to cover all operating expenses).
Operating Surplus Ratio (OSR)	Operating Surplus Ratio expresses the operating surplus (deficit) as a percentage of operating revenue.



16.6 DRAFT INTERIM ASSET MANAGEMENT SUMMARY 2024-2033 – REPORT NO. AR23/34812

Committee: Audit and Risk Committee

Meeting Date: 5 June 2023

Report No.: AR23/34812

CM9 Reference: AF11/863

Author: Barbara Cernovskis, General Manager City Infrastructure

Authoriser: Sarah Philpott, Chief Executive Officer

Summary: This report is to consider the Interim Asset Management Summary which forms the basis for the Long-Term Financial Plan and the Annual Business Plan and Budget process.

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 Audit and Risk Committee Report No. AR23/34812 titled 'Draft Interim Asset Management Summary 2024-2033' as presented on 05 June 2023 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Interim Asset Management Summary 2024-2033 and/or the associated processes and risks, as follows:
 - XXXXX
 - XXXXX
 - XXXXX



be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on 27 June 2023 for consideration of the adoption of the Draft Interim Asset Management Summary 2024-2033.



TYPE OF REPORT

Corporate

BACKGROUND

Audit and Risk Committee Terms of Reference - The following section of the Audit and Risk Committee Terms of Reference is relevant to this report:

“12.6 Review of Strategic Management and Business Plans:

The Committee shall review and provide advice on Council’s strategic management plans (at the time of their preparation and scheduled review), which include the following:

- *Strategic Plan;*
- *Key principles and assumptions of the Long Term Financial Plan;*
- *Various Asset Management Plans; and*
- *Annual Business Plan.”*

The requirement for Councils Asset Management Plans (AMPs) relate to the overall Strategic Management Plans of Council, as per Chapter 8 Part 1, Section 122 of the Local Government Act 1999:

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

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

(....)

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

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

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

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

PROPOSAL

Due to growth and strategic priorities, Council is progressing a restructure of the current asset classes and asset allocation. Whilst this work has commenced, to continue to undertake the depth of work required a thorough review of Asset Management Planning has been identified as a strategic priority for Council, and features in the strategic work plan to be delivered throughout the next 3 years.



The Asset Management Planning approach is a priority project that will determine what people are required, what systems are required and what process is required to establish the clear integration point for Asset Management and Asset Accounting. The purpose of this work is to implement industry best practices critical for Councils legislative compliance in terms of Strategic Infrastructure & Asset Management, Capital works program and service delivery.



The consolidated AMP budget included in the LTTP looks as per the following table:

Asset Management Plan - 2024-2033											
\$'000s		2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Infrastructure	Renewal	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200
	Upgrade/new	374	374	374	374	374	374	374	374	374	374
Buildings	Renewal	700	700	700	700	700	700	700	700	700	700
	Upgrade/new	1,080	124	104	104	104	104	104	104	104	104
Plant	Renewal	1,742	2,223	1,092	1,160	1,066	2,264	1,343	1,825	667	1,785
	Upgrade/new	40	40	40	40	40	40	40	40	40	40
Caroline Landfill	Upgrade/new	2,200	0	0	0	0	3,333	0	0	2,960	0
IT	Renewal	30	193	193	193	193	193	193	193	193	193
	Upgrade/new	30	79	79	79	79	79	79	79	79	79
Sundry	Renewal	90	90	90	90	90	90	90	90	90	90
	Upgrade/new	179	80	80	80	80	80	80	80	80	80
TOTAL	Renewal	5,762	6,406	5,275	5,343	5,249	6,447	5,526	6,008	4,850	5,968
	Upgrade/new	3,903	697	677	677	677	4,010	677	677	3,637	677
	TOTAL	9,665	7,102	5,951	6,019	5,925	10,456	6,202	6,684	8,486	6,644

The Interim Asset Management Summary (IAMS) attached to this report outlines Councils approach to revised asset classes and asset management plans that will be prepared in draft form by December 2023. This approach remains aligned with Councils integrated planning process undertaken at the same time as the annual business plan and budget and Long-Term Financial Plan. During this review Councils existing Asset Management Plans will remain current.

LEGAL IMPLICATIONS

The preparation of asset management plans is a statutory requirement as per Chapter 8 Part 1, Section 122 of the *Local Government Act 1999*. Council has existing Asset Management Plans which will remain current, supplemented by the IAMS.

STRATEGIC PLAN

The Interim Asset Management Summary is aligned with Councils Strategic Management Plans.

COUNCIL POLICY

The Interim Asset Management Summary will be reviewed in accordance with the following Council Policies:

- [A900 Asset Management](#)
- [Asset Accounting Policy](#)



ECONOMIC IMPLICATIONS

The Interim Asset Management Summary ensures that adequate provision is made for the long-term, sustainable management of Councils infrastructure and assets.

ENVIRONMENTAL IMPLICATIONS

Environmental consequence is considered in accordance with Councils Strategic Plans.

SOCIAL IMPLICATIONS

Social consequence is considered in accordance with Councils Strategic Plans that include the Disability Action and Inclusion Plan, Regional Health Plan and Reconciliation Action Plan.

CULTURAL IMPLICATIONS

Cultural consequence is considered in accordance with Councils Strategic Plans that include the Reconciliation Action Plan.

RESOURCE IMPLICATIONS

The Interim Asset Management Summary will be implemented within Councils capacity to deliver.

VALUE FOR MONEY

The Interim Asset Management Summary ensure adequate provision is made for the long-term, sustainable management of Councils infrastructure and assets.

RISK IMPLICATIONS

The Interim Asset Management Summary in conjunction with the LTFP focus on sustainable management of risk, both from a service level and a financial perspective.

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

Community consultation for the three strategic management documents (IAMS, LTFP and Annual Business Plan and Budget) is taking place together as shown below:

Decision to be made	The Interim Asset Management Summary was endorsed by Council for public consultation and is
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	presented to the Audit and Risk Committee for any comments to be presented as part of the consultation process, and to the community as outlined below.
Key factors to be considered in decision (dot points)	<ul style="list-style-type: none"> • Annual Business Plan • Long Term Financial Plan • Community Plan • Local Government Act 1999
Area of community influence	<p>Aspects that are fixed:</p> <ul style="list-style-type: none"> - Legislative Factors <p>Key areas for community input:</p> <ul style="list-style-type: none"> - Community may make submissions on all sections of the Interim Asset Management Summary
Method of consultation, informing community & cost	<p>Copies of the draft IAMS will be available at:</p> <ul style="list-style-type: none"> - The City of Mount Gambier Library; - Civic Centre; - Council's Have Your Say platform. - <p>A facility will be available for the community to ask questions and receive submissions on Council's website during the consultation period.</p>
Feedback to stakeholders/Council	A written response will be made to all submissions once the IAMS 2024-2033 has been adopted by Council.
Timeframe for consultation	Commencing on 25 May and concluding on 15 June 2023.
Community input	Commentary on the Draft IAMS.



IMPLEMENTATION STRATEGY

Interim Asset Management Summary will be delivered in accordance with the Objectives and KPI's outlined in the 2023/24 Annual Business Plan and Budget.

CONCLUSION AND RECOMMENDATION

The Draft Interim Asset Management Summary is currently on public consultation and available for comment and submissions from the community until 15 June 2023.

In accordance with the Audit and Risk Committee Terms of Reference, the Audit and Risk Committee is requested to review and provide advice on Council's Draft Interim Asset Management Summary 2024-2033 (as attached to this report).

Any feedback provided will be incorporated with the public consultation feedback to be presented to the Special Council Meeting on 27 June 2023 for consideration of the adoption of the Draft Interim Asset Management Summary 2024-2033.

ATTACHMENTS


1. Draft - City of Mount Gambier Interim Asset Management Summary 2024-2033





DRAFT
Interim Asset
Management
Summary
2024-2033

May 2023

Document Control					
Document ID: AR19/7730 City of Mount Gambier Infrastructure Asset Management Plan - Summary					
Rev No	Date	Revision Details	Author	Reviewer	Approver
1	March 2019	Creation of separate Asset Management Plan Summary	KR	NS	NS
2	February 2021	Updated in preparation for FY2022 budget process	CM	JZ	
3	May 2022	Updated in preparation for FY2023 budget process	MM	JS	BC
4	May 2023	Updated in preparation for FY2024 budget process	BC	JS	BC

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1. Summary

The City of Mount Gambier currently manages approximately \$300 million of assets on behalf of the community. Council recognises the importance that these assets be provided and maintained at a satisfactory level taking into consideration legislative and compliance obligations, community expectations and available resources.

Assets are categorised into asset classes. Each class contains complex data, including information about an asset's age, location, use, type, estimated useful life and residual values. Table 1 provides a summary of Council's asset categories as at 30 June 2022.

Table 1: Infrastructure, Property, Plant and Equipment Summary, as at 30 June 2022

Asset Class	Net Fair Value \$'000	Accumulated Depreciation \$'000	Carrying Amount \$'000	Annual Depreciation \$'000
LAND				
Fair Value level 2*	15,601	-	15,601	-
Fair Value level 3**	37,816	-	37,816	-
BUILDINGS & STRUCTURES				
Fair Value level 2*	4,020	2,131	1,889	113
Fair Value level 3***	103,373	50,605	52,768	2,782
CAROLINE LANDFILL				
Waste Management	10,231	8,086	2,145	842
INFRASTRUCTURE				
Stormwater drainage	8,149	2,471	5,678	117
Footpaths and Kerbing	77,571	20,981	56,590	1,206
Roads	73,028	22,029	50,999	1,932
Carparks	10,578	3,122	7,456	257
PLANT AND EQUIPMENT				
Plant & Equipment	9,385	3,304	6,081	788
Office Equipment	2,288	1,609	679	115
SUNDRY/OTHER				
Riddoch Collection	3,525	-	3,525	-
Other	4,408	2,497	1,911	139
TOTAL	359,973	116,835	243,138	8,291

NB – This table excludes work in progress and right of use assets.

***Fair value hierarchy level 2 valuations**

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

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

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

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

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

This method involves:

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

2. Key Asset Management Projects

2.1. Strategic Review of Asset Management

Due to growth and strategic priorities, Council is progressing a restructure of the current asset classes and asset allocation. Whilst this work has commenced, to continue to undertake the depth of work required a thorough review of Asset Management Planning has been identified as a strategic priority for Council, and features in the strategic work plan to be delivered throughout the next 3 years.

The Asset Management Planning approach is a priority project that will determine what people are required, what systems are required and what process is required to establish the clear integration point for Asset Management and Asset Accounting. The purpose of this work is to implement industry best practices critical for Councils legislative compliance in terms of Strategic Infrastructure & Asset Management, Capital works program and service delivery.

2.2. Footpath Construction Program

Council is reviewing its ongoing footpath construction program to improve accessibility to its community using alternative means of transportation to motor vehicle transport. To inform this work, Council have recently completed a CBD Disability Audit and the development of a Shared Path Masterplan is currently underway, due to be completed in the latter part of 2023.

The CBD Disability Audit and the Shared Path Masterplan will identify the future use, and guide development of the methodology, service level and maintenance of the shared path network throughout the City.

2.3. Buildings and Structures Strategic Analysis

Developing Council's categorisation and understanding of building and structure assets is a priority to enable better planning for annual budgeting, capital renewal and maintenance requirements. Condition audits for this asset class are scheduled across the next two financial years with the valuation for this asset category due for completion in FY 2024 (as at 1 July 2023).



2.4. Mobilising the Workforce

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

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

3. Caroline Landfill

Caroline Landfill is a critical piece of infrastructure for the region, being the only engineered landfill in South Australia located south of Murray Bridge.

The ongoing issues with current market conditions and recent changes to EPA requirements for construction of fully engineered landfill cells has had a significant impact on the cost of construction. Current Cell designs lodged with the EPA have been approved. Whilst the tender process for construction has not been finalised at the time of preparing this summary, the financial implication has been revised in the Long Term Financial Plan (LTFP) financial modelling.

Due to growth, cost increases and a tightly regulated environment Waste Management master planning for Councils' Waste service, from kerbside to landfill, has commenced with the first draft due by December 2023. This masterplan will inform the next iteration of the Asset Management Plan/LTFP in December 2023.

4. New Projects

The Asset Management Plan includes a provision for new/upgrade projects over the next 10 years. This creates the capacity for future investment. Individual projects will be incorporated in each annual budget following a ranking process undertaken to ensure that Council invests in priorities that will deliver public value to the community.

The adopted and proposed forward works program has been restated to include Caroline construction as new/upgrade.

5. Asset Management Plan

This interim asset management summary outlines the volume of work underway to strategically review Council's approach to asset management. The revised asset classes and asset management plans will be prepared for inclusion in the LTFP to be developed in the first half of FY 2024.

Infrastructure Condition Audits and Valuation - The condition audits have recently been submitted and valuation for this asset category are due for completion in FY 2023 (as at 30 June 2023).

Buildings Condition Audits and Valuation - Condition audits are scheduled across the next two financial years with the valuation for this asset category due for completion in FY 2024 (as at 1 July 2023).

Plant and Equipment - A review has been undertaken to revise asset lives and to also align the asset management plan with lead times.

Library, IT and Sundry – Library books have been transferred to operating.



Council is continuing the process of reviewing asset classes and establishing clear service level standards to better inform the asset management plans. Parks and Gardens is one asset class that is yet to be introduced. Implementation of the Sport, Recreation and Open Space Strategy (SROSS) has been identified as a priority strategic project that will be key to defining the management of this asset class.

Refer to Appendix 1 for the Summary Forward Capital Works Program.

6. Asset Management Practices

6.1. Accounting / Financial Systems

- Local Government authorities in South Australia are established under the provisions of the Local Government Act, 1999.
- Financial and Accounting practices and procedures are required to be in accordance with the Local Government Act 1999, Local Government (Financial Management) Regulations and the Australian Accounting Standards.
- Council's asset accounting policy (as adopted in December 2022) ensures that all Council owned assets are valued and depreciated in accordance with relevant Australian Accounting Standards ("the Standards") pursuant to Local Government Act 1999 under section 303(4) organisation.
- Council's audit regime includes the required annual statutory audit required by legislation and also a periodic 'procedural' audit. This process is also completed on an annual basis.
- Council's accounting and financial systems utilise the Civica local government enterprise software solution entitled 'Authority'.
- The Authority software solution enables integration of all Council operations including the Finance and Asset Management functions.

6.2. Asset Management Systems

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

6.3. Information Flow Requirements and Processes

The key information that flows into the AM Plans are:

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

The key information that flows from the AM Plans are:

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

These will impact on the LTFP, Community Plan, Annual Business Plan and Budget.



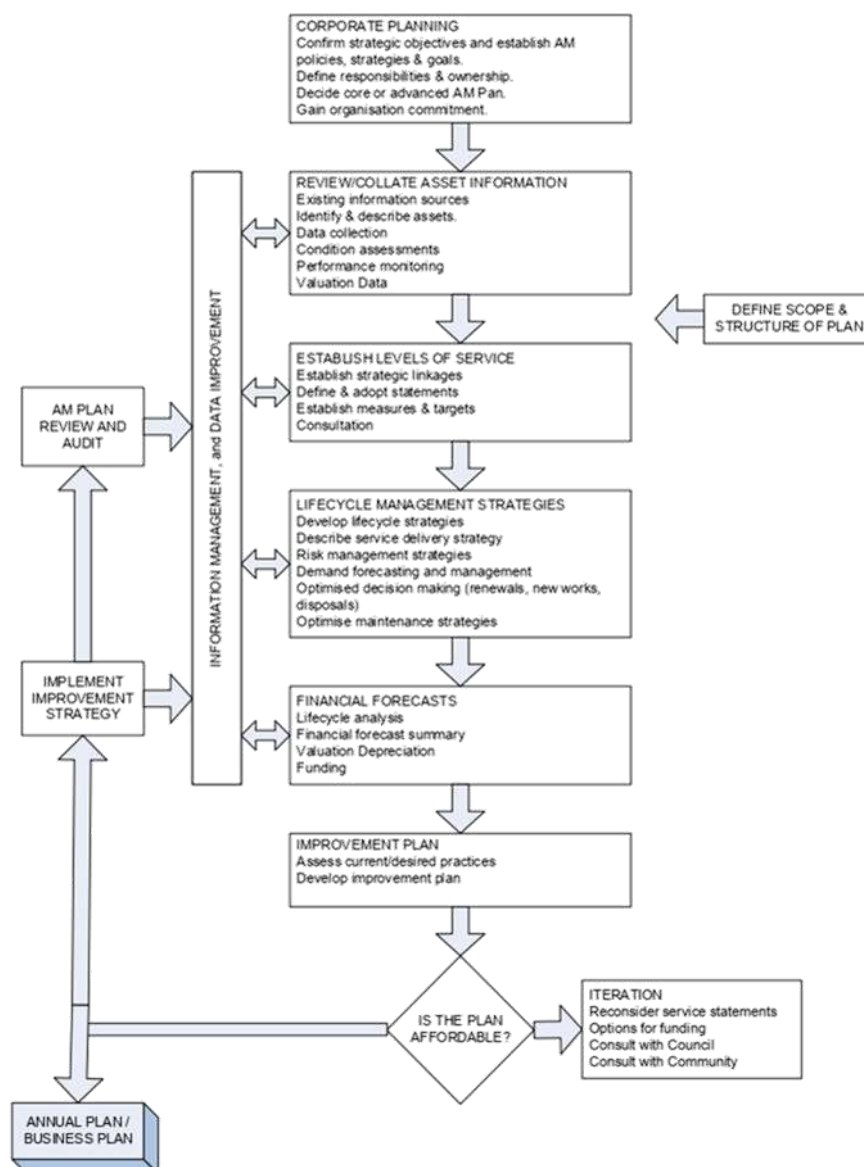
Key elements of the Plan are:

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

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

Road Map for preparing an Infrastructure and Asset Management Plan

Source: IIMM Fig 1.5.1, p 1.11



7. Plan Improvement and Monitoring

7.1. Performance Measures

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

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

7.2. Improvement Plan

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

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

7.3. Monitoring and Review Procedures

This Interim Asset Management Summary outlines Councils approach to revised asset classes and asset management plans that will be prepared in draft form by December 2023. This approach remains aligned with Councils integrated planning process undertaken at the same time of the annual business plan and budget and Long-Term Financial Plan. During this review Councils existing AMPs will remain current.

Under the Local Government Act 1999, the Plan has a life of 4 years and is due for revision and updating within 2 years of each Council election.

REFERENCES

The City of Mount Gambier Futures Paper

City of Mount Gambier Strategic Plan 2020-2024

City of Mount Gambier Annual Business Plan and Budget

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

IPWEA, 2006, 'International Infrastructure Management Manual', Institute of Public Works Engineering Australia, Sydney, www.ipwea.org.au



Appendix 1 – Summary Forward Capital Works Program

Asset Management Plan - 2024-2033											
\$'000s		2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Infrastructure	Renewal	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200
	Upgrade/new	374	374	374	374	374	374	374	374	374	374
Buildings	Renewal	700	700	700	700	700	700	700	700	700	700
	Upgrade/new	1,080	124	104	104	104	104	104	104	104	104
Plant	Renewal	1,742	2,223	1,092	1,160	1,066	2,264	1,343	1,825	667	1,785
	Upgrade/new	40	40	40	40	40	40	40	40	40	40
Caroline Landfill	Upgrade/new	2,200	0	0	0	0	3,333	0	0	2,960	0
IT	Renewal	30	193	193	193	193	193	193	193	193	193
	Upgrade/new	30	79	79	79	79	79	79	79	79	79
Sundry	Renewal	90	90	90	90	90	90	90	90	90	90
	Upgrade/new	179	80	80	80	80	80	80	80	80	80
TOTAL											
	Renewal	5,762	6,406	5,275	5,343	5,249	6,447	5,526	6,008	4,850	5,968
	Upgrade/new	3,903	697	677	677	677	4,010	677	677	3,637	677
	TOTAL	9,665	7,102	5,951	6,019	5,925	10,456	6,202	6,684	8,486	6,644



**MINUTES OF CITY OF MOUNT GAMBIER
CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, 10 WATSON TERRACE, MOUNT GAMBIER
ON WEDNESDAY, 31 MAY 2023 AT 5:00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Max Bruins, Cr Sonya Meziniec, Cr Josh Lynagh

IN ATTENDANCE: Rebecca Hunt – McArthur (virtual)

OFFICERS IN ATTENDANCE: Chief Executive Officer - Mrs S Philpott
General Manager Corporate and Regulatory Services - Mrs J Fetherstonhaugh

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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGY(IES)

Cr Frank Morello

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Josh Lynagh

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 1 May 2023 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil received

5 CONFIDENTIAL ITEMS

5.1 CHIEF EXECUTIVE OFFICER - 12 MONTH PERFORMANCE UPDATE – REPORT NO. AR23/31872

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 Chief Executive Officer Performance Review Committee orders that all members of the public, except the Mayor, Councillors and Mrs S Philpott, Mrs J Fetherstonhaugh and Ms R Hunt be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 5.1 AR23/31872 Chief Executive Officer - 12 Month Performance Update.

The Chief Executive Officer Performance Review 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 Chief Executive Officer Performance Review 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 information to be presented and discussed relates to the performance review of the Chief Executive Officer, the disclosure of which would be unreasonable disclosure of personal information relating to the employment of the Chief Executive Officer, Sarah Philpott.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec

Seconded: Cr Josh Lynagh

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 AR23/31872 Chief Executive Officer - 12 Month Performance Update and its attachments, 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 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

6 MEETING CLOSE

The Meeting closed at 5:52 p.m..

The minutes of this meeting were confirmed at the Chief Executive Officer Performance Review Committee held on 28 June 2023.

.....
PRESIDING MEMBER