



Reference: AF11/866 SW

5 February 2015

## MEMBERS

**NOTICE** is hereby given that the Operational Services Committee will meet in the following Meeting Room on the day, date and time as follows:

**Operational Services Committee**  
(Conference Room - Level 1):

Tuesday, 10<sup>th</sup> February 2015 at 7:30 a.m.

An agenda for the meeting is enclosed herewith.

**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

## OPERATIONAL SERVICES COMMITTEE

Meeting to be held on Tuesday, 10<sup>th</sup> February 2015 at 7.30 a.m.

### AGENDA

1. COMMITTEES - Internal - Operational Services Committee - re Projects to be undertaken by the Operational Services Department, Engineering Division, during month - Ref. AF11/866
2. GOVERNANCE - Council Development Assessment Panel - Minutes of Meeting held 22<sup>nd</sup> January 2015 - Ref. AF13/399
3. COMMUNITY RELATIONS - Liaison - Centenary of Lions - June 2017
4. STRATEGIC MANAGEMENT - Development and Review - Infrastructure and Asset Management Plan - June 2017
5. STRATEGIC MANAGEMENT - Policy Review - B150 (Building - Sewer Connections, Waste Management Control and Provision of Toilet Facilities) - AF11/1950
6. STRATEGIC MANAGEMENT - Policy Review - L130 (Land Divisions) - AF11/1950
7. STRATEGIC MANAGEMENT - Policy Review - 0110 (Order Making) - AF11/1950
8. TRAFFIC MANAGEMENT - Public Reaction - Engelbrecht Lane - Creation of Shared Zone - AF11/1867
9. TRAFFIC MANAGEMENT - Regulating - Parking On-Street - Percy Street - Loading Zone - Ref. AF11/1880
10. OPERATIONAL SERVICES REPORT NO. 5/2015 - Government Relations - SELGA Regional Planning Alliance Project - Ref. AF11/936
11. OPERATIONAL SERVICES REPORT NO. 6/2015 - Infrastructure - Long Term Infrastructure and Asset Management Program - Ref. AF11/1255, AF11/1253, AF11/1254, AF11/1491, AF11/629, AF13/7
12. OPERATIONAL SERVICES REPORT NO. 7/2015 - Policy Review - A240 (Events on Council Land), F120 (Burning in Open), F135 (Flammable Undergrowth), L230 (Licensed Premises) and T110 (Taxi Regulation) - Ref. AF11/1950
13. OPERATIONAL SERVICES REPORT NO. 8/2015 - Policy Review - A200 (Keeping of Birds and Livestock), A210 (Animals - Noise Nuisance), D210 (Dog Control - Problem Dogs) and D220 (Dog Control - Seizure of Dogs) - Ref. AF11/1950
14. OPERATIONAL SERVICES REPORT NO. 9/2015 - Policy Review - C330 (Removal of Objects from Council Land) - V120 (Removal of Vehicles from Public Places) - C340 (Sale of Commodities of Articles - Vehicles) - F220 (Sale of Commodities or Articles - Footways) - C180 (Badge and Raffle Days) - Ref. AF11/1950

OPERATIONAL SERVICES COMMITTEE

Meeting to be held in the Conference Room, Operational Services Area, Level One of Civic Centre, 10 Watson Terrace, Mount Gambier, on Tuesday 10<sup>th</sup> February 2015 at 7.30 a.m.

AGENDA

PRESENT: Cr I Von Stanke (Presiding Member)  
Crs C Greco, D Mutton, P Richardson and F Morello

APOLOGIES: moved the apology received from be  
accepted.  
seconded

COUNCIL OFFICERS: Director - Operational Services, Daryl Sexton  
Engineering Manager, Daryl Morgan  
Administration Officer, Sarah Moretti

COUNCIL MEMBERS  
AS OBSERVERS:

**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.**

MINUTES: moved the minutes of the previous meeting held on  
Tuesday, 20<sup>th</sup> January 2015 be taken as read and confirmed.  
seconded

QUESTIONS: (a) With Notice - nil submitted.  
(b) Without Notice -

1. **COMMITTEES - Internal - Operational Services Committee - re Projects to be undertaken by the Operational Services Department, Engineering Division, during month - Ref. AF11/866**

The Engineering Manager reported the following works are to be undertaken/are currently being undertaken by the Operational Services Department, Engineering Division, during the month:

<u>Commenced Tasks</u>	<u>% Completed</u>
• Railway Lands Paving Works	15%
• Commerce Place Redevelopment stage	20%
• Wehl Street North (Commercial Street to Jane Street) reconstruction	10%
• Pram Ramp Program	50%
• Road Reseal Program	25%
• Wandaree Court drainage construction	10%
• Caroline Landfill Cell 1 & 2 capping	10%

moved the report be received.

seconded

2. **GOVERNANCE - Council Development Assessment Panel - Minutes of Meeting held 22<sup>nd</sup> January 2015 - Ref. AF13/399**

*Goal:* Governance  
*Strategic Objective:* (i) *Demonstrate innovative and responsible organisational governance*

moved it be recommended:

- (a) Minutes of the Council Development Assessment Panel meeting held on Thursday, 22<sup>nd</sup> January 2015 be received;
- (b) the decisions made by the Council Development Assessment Panel be noted.

seconded

3. **COMMUNITY RELATIONS - Liaison - Centenary of Lions - June 2017**

*Goal:* Building Communities  
*Strategic Objective:* (i) *Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc*  
(ii) *Recognise and support our volunteers, community organisations and their sustainability as they continue to be the foundation of the community*

The Director - Operational Services reported:

- (a) The Centenary of Lions occurs in June 2017 and the local zone (which includes the three (3) Mount Gambier Clubs, Penola, Port MacDonnell and Kalangadoo) are considering commemorating this significant milestone with the establishment of a "Lions Park" in Mount Gambier;
- (b) very preliminary discussions between representatives of Lions and Council staff have identified a portion of the Old Hospital site (adjacent to the Old Laundry) as being a site of interest;
- (c) this location does not have any "conflicts" with any other dedications, memorials or the like and is very high profile.

moved it be recommended:

- (a) The report be received;
- (b) this matter be referred to the Former Hospital Sub-Committee for further consideration.

seconded

**4. STRATEGIC MANAGEMENT - Development and Review - Infrastructure and Asset Management Plan - June 2017**

*Goal:* *Building Communities*

*Strategic Objective:* *(ii) The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans*

The Director - Operational Services:

- (a) The Infrastructure and Asset Management Plan 2014 is nearly complete (will be completed by the scheduled meeting date);
- (b) the plan examines, in depth, Councils various assets (namely Infrastructure - roads, drains, footpaths, carparks, Plant and Equipment and Buildings and Structures);
- (c) the plan summarises valuations of all asset classes, establishes service standards to be maintained and provides estimates to maintain both the asset (in a fit for purpose state) and the designated service standards;
- (d) when Council is able to fund the annual 'consumption' of assets (i.e. depreciation) it is managing its assets in a sustainable manner;
- (e) the plan indicates that Council has achieved good results with infrastructure assets and plant and equipment, but buildings and structures still require further examination and investigation;
- (f) valuations for the asset classes of Infrastructure and Plant and Equipment are determined internally and Building and Structures by external consultants.

moved it be recommended:

- (a) The report be received;
- (b) Council receive and endorse the Infrastructure and Asset Management Plan - July 2014.

seconded

**5. STRATEGIC MANAGEMENT - Policy Review - B150 (Building - Sewer Connections, Waste Management Control and Provision of Toilet Facilities) - AF11/1950**

*Goal:* *Governance*

*Strategic Objective:* *(i) Demonstrate innovative and responsible organisational governance*

The Planning Officer reported:

- (a) In March 2014, Council considered Operational Services Report No. 7/2014 in relation to the review of Operational Services Policies and resolved:
  - “(d) amalgamation and/or review of remaining Operational Services Policies continue to be undertaken on a prioritised and periodical basis under the direction of the Operational Services Committee.”;

- (b) In accordance with that resolution, the Council Policy relating to sewer connections, waste management control and the provisions of toilet facilities has been reviewed and the amended policy is presented for consideration and adoption as attached to this report;
- (c) The changes that have been made to this Policy include:
- removal of outdated requirements;
  - formatting into the new Council Policy template; and
  - general grammatical changes.
- (d) the existing Policy can be found on Council's website:  
B150 - Building - Sewer connections, waste management control and the provisions of toilet facilities:  
<http://www.mountgambier.sa.gov.au/docs/council/policies/Operational%20Services%20Policy%20B150%20-%20Inspectorial%20-%20Building%20-%20Sewer%20Connections.%20Waste%20Management%20Control%20and%20Provision%20of%20Toilet%20Facilities.pdf>

moved it be recommended:

- (a) The report be received;
- (b) Council hereby adopts new Council Policy B150 - Building - Sewer Connections, Waste Management Control and the Provisions of Toilet Facilities, as attached to this report;
- (c) Council makes the necessary amendments to Council's Policy Manual Index.

seconded

## 6. **STRATEGIC MANAGEMENT - Policy Review - L130 (Land Divisions) - AF11/1950**

*Goal: Governance*  
*Strategic Objective: (i) Demonstrate innovative and responsible organisational governance*

The Planning Officer reported:

- (a) In March 2014, Council considered Operational Services Report No. 7/2014 in relation to the review of Operational Services Policies and resolved:
- “(d) amalgamation and/or review of remaining Operational Services Policies continue to be undertaken on a prioritised and periodical basis under the direction of the Operational Services Committee.”;*
- (b) In accordance with that resolution, the Council Policy relating to land division has been reviewed and the amended policy is presented for consideration and adoption as attached to this report;
- (c) The changes that have been made to this Policy include:
- the amalgamation of Council Policies L130 and L135, therefore forming one Policy;
  - formatting into the new Council Policy template; and

- general grammatical changes.

(d) The existing Policies can be found on Council's website:

L130 - Land Divisions:

<http://www.mountgambier.sa.gov.au/docs/council/policies/L130.pdf>

L135 - Land Divisions - Provision of power to new allotments:

<http://www.mountgambier.sa.gov.au/docs/council/policies/L135.pdf>

moved it be recommended:

- The report be received;
- Council hereby adopts new Council Policy L130 - Land Divisions, as attached to this report;
- Council revoke existing Council Policy L135 - Land Divisions - Provision of Power to New Allotments;
- Council makes the necessary amendments to Council's Policy Manual Index.

seconded

## 7. **STRATEGIC MANAGEMENT - Policy Review - 0110 (Order Making) - AF11/1950**

Goal: Governance

Strategic Objective: (i) *Demonstrate innovative and responsible organisational governance*

The Planning Officer reported:

- In March 2014, Council considered Operational Services Report No. 7/2014 in relation to the review of Operational Services Policies and resolved:

*“(d) amalgamation and/or review of remaining Operational Services Policies continue to be undertaken on a prioritised and periodical basis under the direction of the Operational Services Committee.”;*

- In accordance with that resolution, the Council Policy relating to order making has been reviewed and the amended policy is presented for consideration and adoption as attached to this report;
- The changes that have been made to this Policy include:
  - review and updating of Authorised Persons table;
  - formatting into the new Council Policy template; and
  - general grammatical changes.

(d) the existing Policy can be found on Council's website:

<http://www.mountgambier.sa.gov.au/docs/council/policies/O110.pdf>

- (e) public consultation was not required under Section 259 (2) of the *Local Government Act 1999* as the review of and alteration to the Policy is of a minor nature.

moved it be recommended:

- (a) The report be received;
- (b) Council hereby adopts new Council Policy O110 - Order Making, as attached to this report;
- (c) Council makes the necessary amendments to Council's Policy Manual Index.

seconded

**8. TRAFFIC MANAGEMENT - Public Reaction - Engelbrecht Lane - Creation of Shared Zone - AF11/1867**

*Goal:* *Building Communities*

- Strategic Objective:*
- (i) *Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met*
  - (ii) *The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans*

The Engineering Manager reported:

- (a) Council Officers have recently been approached by a number of business owners regarding concerns for pedestrian safety and various traffic related issues in Engelbrecht Lane;
- (b) by way of background, Engelbrecht Lane was redeveloped by Council seven (7) years ago as part of the City Centre redevelopment works and the design focussed on creating a more pedestrian friendly environment by opening up the area and replacing the bitumen paved laneway with pavers. The design intent was to create a precinct that would create a sense that this space was not necessarily a vehicle space but a space where pedestrians also had equal use.
- (c) whilst there is no signage to indicate who has right of way or what the vehicle speed limit is, the nature of the streetscape design (which was modelled on best practice from other examples throughout Australia) self regulates both speed and the safe interaction of pedestrians and vehicles;
- (d) since the redevelopment works were completed, Council is not aware of any accidents involving pedestrians/vehicles so it could be suggested that the precinct is functioning as intended;
- (e) however, recent concerns raised by some of the local business owners indicate that the confusion over who has right of way needs to be defined;
- (f) one way of simply achieving this would be to formally establish this area as a "shared zone";
- (g) by definition, a shared zone allows pedestrians to share the space (laneway) normally reserved for vehicles and to actually have right of way. There is normally



a lowered speed limit posted for this zone in addition to the area being declared a shared zone;

- (h) in the case of Engelbrecht Lane the creation of a 10km/h shared zone would establish that pedestrians are formally entitled to be in this zone and that the vehicle limit is set at 10km/h;
- (i) as Council does not have delegated authority under the general approval from the Minister of Transport to install a shared zone, Council must seek the approval from the Commissioner of Highways before establishing a shared zone.

moved it be recommended:

- (a) The report be received;
- (b) Council endorse the creation of a shared zone (10km/h) for Engelbrecht Lane for the southern portion currently available to vehicular traffic;
- (c) Council make application to the Commissioner of Highways for the establishment of a shared zone at Engelbrecht Lane as identified in part (b) above.

seconded

## 9. **TRAFFIC MANAGEMENT - Regulating - Parking On-Street - Percy Street - Loading Zone - Ref. AF11/1880**

*Goal:*

*Building Communities*

*Strategic Objective:*

- (i) *Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met*
- (ii) *The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans*

The Director - Operational Services reported:

- (a) During the Christmas period Council trialed a temporary loading zone on Percy Street (southern side) to assist with traffic management in the busy Percy Street area. Feedback from local delivery businesses was very positive and a permanent loading zone would be an asset in the area;
- (b) the proposed loading zone is shown on the aerial map attached to the Traffic Impact Statement.

moved it be recommended:

- (a) The report be received;
- (b) The Traffic Impact Statement attached to the Operational Services Committee agenda be endorsed by Council;
- (c) The City of Mount Gambier pursuant to Ministerial delegation resolves the following

Prohibited Area  
2.2.079

LOADING ZONE

PERCY STREET - southern half from 74.0 metres west of the intersection with Mitchell Street to 81.0 Metres east of the said intersection to apply from 8.00 am to 5.00 pm Monday to Friday/ 8.00 am to 12.00 noon Saturday

to be effective on the installation of appropriate signage.

seconded

**10. OPERATIONAL SERVICES REPORT NO. 5/2015 - Government Relations - SELGA Regional Planning Alliance Project - Ref. AF11/936**

*Goal:* Governance  
*Strategic Objective:* (i) To conduct Council business with probity, transparency, and accountability, to meet in a timely way all legislative and regulatory requirements; to implement prudent and professional financial and operational management; and to seek active and ongoing engagement in decision making with all stakeholders.

*Goal:* Building Communities  
*Strategic Objective:* (i) To maintain and improve the quality of life of our people by fostering an appropriate range of infrastructure, services and activities.

*Goal:* Securing Economic Prosperity  
*Strategic Objective:* (i) Develop and implement a dynamic planning process to meet emerging economic, social and environmental conditions.

moved it be recommended:

- (a) Operational Services Report No. 5/2015 be received;
- (b) Council receives and note the SELGA Discussion Paper: *Regional Planning Alliance Project: Investigating a Regional Approach to Planning Functions and Decision Making (2014)*;
- (c) Council endorse the formation of the SELGA Regional Planning Alliance Implementation Group;
- (d) Nominate Cr Ian Von Stanke and Mr Daryl Sexton, Director - Operational Services as the City of Mount Gambier representatives on the SELGA Regional Planning Alliance Implementation Group;
- (e) Provides in principle support and endorses the Regional Planning Alliance Memorandum of Understanding;
- (f) Council notes the Work Plan for January-June 2015, and proposed program to deliver the project in 2015-2016;
- (g) Council endorse the Work Plan for the remainder of 2014/2015, including the commencement of a tender process to provide accurate costings of the process, on the expectation that any investigations include a thorough triple bottom line analysis. The investigations must conclude that the Regional Planning Alliance Project will not result in a net cost increase to the City of Mount Gambier or a loss

of service to the City's residents. It is expected that any investigations, particularly in relation to the creation of a Regional Planning Authority address the following:

1. Development of a clear model of the Regional Planning Authority, together with a thorough triple bottom line analysis;
2. Compatibility of computerised records systems to be addressed;
3. Clear and concise details of the proposed governance structure of the Regional Planning Authority; and
4. Clarification on whether this model includes all development assessment functions, all being undertaken by the Authority and not Council. If this is the case, industrial relations/HR issues/physical assets, need to be discussed and addressed as part of the business case development;
5. Clarification on the legal requirements to implement the Regional Planning Authority model.

(h) Council advise the SELGA Executive Officer of the above resolution.

seconded

**11. OPERATIONAL SERVICES REPORT NO. 6/2015 - Infrastructure - Long Term Infrastructure and Asset Management Program - Ref. AF11/1255, AF11/1253, AF11/1254, AF11/1491, AF11/629, AF13/7**

*Goal:* *Building Communities*

*Strategic Objective:* (i) *The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans*

moved it be recommended:

- (a) Operational Services Report No. 6/2015 be received;
- (b) all projects listed in Appendix 1 to Appendix 6 inclusive for 2015/2016 be referred to the 2015/2016 Draft Budget for further consideration.

seconded

**12. OPERATIONAL SERVICES REPORT NO. 7/2015 - Policy Review - A240 (Events on Council Land), F120 (Burning in Open), F135 (Flammable Undergrowth), L230 (Licensed Premises) and T110 (Taxi Regulation) - Ref. AF11/1950**

*Goal:* *Governance*

*Strategic Objective:* (i) *Demonstrate innovative and responsive organisational governance*

moved it be recommended:

- (a) Operational Services Report No. 7/2015 be received;
- (b) Council hereby adopts new Council Policy A240 - Community - Assemblies and Events on Council Land as attached to this report;
- (c) Council hereby adopts new Council Policy F120 - Clean Air - Burning In Open - Non-Domestic Premises as attached to this report;

- (d) Council hereby adopts new Council Policy F135 - Flammable Undergrowth, as attached to this report;
- (e) Council hereby adopts new Council Policy L230 - Licensed Premises as attached to this report;
- (f) Council hereby adopts new Council Policy T110 - Taxi Regulation, as attached to this report;
- (g) Council makes the necessary amendments to Council's Policy Manual Index.

seconded

**13. OPERATIONAL SERVICES REPORT NO. 8/2015 - Policy Review - A200 (Keeping of Birds and Livestock), A210 (Animals - Noise Nuisance), D210 (Dog Control - Problem Dogs) and D220 (Dog Control - Seizure of Dogs) - Ref. AF11/1950**

*Goal:* Governance  
*Strategic Objective:* (i) Demonstrate innovative and responsive organisational governance

moved it be recommended:

- (a) Operational Services Report No. 8/2015 be received;
- (b) Council hereby adopts new Council Policy A### - Animal Control as attached to this report;
- (c) Council revoke existing Council Policies A200 - Animals - Keeping of Birds, Livestock and A210 Animals - Noise Nuisance;
- (d) Council hereby adopts new Council Policy A### - Animal Control - Dogs as attached to this report;
- (e) Council revoke existing Council Policies D210 - Dog Control - Problem Dogs and D220 - Dog Control - Seizure of Dogs;
- (f) Council makes the necessary amendments to Council's Policy Manual Index.

seconded

**14. OPERATIONAL SERVICES REPORT NO. 9/2015 - Policy Review - C330 (Removal of Objects from Council Land) - V120 (Removal of Vehicles from Public Places) - C340 (Sale of Commodities of Articles - Vehicles) - F220 (Sale of Commodities or Articles - Footways) - C180 (Badge and Raffle Days) - Ref. AF11/1950**

*Goal:* Governance  
*Strategic Objective:* (i) Demonstrate innovative and responsive organisational governance

moved it be recommended:

- (a) Operational Services Report No. 9/2015 be received;

- (b) Council hereby adopts new Council Policy F### - Footways and Council Land - Removal of Objects, as attached to this report;
- (c) Council revoke existing Council Policies C330 Council Land - Removal of Objects from Council Land (including streets) and V120 Vehicles - Removal from public places (streets);
- (d) Council hereby adopts new Council Policy F### - Footways And Council Land - Sale Of Commodities as attached to this Report;
- (e) Council revoke existing Council Policy C340 Council Land - Sale of Commodities or Articles from Vehicles and F220 Footways - Sale of Commodities or Articles;
- (f) Council hereby adopts new Council Policy F### - Footways and Council Land - Fundraising and Promotion, as attached to this Report;
- (g) Council revoke existing Council Policies C180 - Community Organisations - Badge Days Raffles Street Stalls and P120 - Parking - On streets, roads and Council properties of vehicles for promotional, educational and commercial purposes;
- (h) Council makes the necessary amendments to Council's Policy Manual Index.

seconded

**MOTIONS WITHOUT NOTICE -**

The meeting closed at \_\_\_\_\_ a.m.

AF11/866

SW

COUNCIL DEVELOPMENT ASSESSMENT PANEL

Meeting held on Thursday, 22<sup>nd</sup> January 2015 at 5.00 p.m. in the  
Conference Room, Level One - Operational Services, Civic Centre

MINUTES

PRESENT: Mrs E Travers (Presiding Member)  
Cr D Mutton, Cr I Von Stanke, Ms E Finnigan and Mr P Seebohm

COUNCIL OFFICERS: Senior Planner, Simon Wiseman  
Planning Officer, Jessica Porter  
Administrational Officer - Operational Services, Sarah Moretti

**WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF 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 THE LAND.**

MINUTES: Cr Von Stanke moved that the minutes of the Meeting held on Thursday, 18<sup>th</sup> December 2014 be taken as read and confirmed.

Cr Mutton seconded

Carried

REPRESENTATIONS: The Presiding Member read the following statement to the Representor and Applicant that attended the meeting:

- Every Council is required to establish a Development Assessment Panel to determine and make decisions on development applications as delegated to the Panel.
- The Panel operates under the Development Act.
- When the Panel is considering an application, it must assess the proposal against Council's Development Plan.
- This will involve a judgement based on whether or not the proposed development meets and satisfies planning principles.
- The Development Assessment Panel consists of four (4) Independent Members and three (3) elected Council Members.
- The meeting itself is informal, however all decisions made by the Development Assessment Panel are formal.
- There will be no talking or interacting from the public gallery. If there is, you may be asked to leave.
- Once the Panel has heard your representation we will ask you to leave as the Development Assessment Panel reaches its decision in confidence. You may ring your Council tomorrow afternoon to find out the results of tonight's meeting.
- You will each have five (5) minutes to make your presentation.

Development Application No: 381/0237/2014

- Pamela Reid (the Representor), spoke in relation to these matters at 5:04 p.m.
- Stephen Herbert (the Applicant), spoke in relation to these matters at 5:09 p.m.

1. Development Number: 381/0352/2014  
Applicant / Owner: S Di Censo  
Description: To construct a single storey detached dwelling, an outbuilding and carport where the wall height of the outbuilding and carport is 3.6 metres  
Address: 20 King Grove, Mount Gambier  
Nature of Development: Consent / Category 2

Zoning: Residential /North Western Growth Area  
 Report: Council Development Assessment Panel Report No. 1 / 2015  
 Correspondence: Correspondence from Master Plan L.01

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 1 / 2015 be received;
- (b) The applicant and owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered not to be seriously at variance with the relevant Development Plan and is granted Development Plan Consent, subject to the following conditions:
1. The development shall be carried out in accordance with the plan/s as approved by Council (Plan reference 13\_152, 1 of 4, Rev L; 13\_152, 2 of 4, Rev L; 13\_152, 3 of 4, Rev L; 13\_152, 4 of 4, Rev L) and with the Conditions of Approval.
  2. The outbuilding shall only be used for purposes associated with the existing residential land use of the subject property.
  3. The footpath crossover area/s and footpaths shall be constructed in accordance with Council Policy F175 – Footways and Crossovers.
  4. Provision shall be made for the disposal of stormwater and surface drainage to the reasonable satisfaction of Council.

PLEASE NOTE:

1. This consent does not eliminate the need to obtain any other necessary approvals from any/all parties with an interest in the land, including but not limited to Montebello Developments Pty Ltd.
- (c) The applicant and owner be advised that the reasons for Council's Conditions of Development Plan Consent are:
1. To ensure orderly and proper development.
  2. The proposed development is not at serious variance to the relevant Development Plan.

Carried

2. Development Number: 381/0237/2014  
 Applicant: Chapman Herbert Architects Pty Ltd  
 Owner: Park Hotel Pty Ltd  
 Description: To construct additions (outdoor area and new entrance) to an existing hotel  
 Address: 161 Commercial Street West, Mount Gambier  
 Nature of Development: Consent / Category 3  
 Zoning: Mixed Use / Local Heritage Place  
 Report: Council Development Assessment Panel Report No. 2 / 2015  
 Correspondence: Response from Applicant L.02, Statement of Representation from P Dixon L.03, Correspondence from Richard Woods, Heritage Advisor L.04

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 2 / 2015 be received;

Council Development Assessment Panel Meeting Minutes held on Thursday 22<sup>nd</sup> January 2015 Cont'd....

- (b) the Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered not to be at variance with Councils Development Plan and be granted Development Plan Consent subject to the following conditions:
1. The development shall be carried out in accordance with the Plan/s as approved by Council.
  2. The building and land shall not be used for purposes other than those approved by Council.
  3. The car parking and driveway areas and footpath crossover as shown on the plan/s approved by Council, shall be graded, paved and sealed with bitumen or other similar material and line-marked and maintained in a useable condition at all times.
  4. The Applicant shall submit a Works and Service application to establish the new inverts and crossovers between the subject land and the road carriageway, and close any existing invert/s and crossover/s in accordance with the plan approved by Council and reinstate the footpath at the Applicants expense.
  5. Trees shall be selected to provide clear stem and spreading canopy. Advance trees and tree guards are recommended.
  6. Landscaping shall be undertaken and maintained at all times.
  7. The landscaping should be established within 12 months of the completion of the development and shall be maintained and replaced if it dies.
  8. The use of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area.
  9. The building/s and surroundings shall be maintained in a good state of repair and tidy condition at all times.

Carried

3. Development Number: 381/0422/2014  
 Applicant: Unike Homes  
 Owner: J & R Devlin  
 Description: To construct a detached dwelling and associated garage  
 Address: 9 Mayflower Court, Mount Gambier  
 Nature of Development: Consent / Category 1  
 Zoning: Residential  
 Report: Council Development Assessment Panel Report No. 3 / 2015  
 Correspondence: Letter from Concept Design Group L.05

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 3 / 2015 be received;
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered not to be at serious variance with Council's Development Plan and be granted Development Plan Consent subject to the following condition:
1. The development shall be carried out in accordance with the Plan/s as approved by Council.



Council Development Assessment Panel Meeting Minutes held on Thursday 22<sup>nd</sup> January 2015 Cont'd....

2. The garage shall only be used for purposes associated with the existing residential land use of the subject property

(c) The Applicant and Owner be advised that the reasons for Council's Condition of Consent are:

1. To ensure orderly and proper development.
2. It is not at serious variance with Council's Development Plan.

Carried

4. Development Number: 381/0426/2014  
 Applicant: Designs By Solly  
 Owner: D B & J P Hosking & H M Sheehan  
 Description: To construct a detached dwelling and associated garage with a wall height greater than 3 metres  
 Address: 4 Lakes Park Drive, OB Flat  
 Nature of Development: Consent / Category 2  
 Zoning: Residential  
 Report: Council Development Assessment Panel Report No. 4 / 2015  
 Correspondence: Letter from Applicant L.06

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 4 / 2014 be received;
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered not to be at serious variance with Council's Development Plan and be granted Development Plan Consent subject to the following condition:
  1. The development shall be carried out in accordance with the Plan/s as approved by Council.
  2. The garage shall only be used for purposes associated with the existing residential land use of the subject property
- (c) The Applicant and Owner be advised that the reasons for Council's Condition of Consent are:
  1. To ensure orderly and proper development.
  2. It is not at serious variance with Council's Development Plan.

Carried

The meeting closed at 5:27 p.m.


23 January 2015  
 AF14/354  
 SM

CONFIRMED THIS

DAY OF

2015.

.....  
 PRESIDING MEMBER

	<b>B150</b> <b><u>BUILDING - SEWER CONNECTIONS, WASTE MANAGEMENT CONTROL AND THE PROVISION OF TOILET FACILITIES</u></b>	<b>Version No:</b>	1 <sup>18</sup>
		<b>Issued:</b>	-
		<b>Next Review:</b>	-

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for the connection of South Australian Water Corporation sewer to and/or the installation of wastewater systems on properties within the Council area.

For the purpose of this Policy, refer to the SA Health On-site Wastewater System Code for an Aerobic Wastewater Treatment System (AWTS).

## 2. PLANNING - NEW BUILDINGS, LAND DIVISIONS AND DEVELOPMENTS

(a) Where planning and building consents/Development approval are granted for a new building/development on an existing parcel of land to which the SA Water Corporation sewer system is not available, then sewage disposal shall be in accordance with the following:

1. Extension of the SA Water sewer system;
2. Where i) is not practical, sewage is to be disposed of by pumping sewage or septic tank effluent from the parcel of land to the nearest SA Water Corporation sewer connection;
3. Where ii) is not practical by pumping sewage to the nearest SA Water Corporation sewer connection, sewage is to be disposed of by installing an approved aerobic wastewater treatment system, or other appropriate on-site wastewater treatment system.

(b) Where an approved aerobic wastewater treatment system or other approved system is installed in accordance with this policy, the premises must be connected to the SA Water Corporation sewer system within three (3) months of such sewer becoming available to the parcel of land.

## 3. SEWER CONNECTIONS - EXISTING BUILDINGS


(a) All premises are to be connected to the SA Water Corporation sewer if available to the parcel of land.

(b) All premises to which sewer is not currently available are to be connected to the SA Water Corporation sewer system within three (3) months of such sewer becoming available to the parcel of land.

## 4. DISPOSAL OF WASTEWATER

(a) The minimum disposal area (for irrigation systems of AWTS) is 280m<sup>2</sup> to minimise storage of wastewater in the soil.

(b) It is encouraged that multi barrier solutions (e.g. Pressure Dosed Distribution Bed and Mounds) for disposal of wastewater are used in conjunction with an AWTS.

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## 5. ON-SITE WASTEWATER SYSTEM

- (a) Approval from Council must be received before installation of the on-site wastewater system commences.
- (b) The on-site wastewater system must be on the Department of Health and Ageing approved products list.

## 6. DISPENSATION


Council may, in any case in which Council deems it expedient, dispense with the observance of this policy, or any part thereof, either absolutely or on such terms and conditions as the Council deems proper.

## 7. REVIEW & EVALUATION

This Policy is scheduled for review by Council in August 2015; however, will be reviewed as required by any legislative changes which may occur.

## 8. 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](http://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:	AF1#####
Applicable Legislation:	
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	
Related Procedures:	
Related Documents:	

### DOCUMENT DETAILS

Responsibility:	Director – Operational Services;
Version:	1.0
Last revised date:	July, 2014
Effective date:	
Minute reference:	## <sup>th</sup> Month, 201# Operational Services, Item #
Next review date:	
<u>Document History</u>	
First Adopted By Council:	18 <sup>th</sup> February 1999
Reviewed/Amended:	15 <sup>th</sup> April 2003; 19 <sup>th</sup> September 2006; 16 <sup>th</sup> July 2013

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## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for land divisions and their associated road construction, within the Council area.

## 2. PLANNING REQUIREMENTS

(a) In addition to the plans and specification requirements for land divisions, as detailed in Schedule 5 of the Development Regulations 2008, a development application and supporting material shall include the following:

1. Where new roads are to be created - proposed road reserve and road pavement widths; and
2. Reference to and details of any proposed fencing, particularly fencing adjoining reserves/screening reserves.
3. Street trees are encouraged in land divisions. They must be properly planned for and integrated as part of the overall land division proposal. A Plan of the land division showing proposed street trees should accompany the Development Application. The number, position and type of street trees shall be at the total discretion of Council and should be discussed with Council prior to submitting the proposal. The cost of purchasing any agreed to street trees shall be totally borne by the applicant/land Developer

## 3. STREET NAMES

(a) Proposed street names associated with the overall land division (including estate name etc.) shall comply with Council Policy S135 STREETS - Naming of.

## 4. LAND MANAGEMENT AGREEMENTS

(a) Where appropriate, Council is prepared to accept Land Management Agreements, in accordance with the provisions of the Development Act 1993 and Development Regulations 2008. Such Land Management Agreements are only be used in relation to the development and initial maintenance of screening reserves and development requirements for small allotments. The use of any Land Management Agreement shall be at the total discretion of Council. All costs associated with the preparation of a Land Management Agreement (including any draft agreement) for any matter and its final lodgement and execution shall be totally borne by the applicant/land developer.

## 5. RESERVES

- (a) Council, when dealing with land division applications, seek where appropriate, to have public open space contributions in parcels of at least 2,000m<sup>2</sup> in area and on flat land. Such areas should link with other reserves where possible and practicable;
- (b) In instances when screening reserves are required, the Development Approval and/or Land Management Agreement, should include a request for the Developer to fence the screening reserve and develop the reserve in accordance with a plan approved by Council;
- (c) Council aims to plant out public open space reserves to the equivalent of approximately 10% of the reserve area, with the remainder of the area to be left grassed to allow for low level active and passive recreation.

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**6. CLEARANCE/CERTIFICATE OF APPROVAL**

- (a) Where Council has been engaged to undertake the physical construction works, associated with the land division (or part works), all money for the cost of the work shall be paid to Council prior to Council clearing the land division and advising the Development Assessment Commission that it can issue the Certificate of Approval for the plan of division; and
  - 1. where a private contractor has been engaged to undertake the physical construction works, associated with the land division (or part works), all of the work shall be completed to the satisfaction of Council, prior to Council clearing the land division and advising the Development Assessment Commission that it can issue the Certificate of Approval for the plan of division; or
  - 2. where a private contractor has been engaged to undertake the work, the contracted sum shall be lodged with Council in the form of cash or bank guarantee, together with an agreement (which sets out the construction stages and timing of each stage for the whole of the works) that will allow Council to draw upon deposited funds or bank guarantee to complete outstanding works. If works fall more than 30 days behind the submitted schedule, Council will have the sole discretion in the decision to complete the works, or to grant time extensions.
- (c) The form of bank guarantee is to be such that no termination date of the guarantee is to be specified, and the guarantee can only be cancelled on the written advice of the Chief Executive Officer of Council.
- (d) Upon receipt of the contract sum (or other amount as determined to be reasonable by Council) and the signed works schedule agreement, Council will clear the land and advise the Development Assessment Commission that it can issue the Certificate of Approval for the plan of division.

**7. DEPRESSIONS - PRONE TO FLOODING**

- (a) In any proposed land division where land is situated within a depression which may be prone to flooding, Council continue to endeavor to have the land transferred to Council for reserve purposes.
- (b) The applicant, with the assistance of a professionally qualified and experienced Engineer, assess any depression situated within a proposed land division which may become flooded and develop a strategy, based on current engineering design principles, to eliminate or reduce the flooding or potential for flooding to any property. The applicant will be required to submit the strategy (which is to include engineering plans showing retention areas, drainage pits, bores, contouring, etc. if appropriate) to Council for approval and if approved, incorporate same into the overall development plan for the land division.
- (c) Where there is a depression situated within a proposed land division, which may be prone to flooding, Council continue to impose the following conditions, when considered necessary, following execution of the strategy developed in 2. above:

*"That the applicant be advised that Allotments ..... are situated within a depression and as such an appropriate notation to the effect is to be registered on the title to the allotment, which will bring to the attention of prospective purchasers of the*

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*allotment, so that they can establish satisfactory floor levels in respect to any building to be erected on these allotments in order to reduce the potential for property damage”*

- (d) Council to ensure to the best of its resources, that any flooding problem has been satisfactorily overcome prior to issuing any approval.
- (e) Where a flooding problem is unable to be satisfactorily overcome, the application should not be approved by Council.

## 8. ENGINEERING WORKS

The applicant is required to submit for approval, design plans for all the engineering works associated with the land division and such plans are to include:

1. Road Hierarchy, Design and Construction Standards
2. Kerb Profile
3. Drainage
4. Footpaths
5. Crossing Places


## 9. ROAD HIERARCHY, DESIGN AND CONSTRUCTION STANDARDS

### *Philosophy*

- (a) The development’s road hierarchy is to reflect the different road functions ranging from traffic distribution to shared traffic, pedestrian and recreation use. Road design, based on current engineering standards is to be consistent with the road hierarchy, land use and land forms.
- (b) Development should generally be undertaken in a manner consistent with general policies contained in the Mount Gambier (City) Development Plan and the Australian Model Code for Residential Development.
- (c) Table 1 is to be used in developing design criteria consistent with this philosophy.

### *Technical requirements - Road Design*

- (d) Centre line grades generally should be a maximum of 10%, absolute minimum of 0.4%. Steeper grades, over a short distance will be permitted subject to the prior approval of the Director - Operational Services or Engineering Manager.
- (e) Intersections in areas of steep grades should be avoided if possible. Intersection storage area for one vehicle is desirable. Intersection site distances should comply with current engineering standards, as should all the design work within the proposed development.
- (f) In roads classified as local streets or collector roads, consideration should be given to the installation of accepted traffic management devices to control traffic flow and speed (e.g. roundabouts, slow points etc).
- (g) Where a new road is to intersect with a connector road or major local road/industrial road, developers are encouraged to be innovative in the design to ensure vehicles leaving the main road do so at a very low speed for the safety of all road users. Such

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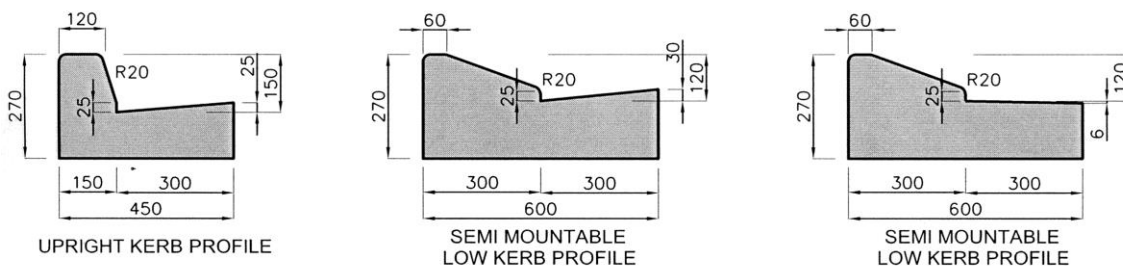
designs are to be in accordance with the Code of Practice for the Installation of Traffic Control Devices in South Australia. If the developer and the Director - Operational Services cannot agree on a suitable intersection treatment then this may be referred to Council for a final and binding decision.

- (h) Table 2 sets out the requirements for vehicle turning movements.
- (i) Road cross fall should generally be in the range of 1 in 20 (5%) to 1 in 50 (2%) with the desirable being 1 in 33 (3%).
- (j) One way cross fall may be utilised, where the land form is such that the road will tie into existing natural surface levels more readily than with the conventional and desired 2-way cross fall with centre crown.

## 10. KERB PROFILE

- (a) Kerb and channel is required to both sides of all streets to provide a structural pavement edge, a drainage mechanism and to delineate vehicle movements. This does not apply to allotments within a Country Living or Rural Living Zone.
- (b) Pavement edges may be provided as follows:
  1. Access place and local street - roll-over profile;
  2. Collector road and industrial road - roll-over profile and/or barrier profile;
  3. Major local road - barrier profile or adjacent to reserves where no access is required;
  4. Other kerb profiles may be used subject to the prior approval of the Director - Operational Services and the provision of kerb inverts at the location shown on the engineering drawings.
- (c) Kerb and channel is to be constructed using concrete of twenty eight (28) day strength of 20MPa (F'c=20MPa). All concrete surfaces within the development to be finished to a steel float finish.


**Diagram 1: Kerb profiles**



## KERB DETAILS

- (d) Kerb transition between types shall be made over 3 metres.



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## 11. ROAD PAVEMENT REQUIREMENTS

- (a) Table 1 gives minimum pavement depths (as a general guide) but they may be increased depending on the quality and type of sub-grade material and also based on:
1. the design of flexible pavements as per the 'Australian Road Research Board (ARRB) residential street pavement design method using equivalent standard axle (esa's) loadings based on 10 vehicles per day per allotment and a twenty year design life; OR
  2. road designs shall provide for concrete pavement based on the Concrete and Cement Associations design tables; OR
  3. road design shall provide for interlocking block pavement based on the ARRB interlocking block pavement design method (with pavement work subject to the following criteria).
- (b) All flexible pavements shall be constructed of materials approved by the Director - Operational Services or Engineering Manager.
1. Where there is any doubt about the quality of proposed pavement materials, the Director - Operational Services may require laboratory testing of materials as follows:
    - Sieve Analysis (Gradings)
    - Atterberg Limits
  2. All testing to be carried out by a NATA registered laboratory.
  3. Material, in the opinion of the Director - Operational Services, not considered suitable for road pavement construction is not to be used.
- (c) Pavement density testing is required on all works prior to placement of seal coat, pavers etc. Unless otherwise indicated by the Director - Operational Services, the modified density test method shall be used.
- (d) The road pavement is to extend a minimum of 150mm behind the back of kerb and a minimum of 100mm under the base of kerb. Kerb base material is to be compacted to the same specifications as the road pavement.
- (e) A bituminous concrete (hotmix) surface to be provided to all roadways to the satisfaction of the Director - Operational Services. The design of the hotmix surface to be to the satisfaction of the Director - Operational Services and may include a requirement to use a mix design utilizing polymer modified binders.

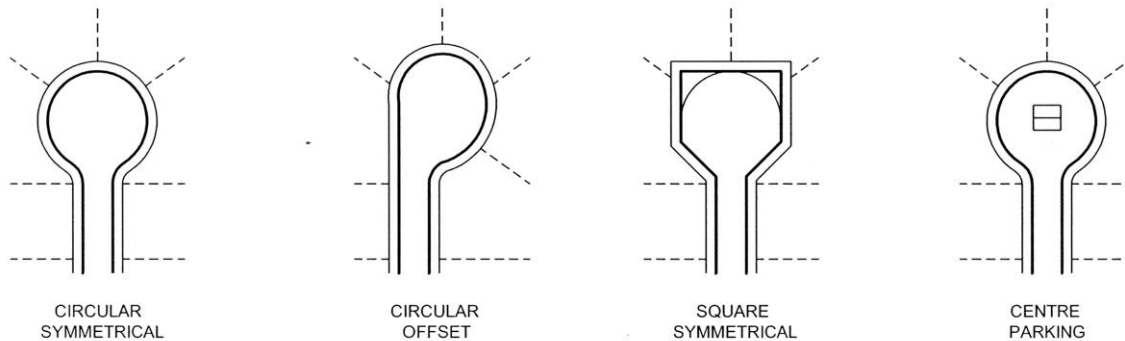
## 12. VEHICLE TURNING MOVEMENTS

All vehicle turning movements shall be deemed to, comply with performance measures when compared with templates contained in the National Association of Australian State Road Authorities Design Vehicles and Turning Templates, as follows:

- (a) for turning movements involving major local roads/industrial roads, the design semi-trailer with radius 12.5 metres shall be used;
- (b) for turning movements involving collector roads but not major local roads/industrial roads, the design single unit truck with radius 12.5 metres shall be used;

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- (c) for turning movements involving local streets or access places, but not involving major local roads/industrial roads or collector roads, the design car with radius 8.0 metres shall be used;
- (d) for turning movements at the head of dead-ended streets, sufficient area shall be provided for the design car to make a three-point turn or a complete turn. Pavement shapes may be one of, but not restricted to:



- (e) Access places and access streets should not exceed 150 metres in length. It is desirable streets interconnect at 90 degree junctions separated by at least fifty (50) metres. Cross roads and "Y" junctions are to be avoided, to reduce the likelihood of road-user accidents.


### 13. TRAFFIC VOLUMES

Type	Maximum 24 Hour Traffic Volume	Projected No. of Allotments Serviced	Maximum Design Speed km/h	Road Reserve Width (metres)	Carriageway Width (metres)	Minimum Pavement Thickness (mm)
Access Place	100	< 10	30	<12.5	4.5 to 7.0	300
Access Street	250	<25	40	<14.0	4.5 to 8.0	300
Minor Collector Street	1000 to 2000	<100	40	13 to 15	6.00 to 8.0	300
Major Collector Street	2000 to 6000	100 to 600	60	14 to 17	7.0 to 10.0	300
Major Local Road	6000	600 +	60	15 to 19	8.0 to 12.0	300

### 14. MATERIALS FOR ROADWORKS

(a) General:

1. All material shall be clean, sound, hard and durable. Foreign material shall not be present in sufficient quantity to produce adverse affect upon the usage or performance of the material.

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2. All material shall be produced from natural rock or sand deposits and shall be pre-approved by the Director - Operational Services prior to its use.
3. The contractor shall be required to submit a reference sample of the proposed material and to undertake the following laboratory testing of the material:
  - Sieve analysis (gradings)
  - Atterberg limits
4. Appendix 1 - Pavement Material Specification, shall be referred to and used as the general document to determine the acceptability of various classes of materials to be used in roadworks. The suitability of fill material shall be determined on a case by case basis by the Director - Operational Services or his appointed nominee but generally shall conform to the requirements as indicated in 4 (b) - Fill material.

(b) Fill Material:


1. Excavated material may be used as fill material provided it is considered acceptable by the Director - Operational Services or his nominee, but shall generally consist of the following properties:
  - particle size to not exceed 75mm
  - be free of organic or other foreign matter
  - under proof rolling, not show any signs of deformation, rutting, softness or yielding or be unstable
  - be stable under various moisture contents with minimal swell or shrinkage.
2. Proof rolling shall be used to determine the acceptability of a material placed as fill and shall be undertaken by using either a fully laden water cart or other heavy machine exceeding 10 tonne in mass.
3. Fill material shall be placed in layers of between 150 - 200mm loose thickness.

**Proof rolling shall constitute a hold point in roadwork construction and the contractor shall not proceed to the next stage until approval has been granted by the Director - Operational Services or Engineering Manager.**

(c) Sub-grade:

1. The sub-grade shall be prepared to produce a tight dense surface and shall be compacted to not less than 95% of standard maximum dry density for all roadways up to and including residential class. For road classes considered above residential (i.e. industrial and or collector) the sub-grade shall be compacted to a level as determined by the Director - Operational Services and based on the materials sub-grade CBR value and its resilient modulus. The method for determining the sub-grade materials CBR value shall be in accordance with the Austroads pavement design manual "A Guide to the Structural Design of Road Pavements."

**The testing and verification of the sub-grade shall constitute a hold point in the road construction and the contractor shall not proceed to the next stage until approval has been granted by the Director - Operational Services or Engineering Manager.**

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(d) Sub-base:

1. For roads up to and including residential class, the sub-base layer shall consist of either 40mm crushed limestone rubble as approved by the Director - Operational Services, and in accordance with the material properties as indicated below, or PM2/40QG as specified in Appendix 1 - Pavement Material Specification. The minimum sub-base thickness shall be 150mm, and with no individual layer placed exceeding a compacted thickness of 150mm.
2. A minimum compaction of 96% MDD is required and tested at a frequency of 1 test per 500m<sup>2</sup> per sub-base layer.
3. Material to be used is generally described as non-plastic cementitious coraline limestone rubble. It shall be graded and all material shall pass a 75mm screen, with the maximum dimensions being not more than 100mm. It shall be free of deleterious material. Surfaces containing oversize material may be rejected.
4. Contractors are required to provide a NATA laboratory analysis of the material being used. The analysis is to include:
  - particle size distribution to AS1289 C.6.1 (sampled in accordance with AS1141.3);
  - consistency limits and moisture content to AS1289.


**NOTE:** If the above tests are superseded by revised Australian Standards, such new standards to be used and listed.

5. During the course of the works, any substantial variation in the material may be rejected. The Director - Operational Services will have sole discretion on definition of substantial variation.
6. The contractor shall supply two samples in suitable containers. Samples shall weigh at least eight (8) kilograms each and be lodged at the time of tender or at least two (2) weeks before work commences on site. The samples will be marked. One sample will be returned to the contractor and the other sample will be retained by Council.
7. For road classes considered above residential (i.e. industrial and or collector status) the sub-base material and layer thickness and compaction specification shall be determined by a proper road pavement design process as referred to in the Austroads pavement design manual "A Guide to the Structural Design of Road Pavements" or approved equivalent design process, and shall take into account the design traffic loading for the road class.

**The testing and verification of the sub-base shall constitute a hold point in the road construction and the contractor shall not proceed to the next stage until approval has been granted by the Director - Operational Services or Engineering Manager.**

(e) Base:

1. For roads up to and including residential class, the base layer shall consist of a 100mm thick compacted layer of PM2/20QG.
2. A minimum compaction of 96% MDD is required for all sample points, tested at a frequency of 1 test per 250m<sup>2</sup> per layer.
3. For road classes considered above residential (i.e. industrial and or collector status) the base material and layer thickness and compaction specification shall be

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determined by a proper road pavement design process as referred to in the Austroads pavement design manual “A Guide to the Structural Design of Road Pavements” or approved equivalent design process, and shall take into account the design traffic loading for the road class.

**The testing and verification of the base shall constitute a hold point in the road construction and the contractor shall not proceed to the next stage until approval has been granted by the Director - Operational Services or Engineering Manager.**

(f) Construction Tolerances

1. Tolerances for the construction of various pavement courses shall comply with Table A.

**Table A: Construction Tolerances**

Course	Design Level Tolerance	Layer Thickness Tolerance	Shape Tolerance
Sub-grade	+ 30mm - 30mm	+ 30mm - 30mm	30mm in 3 metres maximum
Sub-base	+ 20mm - 20mm	+ 20mm - 20mm	25mm in 3 metres maximum
Base	+ 10mm - 10mm	+ 15mm - 15mm	15mm in 3 metres Maximum
Overall	+ 20mm - 10mm	+ 20mm - 10mm	


(g) Final Trim

1. Following placement and compaction of base course material, the whole of the surface of the base course shall be final graded and trimmed to the specified tolerances so as to leave a hard, dense, tightly packed surface, free of defects. Road surfacing shall not be commenced until the profile, surface compaction, quality and finish of the base course have been inspected and approved by the Director - Operational Services.

**This shall constitute a hold point in the road construction and the contractor shall not proceed to the next stage until approval has been granted by the Director - Operational Services or Engineering Manager.**

**15. DRAINAGE**

- (a) A detailed drainage design is required for all of the proposed development, and if necessary due to existing land form, include areas outside the proposed development but within the drainage catchment affecting the development;
- (b) Design shall be in accordance with procedures in the current edition of “Australian Rainfall and Runoff (IEA)” or other edition as approved by the Director - Operational Services;
- (c) And also have regard to the Environment Protection Authority Guidelines for stormwater


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treatment and disposal. These documents are to be used to determine the appropriate sizing on the drainage system for both minor and major storm events;

- (d) Drainage computations are required to be prepared by a qualified and experienced Engineer and submitted with the detailed engineering drawings for the proposal;
- (e) All stormwater runoff attributable to the proposal is to be adequately disposed of within the development area or as otherwise approved by the Director - Operational Services or Engineering Manager;
- (f) As a general rule, side entry pits should be spaced at no greater than 100 metres and at closer spacing if required, depending on conditions and detailed design;
- (g) Drainage bores and associated settlement tanks shall be constructed to meet the requirements of Council and the State Government licensing authority. Drainage capacity of any bore is to exceed the calculated drainage discharge for the designated stormwater system and the bore is to be proved to the satisfaction of the Director - Operational Services;
- (h) Storage basins capable of holding the run-off of the designated rainfall storm shall be provided at suitable locations if drainage bores prove to be unacceptable;
- (i) Spoon drains, when required at junctions, shall be constructed to maintain the pavement width of the through street and to ensure continuity of flow of all stormwater. A spoon drain may not be constructed across a through street. Generally, spoon drains are not to be used unless approved by the Director - Operational Services;
- (j) All stormwater storage basins are to be provided with appropriate warning signs and fencing where required to the satisfaction of the Director - Operational Services and in accordance with Council Policy S115.;
- (k) Council requires a separate drainage reserve in land divisions of adequate area to provide stormwater treatment and retention for a one (1) in five (5) year storm event in residential areas and a one in ten (10) year storm event in other zones. Any requirements above these limits may be incorporated into the public open space calculation.
- (l) Drainage reserves may require perimeter fencing to be installed in accordance with Council Policy S115 – Fencing of Stormwater Retention Basins.

## 16. DOWN STREAM DRAINAGE CONTRIBUTION SCHEME


- (a) Where possible and practical, Council will endeavour to direct stormwater from proposed new development (with development being defined as works requiring formal Provisional Development Plan Consent/Development Approval) to existing stormwater bore and pit or stormwater detention/treatment system deemed to have adequate capacity to accommodate flows and the formal Planning/Development Approval to reflect this requirement.
- (b) If, in the opinion of the Director - Operational Services or the Engineering Manager, no such Council drainage system of adequate capacity is located within reasonable proximity, onsite disposal to the satisfaction of Council or the Environment Protection Authority to become a condition/requirement of Development Approval.

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- (c) In Development Applications that are not land divisions and (1) above applies, the developer where practical be required to install an additional settlement pit to that provided by Council within the development area, at a point upstream of the connection into the Council drainage system, to the approval of the Director - Operational Services.
- (d) Council adopt the principles set out in **Engineering Report No. 38/96** as the basis for dealing with Development Applications, that include stormwater discharge issues. In particular, Council encourage developers to liaise with adjoining landowners in instances where the drainage catchment crosses, property boundaries, with a view to a joint private arrangement for the provision of drainage infrastructure within the catchment, based on an engineering design approved by the Director - Operational Services or the Engineering Manager.
- (e) In the event of the developer being unable to satisfactorily negotiate an arrangement as per (3) above, Council proceed to implement the Downstream Drainage Contribution charge with a view to the provision of a suitable drainage outfall for the development in accordance with the approved engineering drainage design.
- (f) The Downstream Drainage Contribution rate be set by Council at a rate/hectare for developments of one (1) hectare or greater, and a per square metre rate for developments less than one (1) hectare with Council reserving the right to alter these charges at its own discretion from time to time in accordance with (h) below.
- (g) Development area is defined as the entire site, subject to Development Plan Consent/Development Approval or the clearly defined drainage area under consideration within the Development Application.
- (h) Council review the Downstream Drainage Contribution rate annually and adjust as necessary to reflect the actual costs of fulfilling the objective of providing outfall and trunk drainage.
- (i) Council establish a Downstream Drainage Reserve to fund the outfall and trunk drainage works, with contributions from developers, being credited to the reserve.

## 17. FOOTPATHS

- (a) Paved footpaths are to be provided where shared use of road pavement is not appropriate and potential volumes of pedestrians warrant formal construction to provide safe and adequate all weather links.
- (b) Footpaths shall be provided as follows:
  1. Industrial streets, local streets and access places carrying less than 400 vehicles per day shall have no separate constructed pedestrian path;
  2. Streets carrying between 400 and 2000 vehicles per day shall have on one side of the road pavement a separate pedestrian path of concrete or blockwork of 1.5 metres width to the approved construction standard;
  3. Collector roads and major local roads/industrial roads with greater than 2,000 vehicles per day shall have on each side of the road pavement a separate pedestrian path of concrete or blockwork of 1.5 metres width to an approved

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construction standard;

4. Concrete footpaths shall be constructed to a minimum thickness of 80mm with regular control joints at 1.2 metres to 1.5 metre centres and 10mm expansion joints at 6.0 metre centres;
  5. The footpaths shall be located on the relevant road reserves in accord with the current edition of 'Code of Practice for Coordination of Work and Allocation of Space on Roads and Footpaths (South Australia)';
  6. All concrete footpaths are to have a broom finish;
- (c) The full width of footpaths (nature strips with or without paved path) shall be graded to slope toward the adjoining top of kerb at a rate of 0.040 metre (fall) per metre (width);
- (d) Details of blockwork and concrete footpaths are to be submitted with the detailed engineering drawings for the proposed land division.
- (e) The land owner/developer should have regard for the establishment of bike lane/bike paths within the road reserve (either on-road or off-road).


## 18. CROSSING PLACES

- (a) It is Council's expectations that one (1) paved crossover will be provided to each new allotment created by the land division. Crossing places must avoid road/drainage infrastructure, particularly stormwater pits, service pits etc.
- (b) Crossing places shall be constructed to the following:
1. finished grades shall be consistent with the adjoining roadway and footpaths (levels at the property boundaries shall be designated by the Director - Operational Services);
  2. materials shall be either reinforced concrete with a minimum thickness of 100mm for residential allotments (125mm to 150mm for industrial allotments); or
  3. blockwork of suitable strength and design for the expected vehicle movements (full design details to be submitted with engineering drawings).
- (c) Crossing place relocation due to inappropriate siting for a specific building design/development shall be the responsibility of the then owner of the allotment.

## 19. STREET LIGHTS AND STREET SIGNS

- (a) Street lighting to be designed and installed in accordance with the current Australian Standard, with all costs associated with this requirement being borne by the Developer.
- (b) Street signs shall be supplied (from an approved supplier) and erected so as to indicate the appropriate streets to the reasonable satisfaction of the Director - Operational Services.



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## 20. DEFECTS LIABILITY PERIOD

- (a) Applicants are required to lodge with Council, (unless Council is the construction contractor) a standard agreement to indemnify Council against any defects that occur in any infrastructure (including but not limited to road and drainage infrastructure, reserves and retention basins, etc) within twelve (12) months of the date of practical completion. The date of practical completion will be the date that Council accepts the engineering works;
- (b) The agreement will provide for the faults to be rectified by the applicant or to reimburse Council the full cost of all necessary works;
- (c) Council will notify the applicant in writing of practical completion in response to a written request by the applicant;
- (d) The applicant is required to notify Council when the following stages of the engineering works have been achieved and will not proceed until such works have been approved (including appropriate testing if required) by Council:

## 21. PROVISION OF POWER TO NEW ALLOTMENTS

- (a) Where any new allotment is created and/or any new building work is undertaken, the provision of electricity shall only be permitted to be installed as an above ground service (i.e. through the use of stobie poles), in areas where electricity is currently provided above ground.
- (b) In areas where there is currently no above ground electricity installed and any new allotment is created and/or any new building work is undertaken, Council will require that the provision of electricity shall be provided via underground cables.

## 22. HOLD POINTS


<b>HOLD POINTS</b>	
The following stages are considered hold points in the process of road construction for roads up to and including residential class	
<b>ROADWORKS</b>	
<b>Stage</b>	<b>Testing Required</b>
1. Cut/Fill	Proof Rolling

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2. Sub-Grade Placement	95% SDD 1 test per 500m <sup>2</sup> per layer
3. Sub-Base Placement	96% MDD 1 test per 500m <sup>2</sup> per layer
4. Base Placement	96% MDD 1 test per 250m <sup>2</sup> per layer
5. Final trim prior to placement of wearing course	Refer Table B construction Tolerance
6. Concrete Kerbing - Kerb base preparation prior to placement of kerbing	Visual inspection
7. Stormwater - Pipe laying prior to backfilling of trenches	Visual inspection

### 23. 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](http://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:	AF11/1741
Applicable Legislation:	Development Act 1993; Development Regulations 2008;
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	F175; R270; S115; S135;
Related Procedures:	
Related Documents:	Applicable Australian Standards; Road works Construction Inspection Record; Mount Gambier (City) Development Plan; Engineering Report No. 38/96

#### DOCUMENT DETAILS

Responsibility:	Director – Operational Services; Engineering Manager
Version:	1.0
Last revised date:	July 2014
Effective date:	
Minute reference:	## <sup>th</sup> Month, 201# Operational/Corporate & Community Services, Item #
Next review date:	January 2016
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 <sup>th</sup> February 1999 19 <sup>th</sup> November 2002; 15 <sup>th</sup> April 2003; 17 <sup>th</sup> January 2006; 20 <sup>th</sup> June 2006; 19 <sup>th</sup> September 2006; 15 <sup>th</sup> January 2008; 17 <sup>th</sup> February 2009; 16 <sup>th</sup> June 2010

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**1. INTRODUCTION**

- (a) This document sets out the policy of the City of Mount Gambier (“Council”) for the making of Orders.
- (b) The City of Mount Gambier is committed to using the order making powers available to it under the Local Government Act 1999 in such a way as to facilitate a safe and healthy environment, and to improve the amenity of the locality, and generally for the good governance of its area.
- (c) This Policy sets out the principles and processes Council and any Council Officers acting under delegated authority will consider in the making of orders.

**2. SCOPE**

- (a) Section 259 of the Local Government Act 1999 requires Council to take reasonable steps to prepare and adopt policies relating to Order Making. Chapter 12, Part 2, Section 254 of the Act relates to power to make orders.
- (b) This Policy will apply to those circumstances listed in Section 254, which states that Council may order a person to do, or refrain from doing something as specified in the table included within that Section of the Act. Excerpt from Section 254:

Column 1	Column 2	Column 3
To do or to refrain from doing what?	In what circumstances?	To whom?
<b>1. Unsightly condition of Land</b>  To take action considered by the council to be necessary to ameliorate an unsightly condition.	Land, or a structure or object on land, is unsightly and detracts significantly from the amenity of the locality in which the land is situated.	The owner or occupier of the land.
<b>2. Hazards on lands adjoining a public place</b>  (1) To fence, empty, drain, fill or cover land (including land on which there is a building or other structure).  (2) To remove overgrown vegetation, cut back overhanging branches, or to remove a tree.  (3) To remove or modify a flag or banner, a flagpole or sign, or similar object or structure that intrudes into a public place.  (4) Where the public place is a road—to take action necessary to protect the	(1) A hazard exists that is, or is likely to become, a danger to the public.  (2) The vegetation, branches or tree create, or are likely to create, danger or difficulty to persons using a public place.  (3) The relevant object or structure creates, or is likely to create, danger or difficulty to persons using a public place.  (4) A situation exists that is causing, or is likely to cause, damage to the road or a	(1) The owner or occupier of the land.  (2) The owner or occupier of the land.  (3) The owner or occupier of the land.  (4) The owner or occupier of the land.




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<p>road or to remove a hazard to road users.</p> <p><b>Examples—</b></p> <ul style="list-style-type: none"> <li>· To fill an excavation, or to prevent drainage of water across the road.</li> <li>· To construct a retaining wall or to remove or modify a fence.</li> <li>· To fence land to prevent the escape of animals.</li> <li>· To remove a structure or Vegetation near an intersection.</li> </ul>	<p>hazard to road users.</p>	
<p><b>3. Animals that may cause a nuisance or hazard</b></p> <p>To do or to refrain from doing the thing specified in the order in order to abate a nuisance or a hazard to health or safety associated with a live or dead animal or animals, or otherwise to deal with an animal or animals.</p>	<p>A person is keeping or dealing with (or failing to deal with) an animal or animals (whether the animal or animals are alive or dead) so as to cause, or to be likely to cause, a nuisance or a hazard to health or safety.</p> <p>A person is the owner or occupier of land where an animal or animals are located which may cause, or be likely to cause, a nuisance or a hazard to health or safety, or otherwise to become a pest.</p> <p><b>Examples—</b></p> <ol style="list-style-type: none"> <li>(1) The slaughtering of animals in a town or urban situation.</li> <li>(2) Keeping an excessive number of insects, birds or other animals.</li> <li>(3) Keeping bees in close proximity to other property.</li> <li>(4) Keeping animals so as to generate excessive noise, dust or odours, or to attract pests or vermin.</li> <li>(5) Keeping an aggressive animal, or keeping an animal in a situation where it cannot be adequately contained or may cause danger to the public.</li> <li>(6) Failing to deal with a wasp's nest.</li> </ol>	<p>The owner or occupier of land or any person apparently engaged in promoting or conducting an activity.</p>

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<p><b>4. Inappropriate use of vehicle</b></p> <p>To refrain from using a caravan or vehicle as a place of habitation.</p>	<p>A person is using a caravan or vehicle as a place of habitation in circumstances that—</p> <p>(a) present a risk to the health or safety of an occupant; or  (b) cause a threat of damage to the environment; or  (c) detract significantly from the amenity of the locality.</p>	<p>The owner or occupier of the land or a person apparently occupying the caravan or vehicle.</p>
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A reference in the table to an animal or animals includes birds and insects.

- (c) In addition to Section 254, this policy will also apply to the making of any orders under Sections 299 (Vegetation Clearance), 216 (Power to order owner of private road to carry out specified roadwork), 217 (Power to order owner of infrastructure installed on road to carry out specified maintenance or repair work) and 218 (Power to require owner of adjoining land to carry out specified work).
- (d) As additional issues arise Council will need to list its intentions to issue orders by giving examples in addition to those specified in the table in Section 254 of the Act. Any additional issues will be annexed to an updated version of this Policy.

### 3. GUIDING PRINCIPLES

- (a) When considering making an Order within the scope of this Policy the City of Mount Gambier will consider the following principles, which are considered central to effective resolution of local nuisances on private land:
1. Every reasonable effort will be made to resolve the matter by negotiation prior to instigating the order making process.
  2. Each case for the possible use of the order making powers will be assessed on its individual merits. Factors that will be considered include:
    - Severity or seriousness of the incident
    - Extent of hazard/danger posed to the community
    - Nature and level of risk to health/safety of the community
    - Extent of detraction from the amenity of the locality
    - Impact on the environment
    - Occurrence of the activity/incident e.g. frequency, duration.
    - Impact of any previous actions to overcome the problem
    - Any public interest issues
    - The evidence available
    - Implications of not taking any action.
  3. Procedural fairness and natural justice.

### 4. PROCESS


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- (a) Except in the case of an emergency, the initial response to complaints of local nuisance will generally be a personal visit or telephone call by an authorised officer to attempt to resolve the matter with as little formality as possible.
- (b) If this approach is not effective, a letter detailing the complaint, the required action to resolve the matter and stipulating a reasonable timeframe, will be sent to the occupier of the land.
- (c) Except in the case of an emergency, If this still does not result in a satisfactory outcome the formal order making process will be instigated by giving the person to whom an order is intended to be directed, a notice of intention to issue an order detailing the information required by Section 255 of the Act, including:
  - 1. The proposed action
  - 2. Reasons for the proposed action
  - 3. Terms of the proposed order
  - 4. Period within which compliance with the order is required
  - 5. Penalties for non compliance
  - 6. Opportunity to give reasons in writing to Council within 14 days of notification, on why the proposed order should not be given.
- (d) Where protracted informal negotiations have failed to achieve the desired outcome, the first letter from Council may be the formal notice of intention to issue an order.
- (e) Where the order is intended to direct a person who is not the owner of the land to take certain action, reasonable steps will be taken to serve a copy of any notices or orders on the owner of the land.
- (f) Where representations are received about a proposed order, the delegated officer may:
  - 1. Make the order on the terms of the original proposed order
  - 2. Make an order with the modifications from the terms of the original proposed order (and not give further notice before making the modified order), or
  - 3. Determine not to proceed with making the order.
- (g) In cases where the delegated officer considers the circumstances or activity constitutes or is likely to constitute:
  - 1. a threat to life; and
  - 2. immediate threat to public health or public safety; or
  - 3. an emergency situation;

and that immediate action is required, the order and required compliance may be imposed without undertaking the above notification process.

## 5. REVIEW RIGHTS

- (a) Pursuant to Section 256 any person to whom an order is issued (including an order issued under Sections 254, 216, 218 or 299 of the Act) has a right to appeal against the order.
- (b) Any such appeal must be lodged within 14 days of that person's receipt of the order.

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- (c) The Council will ensure that reference is to the right of review is included in any order issued.

## 6. NON COMPLIANCE


- (a) If an order is not complied with within the time fixed for compliance (or if there is an application for review, within 14 days after the determination of the review) the Council may (subject to the outcome of any review) take the action required by the order.
- (b) The reasonable costs and expenses incurred by Council in taking action under this section may be recovered by Council as a debt from the person who failed to comply with the requirements of the order.
- (c) Where any amount is recoverable by Council, Council may, 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 and, if the amount is not paid by the person within that period, the person is liable to pay interest and Council may impose a charge over the land for the unpaid amount, together with interest, in accordance with section 257(5) of the Act.
- (d) Non-compliance with an order of Council is an offence for which a person may incur a statutory penalty provided for in the Act. Section 258 of the Act provides for a maximum penalty of \$2,500 and an expiation fee of \$210 for failure to comply with an order issued under the Act.
- (e) Under Section 217, if the order is not complied with within the time specified in the order:
1. Council may carry out the action required by the order and recover the cost of doing so as a debt for the owner; and
  2. the owner is guilty of an offence and liable to a maximum penalty not exceeding \$5,000.

## 7. RESPONSIBILITIES AND DELEGATIONS

- (a) This policy will be enforced by Authorised Persons who have been appointed (in writing) by the Council under Section 260 of the Act.
- (b) Council may also choose to delegate the power to issue orders under Sections 254, 216, 218 and 299 of the Act to Council staff, in which case, Council will also ensure appropriate delegations are in place.
- (c) The Authorised Persons appointed by Council pursuant to Sections 260/261 of the said Act and included in Councils Register of Statutory Resolutions and Appointments were:

CODE	OFFICER	POSITION	ABBREVIATION
MM	Mark *** McShane	Chief Executive Officer	CEO
DKS	Daryl Keith Sexton	Director - Operational Services	D-OPS
BGH	Bradley Grant Humphries	Director - Corporate Services	D-CCS
MTT	Marlene Tracy Tzioutziouklaris	Strategic Project Officer	SPO
DRM	Daryl Rex Morgan	Engineering Manager	EM
CRM	Christopher Reginald Mustart	Works Manager	WM
FXH	Francis Xavier Habets	Parks/Gardens - Crater Lakes	LKS



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SBW	Simon Benjamin Wiseman	Senior Planning Officer	SPO
CRT	Christopher Ronald Tully	Cadet Building Surveying Technician	CBST
GWE	Graham William Ellis	Maintenance	M
HC	Hayden Cassar	Building Officer	BO
JLP	Jessica Louise Porter	Planning Officer	PO
MAA	Michelle Anne Abromovic	General Inspector	GI
RWEK	Rick Walter Eric Karsten	Parks/Gardens - Team Leader	PGTL
HMR	Heather Maree Reilly	Environment Health Officer	EHO
DF	Derek Ferguson	General Inspector - Team Leader	GITL
DSF	Daryl Stuart Ferguson	Rapid Response Unit	RRU
KJF	Katherine Jane Fife	Environmental Support Officer	ESO
TSP	Trevor *** Pettingill	Assistant Works Manager	AWM
MFM	Michael Francis McCarthy	Governance Officer	GO
MJS	Michael John Silvy	Manager – Regulatory Services	MRS


- (d) The Register of Statutory Resolutions and Appointments may be updated by the Chief Executive officer at any time.

## 8. COUNCIL ENDORSEMENT OF THE POLICY

- (a) This Policy was adopted by Council on 20<sup>th</sup> July 2000. Council adopted the Policy following public consultation on its Draft Policy. Written submissions commenting on the Draft Policy were invited within 28 days of a notice appearing in the local newspaper via "The Border Watch". No submissions were received.
- (b) Any future amendment or alteration to the Policy, or substitution of a new Policy, will be subject to the public consultation provisions under Section 259 (2) of the Act unless the alteration has only minor significance.

## 9. 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](http://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:	AF1#####
Applicable Legislation:	Local Government Act 1999
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	
Related Procedures:	
Related Documents:	

**DOCUMENT DETAILS**

Responsibility:	Director – Operational Services
Version:	1.0
Last revised date:	
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Minute reference:	## <sup>th</sup> Month, 201# Operational Services, Item #
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<u>Document History</u> First Adopted By Council: Reviewed/Amended:	20 <sup>th</sup> July 2000 21 <sup>st</sup> October 2003; 16 <sup>th</sup> November 2004; 15 <sup>th</sup> November 2005; 28 <sup>th</sup> November 2006; 20 <sup>th</sup> November 2007; 19 <sup>th</sup> November 2008; 17 <sup>th</sup> February 2009; 21 <sup>st</sup> December 2010

# TRAFFIC IMPACT STATEMENT

Installation of a Loading Zone  
Percy Street (southern side)

## Part A – Traffic Management

It is the view of the undersigned that the installation of a loading zone on Percy Street (southern side) will not be detrimental to traffic management in the area.

## Part B – Road Safety Effects

It is anticipated that the proposal will not have any negative impacts on road safety.

## Conclusion

It is the opinion of the undersigned that the proposal for a loading zone in Percy Street (southern side) will not have negative impacts on traffic management or road safety and is therefore deemed appropriate for the area.



.....  
**Daryl SEXTON**  
DIRECTOR - OPERATIONAL SERVICES

3 February 2015  
Ref. AF14/52  
SW



# City of Mount Gambier

## Proposed Loading Zone - Percy Street (southern side)



Plot Date: Monday, 3 February 2015



## OPERATIONAL SERVICES REPORT NO. 5/2015

SUBJECT: GOVERNMENT RELATIONS - SELGA Regional Planning Alliance Project - Ref. AF11/936

- Goal: Governance*
- Strategic Objective: (i) To conduct Council business with probity, transparency, and accountability, to meet in a timely way all legislative and regulatory requirements; to implement prudent and professional financial and operational management; and to seek active and ongoing engagement in decision making with all stakeholders.*
- 
- Goal: Building Communities*
- Strategic Objective: (i) To maintain and improve the quality of life of our people by fostering an appropriate range of infrastructure, services and activities.*
- 
- Goal: Securing Economic Prosperity*
- Strategic Objective: (i) Develop and implement a dynamic planning process to meet emerging economic, social and environmental conditions.*

### BACKGROUND

In partnership with the LGA, SELGA has undertaken the 'Regional Planning Alliance Project', investigating a regional approach to planning functions and decision making. The SELGA Regional Development Planning Working Group has lead the project regionally, which was funded under the LGA Research and Development Fund. The Working Group comprised:

- Mayor Peter Riseley, District Council of Robe
- Mayor Erika Vickery, Naracoorte Lucindale Council
- Mr Peter Harriott, Chief Executive Officer, Wattle Range Council
- Mr Trevor Smart, Chief Executive Officer, District Council of Grant
- Mr Roger Sweetman, District Council of Robe
- Ms Ann Aldersey, SELGA

Kelley Jones Lawyers partnered with consultants Development Answers (David Altmann) to deliver the project. The key output of the project is a discussion paper to investigate a regional approach to planning and decision making.

The process involved a number of meetings with the Working Group and LGA, as well as two regional workshops with SELGA Constituent Councils during September 2014.

As per the project brief, the Discussion Paper was provided in draft to the LGA and the SELGA Working Group in October 2014. The Working Group met to review the draft Discussion Paper in early November with a final Discussion Paper issued shortly after.

The SELGA Board at its December meeting moved that SELGA:

1. Receive the Discussion Paper - Regional Planning Alliance Project: Investigating a Regional Approach to Planning Functions and Decision Making (2014).
2. Refer Discussion Paper to Constituent Councils for consideration.
3. Endorse the formation of the SELGA Regional Planning Alliance Implementation Group.
4. Seek nominations from Constituent Councils for the SELGA Regional Planning Alliance Implementation Group, of one Elected Member and one senior staff member from each Constituent Council.

5. Provide in-principle support for a Regional Planning Alliance Memorandum of Understanding, and refer to Constituent Councils for endorsement.
6. Endorse the Work Plan for the remainder of 2014-2015, including the commencement of a tender process to provide accurate costings of the process to commence in 2015-2016 supported by Constituent Councils.

A copy of the SELGA Discussion Paper is attached for Members perusal.

## DISCUSSION

The SELGA Discussion Paper considers and provides recommendations on:

1. A Regional Development Plan for the South East
2. A Regional Development Assessment Panel for the South East; and
3. The establishment of a Regional Planning Authority.

The SELGA Discussion Paper provides a series of recommendations as the necessary next steps in progressing a regional approach to planning. The SELGA Working Group supported the adoption of recommendations 1, 2 and 3 for SELGA's implementation.

### **Discussion Paper Recommended Next Steps:**

#### **Regional Planning Alliance Implementation Group**

1. That the SELGA member councils evolve the Regional Planning Alliance Working Group into a Regional Planning Alliance Implementation Group.
2. That the SELGA-member councils enter into an initial Memorandum of Understanding that provides in principle support for the Regional Planning Alliance Implementation Group to commence further work to progress the recommendations of the Discussion Paper.
3. That the SELGA-member Councils, through the Regional Planning Alliance Implementation Group, source initial seed funding from representative councils and agencies...to commence the early stages of the Regional Planning Alliance Project.

#### **Essential components/actions**

4. That the SELGA-member councils, through the Regional Planning Alliance Implementation Group, progress in establishing a Regional Development Assessment Panel (RDAP) for the South East.
5. That the SELGA-member councils, through the Regional Planning Alliance Implementation Group, harmonise their Development Plans on a transitional and target basis.
6. That the SELGA-member councils, through the Regional Planning Alliance Implementation Group, progress the establishment of a Regional Planning Authority on its own terms, thereby presenting a regionalisation model which could be incorporated into a future planning system which may be implemented in the State.

#### **Further considerations**

7. That the SELGA-member councils, through the Regional Planning Alliance Implementation Group and Regional Development Australia, considers obtaining a report from an economist or other suitably qualified analyst to examine the economic benefits to regional planning policy such that appropriate support may be obtained throughout each of the councils and their community for this long-term project.
8. That in association with Recommendation 7, the SELGA-member councils, in collaboration with Regional Development Australia, prepares an Economic Development and Investment Attraction and Marketing Prospectus – to promote the benefits of the regional alliance to business and investors.

### TIMEFRAMES FOR PROJECT DELIVERY

Timeframe	Action	Responsible
<b>2014-2015</b>		
January – February 2015	SELGA convene the Regional Planning Alliance Implementation Group, with broader membership.	Constituent Councils to nominate members. SELGA Executive Officer to convene.
January – February 2015	Finalisation of an MOU between SELGA and all Constituent Councils	SELGA Executive Officer to coordinate
January – April 2015  April 2015	Prepare tender documentation to deliver Recommendations 4, 5 and 6 (in consultation with the LGA).  Provide Constituent Councils with indicative budget costs as a result of the tender process.	SELGA Executive Officer, on advice of the Implementation Group
April – May 2015	Constituent Councils to consider allocation of appropriate resources during 2015-16 budget preparation.	Constituent Councils  Where possible, other project partners will be engaged
<b>2015-2016</b>		
2015-2016	Progress actions under recommendations 4, 5 and 6	SELGA Implementation Group

### RECOMMENDATION

- (a) Operational Services Report No. 5/2015 be received;
- (b) Council receives and note the SELGA Discussion Paper: *Regional Planning Alliance Project: Investigating a Regional Approach to Planning Functions and Decision Making (2014)*;
- (c) Council endorse the formation of the SELGA Regional Planning Alliance Implementation Group;
- (d) Nominate Cr Ian Von Stanke and Mr Daryl Sexton, Director - Operational Services as the City of Mount Gambier representatives on the SELGA Regional Planning Alliance Implementation Group;
- (e) Provides in principle support and endorses the Regional Planning Alliance Memorandum of Understanding;
- (f) Council notes the Work Plan for January-June 2015, and proposed program to deliver the project in 2015-2016;
- (g) Council endorse the Work Plan for the remainder of 2014/2015, including the commencement of a tender process to provide accurate costings of the process, on the expectation that any investigations include a thorough triple bottom line analysis. The investigations must conclude that the Regional Planning Alliance Project will not result in a net cost increase to the City of Mount Gambier or a loss of service to the City's residents. It is expected that any investigations, particularly in relation to the creation of a Regional Planning Authority address the following:

Operational Services Report No. 5/2015 Cont'd...

1. Development of a clear model of the Regional Planning Authority, together with a thorough triple bottom line analysis;
2. Compatibility of computerised records systems to be addressed;
3. Clear and concise details of the proposed governance structure of the Regional Planning Authority; and
4. Clarification on whether this model includes all development assessment functions, all being undertaken by the Authority and not Council. If this is the case, industrial relations/HR issues/physical assets, need to be discussed and addressed as part of the business case development;
5. Clarification on the legal requirements to implement the Regional Planning Authority model.

(h) Council advise the SELGA Executive Officer of the above resolution.



**Jessica PORTER**  
PLANNING OFFICER

sighted:



Per:  
**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

Attachment: SELGA Discussion Paper

(Refer Item                    of Operational Services Committee Minutes)

4 February 2015  
SW



# Regional Planning Alliance Project

*Investigating a Regional Approach to Planning Functions and Decision Making*

## Discussion Paper

10 November 2014

Local Government Association of South Australia  
South East Local Government Association



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## STRUCTURE OF THIS DISCUSSION PAPER

This Discussion Paper is structured into 2 Sections and 8 Parts:

1. **Section 1 contains matters relevant to the delivery of the Essential Components of the Regional Planning Alliance Project:**
  - 1.1 Part One contains a summary of the background to and context of this Discussion Paper and the various investigations and research undertaken for the purposes of this Discussion Paper.
  - 1.2 Part Two contains a detailed summary of the process and outcomes of the Riverland Futures Project.
  - 1.3 Part Three contains summaries of other South Australian and Interstate regionalisation projects which are of relevance to this Project.
  - 1.4 Part Four contains a summary of the Planning Review and those elements of the Review which are relevant to this Project.
2. **Section 2 contains the Essential Components of this Project:**
  - 2.1 Part Five contains discussions and recommendations on a Regional Development Plan for the South East.
  - 2.2 Part Six contains discussions and recommendations on the establishment of a Regional Development Assessment Panel for the South East.
  - 2.3 Part Seven contains discussions and recommendations relevant to the establishment of a Regional Planning Authority.
  - 2.4 Part Eight contains a summary of this Discussion Paper, its conclusions and further considerations for the future advancement of the Project.

The Essential Components have been set out in this Discussion Paper in reverse order to that in the Consultant Project Brief (which forms [Appendix A](#) to this Discussion Paper).

This order is deliberate.

The achievement of a Regional Planning Authority is a considerably more complex goal than that of a Regional Development Assessment Panel and a Regional Development Plan (though this complexity could be reduced through law reform).

As such, we have presented this objective last. Further, the establishment of Regional Development Plan and a Regional Development Assessment Panel could be progressed by SELGA in a staged approach to achieving comprehensive regionalisation of all functions and powers of the SELGA-member councils under the *Development Act 1993* through the creation of a Regional Planning Authority. See [Part Eight](#) of this report for recommendations in this regard.

# SECTION ONE

## PART ONE – BACKGROUND, INVESTIGATIONS, RESEARCH AND CONTEXT

### 1. INTRODUCTION

- 1.1 Development Answers and KelliedyJones Lawyers were engaged by the Local Government Association of South Australia (“LGA”) and the South East Local Government Association (“SELGA”) to investigate the opportunities for stronger regional collaboration in planning and development functions of the SELGA-member councils under the *Development Act 1993* (“the Act”) and to develop a Discussion Paper that:
  - 1.1.1 explores the feasibility of establishing a Regional Planning Authority which is empowered to consider and approve Development Plan Amendments and other functions;
  - 1.1.2 identifies opportunities and constraints for the introduction of regional Development Plans and Regional Development Assessment Panels in the South East and, more widely, in South Australia; and
  - 1.1.3 explores relevant existing examples of regional collaboration.
- 1.2 The Consultant Project Brief forms [Appendix A](#) to this Discussion Paper.
- 1.3 This Discussion Paper is the culmination of the following investigations, research and consultation undertaken by Development Answers and KelliedyJones Lawyers pursuant to the Project Brief, including:
  - 1.3.1 investigations into existing regional planning structures;
  - 1.3.2 consideration of the outcomes of the Riverland Futures Project;
  - 1.3.3 interviews and discussions with staff and RDAP members of the Riverland RDAP to obtain their comments and feedback on their regional planning processes;
  - 1.3.4 interviews with relevant DPTI policy and legislative staff concerning potential frameworks for regionalisation of Development Plans and Development Plan policies;
  - 1.3.5 research into the status of current Development Plans, DPAs, Better Development Plan conversions (and status of current SA Planning Policy Library versions), the Limestone Coast Strategic Directions Report, 2010, and how this may affect any potential regionalisation timeframes;
  - 1.3.6 consideration of interstate planning systems which incorporate regionalisation; and
  - 1.3.7 consideration of the recommendations of the Expert Panel of Planning Reform in the “Our Ideas on Planning Reform” paper concerning regionalisation and their similarities and differences to the models proposed in the Project Brief;

- 1.3.8 extensive engagement and consultation with Council Members, planning staff, Chief Executive Officers and other officers of each of the SELGA-member councils.

## 2. THE COUNCIL OF THE FUTURE REPORT

- 2.1 This Discussion Paper has been prepared with regard to the work of the Local Excellence Expert Panel undertaken as part of the Local Government Association of South Australia's Local Excellence Program.
- 2.2 In December 2013, the Local Excellence Panel delivered its Final Report, entitled "[Strengthening South Australian Communities in a Changing World – The Council of the Future](#)".
- 2.3 This Report contained a number of recommendations to increase regional collaboration and shared services with particular recommendations concerning Planning Reform and the regionalisation of planning and development functions and powers, including:
  - 2.3.1 *"Councils with the support of the relevant State Government department collaborate with other Councils to develop regional development plans."*
  - 2.3.2 *"Regional Development Assessment Panels (DAPs) Regional DAPs for development assessment be established to replace individual Council DAPs."*
- 2.4 The aims of the Consultant Project Brief in [Appendix A](#) are consistent with the recommendations of the Report.

## 3. ENGAGEMENT AND INITIAL ISSUES

- 3.1 In line with the Project Brief, key stakeholders were engaged during the process to assist with inputs on the Discussion Paper. This included:
  - 3.1.1 engagement and working session with the SELGA Regional Planning Alliance Working Group<sup>1</sup> on 4 August 2014;
  - 3.1.2 preparation of a detailed Issues Paper dated August 2014 (the Issues Paper forms [Appendix B](#) to this Discussion Paper);
  - 3.1.3 workshop sessions with SELGA-member councils:
    - (a) at Naracoorte on 11 September 2014;
    - (b) at Mount Gambier on 12 September 2014;
  - 3.1.4 meeting with representatives of the Department for Planning, Transport and Infrastructure on 15 September 2014;
  - 3.1.5 attendance at four information sessions conducted by the Expert Panel on the "Our Ideas on Planning Reform" report.
- 3.2 SELGA Regional Planning Alliance Working Group
  - 3.2.1 An initial engagement and working session with the SELGA Regional Planning Alliance Working Group occurred on 4 August 2014;

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<sup>1</sup> A subsequent meeting with Lisa Teburea, Director Planning and Community Services

3.2.2 The SELGA Working Group held a strong desire to drive the opportunity for a regional alliance on planning. A summary of key feedback points is set out below:

(a) General comments/observations

- (i) an expectation that there may be some differing views from Councils on the benefits of a regional alliance;
- (ii) some Councils appear to be making more inconsistent Development Assessment decisions, and utilise varying degrees of delegated authority, than others;
- (iii) a Regional Development Assessment Panel may lead to fewer political decisions, and more focused planning decisions;
- (iv) opportunity to focus on employing local planners, rather than relying on planning consultants for development assessment;
- (v) Development Assessment Panel representation should be skill based and not necessarily geographically based – although local knowledge was considered a benefit;
- (vi) strong support was expressed for rationalised, consistent and aligned planning policy at a regional level;
- (vii) a need was identified for Councils to expend more time on development compliance;
- (viii) concerns were expressed over the time and expense to amend a Development Plan;
- (ix) the SELGA Working Group are to brief the SELGA Economic Diversification Group and Regional Development Australia on the initiative – and the potential investment attraction objectives obtainable, as per the Riverland Future Taskforce project.

(b) Specific project outcomes sought

- (i) to explore and implement a Regional Planning Authority, to oversee and manage planning affairs on a regional basis (medium term priority);
- (ii) to establish a Regional Development Assessment Panel, possibly with a lower and upper South East model (high priority);
- (iii) to align all seven Development Plans into one consistent Development Plan for the South East (high priority);
- (iv) depending on the findings of the Discussion Paper, there was an intent/desire to establish a focus group or working party to implement the findings of the Discussion Paper during 2015.

### 3.3 Issues Paper

3.3.1 An Issues Paper prepared and distributed to SELGA-member councils in August 2014.

3.3.2 The Issues Paper contained initial findings, ideas and discussion prompts which formed the basis of consultation with the SELGA Working Group and each of the SELGA- member councils in workshop briefing sessions.

3.3.3 During the preparation of the Issues Paper, the following key documents were considered:

(i) the Act and the *Development Regulations 2008* (“the Regulations”)

(ii) the *Local Government Act 1999*;

(iii) the seven SELGA-member council Development Plans;

(iv) the Strategic Directions Report, SELGA, 2010;

(v) the Regional Planning Opportunities Paper, SELGA, 2011;

(vi) the Limestone Coast Region Plan – a volume of the Planning Strategy;

(vii) SELGA-member council Development Plan Amendments;

(viii) SELGA-member council development application, appeal and budget statistics

(ix) SELGA-member council Development Assessment Panel statistics

(x) the Expert Panel’s “Our Ideas on Planning Reform” paper;

(xi) regional subsidiary charters, including that of the Eastern Health Authority;

(xii) interstate regionalisation initiatives;

(xiii) consideration of regional planning schemes in interstate legislation.

3.4 Workshop sessions with SELGA-member councils – brief overview

3.4.1 The Issues Paper formed the basis of consultation with the SELGA Regional Planning Alliance Working Group and each of the SELGA-member councils detailed at paragraph 2.1 above.

3.4.2 A copy of the Agenda for the workshop session forms [Appendix C](#) to this Discussion Paper.

3.4.3 A copy of the Power Point presentation for the workshop session forms [Appendix D](#) to this Discussion Paper.

3.5 Naracoorte session

3.5.1 The session was hosted by Dr Helen McDonald (CEO of the Naracoorte Lucindale Council and SELGA Working Group member) and facilitated by Development Answers and KelliedyJones Lawyers.

3.5.2 The session was attended by 13 representatives from the Naracoorte Lucindale Council, District Council of Robe, Tatiara District Council and

CDAP representatives – a list of attendees is contained in [Appendix E](#) to this Discussion Paper.

3.5.3 The feedback/questions from the session are summarised below:

(a) General comments/observations

(i) general support and enthusiasm to explore a Regional Planning Authority, Regional Development Assessment Panel and aligned Development Plans;

(ii) staff retention and attraction – preference to use local staff rather than external consultants on development assessment;

(iii) some general worry about ability for the region to deliver on the project, especially in light of the fact that there are seven SELGA-member councils – suggestion of two sub-regional RDAPs and potentially to scope any interest of the Coorong Council given their alignment to the South East region;

(iv) strong support to move away from ‘misaligned’ and inconsistent Development Plans – many comments regarding how confusing it is to interpret differing plans;

(v) desire to retain local people and local professionals on Development Assessment Panels – benefit of local knowledge;

(vi) some concerns that a large RDAP will overload its workload and will find it difficult to undertake inspections;

(vii) support for the appointment of independent members and therefore scope for less political interference and lobbying;

(viii) general discussion regarding possible models to fund a regional body and who would pay and how costs would be split.

(b) Specific project outcomes sought

The general outcomes were very similar to that of the SELGA Regional Planning Alliance Working Group – with strong support for a Regional Planning Authority; a Regional Development Assessment Panel (possibly with two sub-regions); and aligned Development Plans.

3.6 Mount Gambier session

3.6.1 The session was hosted by Trevor Smart (CEO of the District Council of Grant and SELGA Working Group member) and facilitated by Development Answers and KelledyJones Lawyers.

3.6.2 The session was attended by 21 representatives from the City of Mount Gambier, District Council of Grant, District Council of Kingston and the Wattle Range Council – a list of attendees is contained in [Appendix E](#).

3.6.3 The feedback/questions from the session are summarised below:

(a) General comments/observations



- (i) query/concern about the ability of SA Government to implement the regionalisation recommendations of the Expert Panel's Reforms Paper – in terms of resources/funds;
  - (ii) query regarding who bears costs of an appeal where an appeal is lodged under a Regional Planning Authority model – this would depend on the business case model agreed to by each Council at the time – under the Riverland RDAP, each Council bears its own costs;
  - (iii) similar to the above question, who bears costs in the event of enforcement proceedings – again, likely that each Council bears its own costs;
  - (iv) would there be ability for health and building services to also come under a Regional Authority model – potentially yes;
  - (v) general concerns regarding the time and costs to process Development Plan Amendments and development applications – and the general lack of quality of advice received from various government agencies (often non-specific, not forward thinking, and not offering solutions/advice);
  - (vi) a desire to see agency advice provided via regional-based staff, rather than Adelaide-based staff due to the importance of local knowledge and the need for site inspections and a comprehensive knowledge of local conditions;
  - (vii) general concerns expressed regarding implementation of the Expert Panel's recommendations and the ability of Council's to fund and implement – many saw it is further cost shifting from State Government Agencies to Local Government;
  - (viii) a desire to engage the general public on how the future of planning affairs in the South East should best be managed;
  - (ix) a need to better case manage major development at a local level, but without compromising the process;
  - (x) supported scope for unity of planning assessments through a regional approach – preferably with two sub-regional Development Assessment Panels;
  - (xi) need to improve the Regulations in relation to definitions, exceptions and complying development terminology and readability;
  - (xii) frustration expressed concerning the differing versions of BDP-style Development Plan between councils.
- (b) Specific project outcomes sought
- (i) The group considered the timing of the SELGA Regional Planning Alliance Project to be good, in relation to the findings of the Expert Panel's ideas on Planning Reform.
  - (ii) Although the Mount Gambier session raised more general questions and interaction relating to Planning Reforms, there was an overall general consensus regarding the benefits of a regional

planning alliance – and that the SELGA-member councils, regardless of the findings of the Expert Panel’s ideas on Planning Reform, should identify and drive a regional planning model that it wishes to implement - and one that is in the best interests of the needs of the South East region and its communities.

### 3.7 Department of Planning, Transport and Infrastructure

3.7.1 A formal meeting was held with senior officials of the Department of Planning, Transport and Infrastructure (“DPTI”) on 15 September 2014 and DPTI were briefed on the SELGA Regional Planning Alliance Project.

3.7.2 DPTI showed considerable interest on the concept of a regional planning alliance.

3.7.3 General feedback provided included:

- (a) full in-principle support for the initiative and vision of the SELGA Regional Planning Alliance Project;
- (b) desire to ensure the CEO of DPTI, Minister Brock (Minister for Regional Development and Minister for Local Government), Minister Rau (Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development and Minister for Industrial Relations) and the Premier are briefed;
- (c) willingness to assist SELGA during the implementation phase of the project, where able and as required;
- (d) general technical discussion in terms of possible regional models and means of delegating (or sub-delegating) powers under the Act to a regional authority;
- (e) discussion concerning the economic benefits of regional planning to councils, developers and the State as a whole;
- (f) confirmation that a single, regional Development Plan may be a possibility – the current individual Council Development Plan model is one of convention and practice which, contrary to initial expectations, DPTI would be more than happy to be challenged on, but that further thought needs to be given to other relevant parts of the Act in terms of a Council’s ability to review and initiate a Development Plan Amendment<sup>2</sup> on a region-wide Development Plan and councils’ obligation to form a Strategic Planning and Development Policy Committee under Section 101A of the Act;
- (g) Similar to the SELGA Working Group, DPTI considered that SELGA should be putting forward a model that it wishes to implement – and to engage DPTI and the Minister on the outcomes it seeks for assistance at that time.

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<sup>2</sup> See *Development Act 1993* ss24, 25 and 30

## Summary

Wide ranging support for the concept of a regional planning alliance, including:-

- A Regional Planning Authority
- A Regional Development Assessment Panel, possibly with two Panels given the vast size of the region
- Consistent and aligned Development Plans, either with each Council Development Plan being aligned, or preferably with one region wide Development Plan.

There was also an understanding that the success of the project would rest with a determined willingness and drive from the SELGA-member councils to work cooperatively together.

There was also an understanding that a Business Case would need to be developed with regard to the fine detail of how a model would function and associated budget/financial considerations.

The SELGA-member councils considered that they should develop, and drive, a model that best suits their needs – regardless, yet mindful, of the findings of the Expert Panel on Planning Reform.

There was considered support, on the concept of a regional planning alliance, provided by DPTI and an expressed willingness to be actively involved during future implementation stages of the project.

## 4. Development statistics

The following summary of development statistics has been collated and researched via the SELGA Working Group and updated with the recent assistance of SELGA-member councils.

### 4.1 Planning Staff

**Table 1 - Planning Staff (FTEs)**

Council	2011 SELGA Report				2013/14			
	Qualified	Para-Prof.	Clerical	Total (11.65 FTE)	Qualified	Para-Prof.	Clerical	Total (12.25 FTE)
Tatiara	0	0.4	0.3	0.7	0.4**	0	0.4	.8
Kingston	0	0.5	0.1	0.6	No change			0.6
Robe	0	1	0	1.0	No change			1.0
Mount Gambier	1.6	0	1	2.6	No change			2.6
Grant	3	0	1.5	4.5	3*	1	1	5
Wattle Range	1	0	0.25	1.25	No change			1.25
Naracoorte Lucindale	1	0	0	1.0	No change			1.0

\* Inclusive of 1 FTE Building

\*\* CPP, MPIA

Collectively, the SELGA-member councils had 12.25 in 2013/14 – the number of staff varies depending on the volume of Development Applications, use of planning consultants and Council's planning policy priorities.

## 4.2 Income and expenditure - Planning

**Table 2 - Planning Expenditure - 2013/14(\$)<sup>3</sup>**

	Tatiara	Kingston <sup>4</sup>	Robe <sup>5</sup>	Mt Gambier	Grant	Wattle Range	Naracoorte Lucindale
Salaries	37,600	100,000	95,500	130,000	305,974	80,333	56,000 <sup>6</sup>
Superannuation	3,500					8,268	
Workers Compensation Insurance	1,850					6,178	
Consultants	7,500	12,000	50,000		53,000	10,000	20,000
Strategic Planning Consultants			65,000		20,000	10,000	
Legal	30,000			51,000		30,000	
Training & Other		5,500		11,000	6,550	2,350	
Full Cost Accounting	18,500					12,210	
Heritage/Other		1,750	18,500	22,000		9,691	
DPAs				16,000			
Vehicle		9,000			18,318	3,735	
CDAP Operating				9,000	8,000	8,500	
<b>TOTAL EXP</b> <b>\$1.364 million</b>	<b>98,950</b>	<b>128,250</b>	<b>229,000</b>	<b>239,000</b>	<b>411,842</b>	<b>181,255</b>	<b>76,000</b>

**Table 3 - Planning Income - 2013/14**

	Tatiara	Kingston	Robe	Mt Gambier	Grant	Wattle Range	Naracoorte Lucindale
Lodgement fees	5,450				25,622	29,249	
Assessment fees	19,524	25,531	26,348	103,654	26,805	34,209	52,815
Referral fees	-	-	-	609	5,075	4,518	-
Notification fees	300	-	-	1,052	2,537	1,636	-
<b>TOTAL INC</b> <b>\$0.365 million</b>	<b>25,274</b>	<b>25,531</b>	<b>26,348</b>	<b>105,315</b>	<b>60,039</b>	<b>69,612</b>	<b>52,815</b>
		Moderate/high increase over past 3 year	Reasonably high reduction from \$47K and \$39K over past 3 years	Slight increase over past 3 years	Consistent past 3 years	Up on 12/13, down on 11/12	Slight increase on past 3 years

Collectively, the SELGA-member councils:-

- Expend \$1.364 million on their planning function per annum (2013/14) – which could be invested into a business model for a Regional Planning Alliance annually
- Receive \$0.365 million income from fees (2013/14)
- Run the planning services at an overall loss of \$1.113 million per annum – noting that it is not unusual across local government to run the service at a loss given the relatively high costs versus low fees generated under the Development Act.

<sup>3</sup> Appears to not include CDAP member allowances/costs – refer Table 6 and 7

<sup>4</sup> Includes Building functions as well

<sup>5</sup> Includes Building functions as well

<sup>6</sup> Figures not included in data provided, but taken from budget for 14/15

### 4.3 Development Applications

**Table 4 - Development Applications - 2011/12**

Council	Total Applications (1439)	Applications Approved under Delegation	Applications referred to CDAP	Land Division Applications	Category 3 Development Applications	CDAP meetings
Tatiara	111	111 (100%)	0	20	0	0 pa
Kingston	77	46 (60%)	31	5	0	11 pa
Robe	117	95 (81%)	22	13	5	10 pa
Mount Gambier	436	402 (92%)	24	16	6	9 pa
Grant	240	230 (96%)	10	7	10	6 pa
Wattle Range	279	270 (97%)	9	6	9	9 pa
Naracoorte Lucindale	179	179 (100%)	0	31	7	0 pa

**Table 5 - Development Applications - 2012/13**

Council	Total Applications (1390)	Applications Approved under Delegation	Applications referred to CDAP	Land Division Applications	Category 3 Development Applications	CDAP meetings
Tatiara	97	97 (100%)	0	10	0	0 pa
Kingston	81	50 (62%)	31	4	0	9 pa
Robe	108	67 (62%)	41	7	3	12 pa
Mount Gambier	413	387 (94%)	36	22	11	8 pa
Grant	259	254 (98%)	13	8	13	7 pa
Wattle Range	252	245 (97%)	7	11	5	5 pa
Naracoorte Lucindale	180	178 (98%)	2	18	11	1 pa

Collectively, the SELGA-member councils:-

- process approximately 1,400 development applications per annum, with yearly fluctuations
- process varying percentages of development applications under delegated authority – ranging from Tatiara at 100% to Kingston and Robe at 62% (2012/13)
- convene varying number of CDAP meetings – with a direct correlation to the level/use of delegated authority and the volume/complexity of Development Applications received.

### 4.4 Council Development Assessment Panels

**Table 6 - Council Development Assessment Panel - 2011/12**

Council	Tatiara	Kingston	Robe	Mt Gambier	Grant	Wattle Range	Naracoorte Lucindale
Number of Panel Members	5	5	7	7	7	7	7
Number of Panel Meetings	0	11	10	9	6	9	0*
Remuneration Paid to Panel Members \$41,740	0	\$4,620	\$4,248	\$13,522	0	\$19,350	0

\*3 in original SELGA 2011 report – altered to zero with latest council data

**Table 7 - Council Development Assessment Panel - 2012/13**

Council	Tatiara	Kingston	Robe	Mt Gambier	Grant	Wattle Range	Naracoorte Lucindale
Number of Panel Members	5	5	7	7	7	7	7
Number of Panel Meetings	0	9	12	8	7	5	1

Meetings							
Remuneration Paid to Panel Members \$34,931	0	\$3,660	\$5,436	\$13,685	0	\$10,750	\$1,400

Collectively, the SELGA-member councils:-

- hold a varying number of CDAP meetings – with a direct correlation to the level/use of delegated authority and the volume/complexity of development applications received
- expend in the range of \$35,000 - \$42,000 pa on sitting fees.

#### 4.5 ERD Court appeals

**Table 8 - Planning Appeals**

Council	Number appeals (over past 3 years)
Tatiara	1
Kingston	1
Robe	5
Mt Gambier	1
Grant	4
Wattle Range	1
Naracoorte Lucindale	2

Collectively, the SELGA-member councils experience a low number of planning appeals per annum.

When undertaking an alignment of Development Plan policy through the Regional Planning Alliance Project, councils should analyse the reasons for the appeals and identify if any planning policy amendments are required, as a result of the findings of recent appeals.

## 5. Development Plans

- 5.1 Each of the seven SELGA-member councils has their own Development Plan.
- 5.2 The Development Plan is the principal document that is used by a Planning Authority to assess Development Plan consent applications. The Development Plan therefore manages and guides land use and development decisions within the seven council areas in the South East region.
- 5.3 The Development Plan contains zoning and land use information, specifying which land uses are encouraged or discouraged in a zone and to guide building design, siting, appearance, densities, land division and to address a range of social, environmental, infrastructure and economic needs.
- 5.4 The Development Plan is reviewed from time to time, in accordance with the requirements of the Development Act.
- 5.5 Any proposed changes to the Development Plan must occur through a Development Plan Amendment (“DPA”). A DPA may be initiated by a council or the Minister.<sup>7</sup>
- 5.6 Reforming of Development Plans has occurred through the South Australian Planning Policy Library Initiative (formerly the Better Development Plans project)

<sup>7</sup> See *Development Act 1993*, ss24 – 26

- 5.6.1 Subsequent to the State Planning and Development Review in 2007, the Better Development Plans project was commenced to standardise planning policy across the State.
- 5.6.2 The project was subsumed by the reform initiative in 2011.
- 5.6.3 The initiative involves the conversion of council Development Plans with the use of policy provisions sourced from uniform South Australian Planning Policy Library modules. In practical terms, this means that a Development Plan is redrafted with the use of the uniform Planning Policy Library (“PPL”) modules.
- 5.6.4 To ensure each council’s unique circumstances are appropriately reflected within planning policy, the module policies can be supplemented by “local additions”.
- (a) These “local additions” complement module policy at both the Council-Wide and Zone level, and can comprise of existing local policies which are relevant and add value to the uniform core policy.
  - (b) To this end, a conversion process typically includes an assessment of all local policy within the current Development Plan to determine those policies warranted for inclusion in the converted Development Plan.
  - (c) All “local additions” are depicted clearly in the relevant, converted Development Plan through **green** text.
- 5.6.5 As highlighted in **Table 9**, six of the seven SELGA-member council Development Plans have now been converted into the Better Development Plan format.
- 5.6.6 To date, the City of Mount Gambier has not initiated a conversion process. During the workshop session undertaken in Mount Gambier, council staff confirmed that the Council had no intentions to initiate a conversion process, especially in light of the current Planning Review.

**Table 9 – SELGA-member Councils - Better Development Plan Conversion (BDP)**

Council	Converted into BDP format	Version	Comment
Tatiara	Yes – in 2013	Version 6	-
Kingston	Yes – in 2008	Version 2	Scope to update to Version 6
Robe	Yes – in 2011	Version 5	Scope to update to Version 6
Mount Gambier	No	-	No current intent to convert to BDP format
Grant	Yes - August 2014	Version 5	BDP only recently gazetted – future scope to update to Version 6
Wattle Range	Yes – in 2008	Version 2	Scope to update to Version 6
Naracoorte Lucindale	Yes in 2010	Version 4	Scope to update to Version 6

## 5.7 Development Plan Amendments

- 5.7.1 Various “versions” of the Planning Policy Library modules currently exist.

- 5.7.2 Currently, when the PPL modules are updated, the updates are not automatically consolidated into Development Plans.
- 5.7.3 Rather, Development Plans are only consolidated to the latest version of the PPL modules when a DPA is initiated by the relevant council.
- 5.7.4 The above table demonstrates that only two of the six councils who have converted to the uniform/BDP Development Plans have the same version (being version 2 and version 5). Further, the District Council of Grant, whose Development Plan has been most recently converted, has an earlier version of the PPL modules than the Tatiara District Council, who converted in 2013.
- 5.7.5 Clearly, any SELGA-wide regional Development Plan model will need to include measures for the continued monitoring of current Development Plan Amendments and future identified Development Plan Amendments of each of the SELGA-member councils.
- 5.7.6 Current and future DPA's of each of the SELGA-member councils are identified on **Tables 10 and 11**.

**Table 10 – SELGA Councils - Current DPAs**

Council	Name of DPA	Status
Tatiara	<ul style="list-style-type: none"> <li>Better Development Plan, Commercial, Rural Living Zones and Miscellaneous (Part 2) DPA</li> </ul>	<ul style="list-style-type: none"> <li>On-hold</li> </ul>
Kingston	Nil	-
Robe	<ul style="list-style-type: none"> <li>Robe Golf Course Residential DPA</li> </ul>	<ul style="list-style-type: none"> <li>Recently authorised – 28 August 2014</li> </ul>
Mount Gambier	<ul style="list-style-type: none"> <li>Urban Boundary Realignment DPA</li> <li>Gateways Precinct DPA</li> <li>Heritage DPA</li> </ul>	<ul style="list-style-type: none"> <li>Recently authorised – 28 August 2014</li> <li>Recently authorised – 28 August 2014</li> <li>Pending consultation</li> </ul>
Grant	<ul style="list-style-type: none"> <li>Better Development Plan and General Amendment DPA</li> <li>Gateway Precinct DPA</li> <li>Country/Rural Living and Township Expansion DPA</li> </ul>	All recently authorised 28 August 2014
Wattle Range	Nil	-
Naracoorte Lucindale	Nil	-

**Table 11 – SELGA Councils - Proposed DPAs**

Council	Name of DPA	Status
Tatiara	Nil	-
Kingston	Nil	-
Robe	Character and Heritage DPA	At SOI stage
Mount Gambier	Nil	-
Grant	<ul style="list-style-type: none"> <li>Pt McDonnell and Environs DPA</li> <li>River and Coastal Communities Urban Design Framework and Master Plan</li> </ul>	<ul style="list-style-type: none"> <li>At SOI stage</li> <li>Due November 2014</li> </ul>
Wattle Range	Minor Amendments DPA	Being contemplated – not yet at SOI stage



## PART TWO – THE RIVERLAND FUTURES TASKFORCE

### 1. The Riverland Futures Taskforce

- 1.1 The Riverland Futures Taskforce in association with the Department for Planning, Transport and Infrastructure, Renmark Paringa Council, Loxton Waikerie Council and Berri Barmera Council, undertook a series of regionalisation and economic development projects during 2010-2012.<sup>8</sup>
- 1.2 The Taskforce was established in 2009 as a response to the grave economic difficulties faces by the Riverland Region as a result of the drought, reduced water levels in the River Murray, resultant decreases in water allocation and the grave impacts suffered by the local economy.
- 1.3 The Taskforce was intended to encourage appropriate development and stimulating economic growth through a review of planning policies and simplifying development processes in the region.
- 1.4 Key projects included:
  - 1.4.1 the establishment of the Riverland Regional Development Assessment Panel;
  - 1.4.2 the harmonisation or alignment of each of the three Development Plans. This occurred through:
    - (a) 3 jointly-managed, council-initiated DPAs, each titled “Better Development Plan and Alignment Development Plan Amendment”;
    - (b) as a result of these DPA’s each Development Plan has the same Zones and the same Council-Wide and Zone/Policy Area provisions;
    - (c) limited minor regional variations and specific Zones/Policy Areas do exist for obvious, special, site-specific circumstances;
    - (d) the similarity between Development Plans in the region simplifies assessment processes, allows for greater resource-sharing between councils and ensures that the consistency of decision-making on development applications in the region is consistent;
  - 1.4.3 the Taskforce also undertook a range of other initiatives, including (but not limited to) the preparation of a detailed Regional Economic Prospectus which can be accessed [here](#);
  - 1.4.4 The harmonisation of Development Plans and the creation of the RRDAP is featured within this document.

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<sup>8</sup> Further information on the Taskforce can be accessed through the Murraylands & Riverland Regional Development Australia website by clicking [here](#)

## 2. The Riverland Regional Development Assessment Panel

- 2.1 The Riverland Regional Development Assessment Panel's ("RRDAP") constitution is contained within Schedule 30 of the Regulations.<sup>9</sup>
- 2.2 The RRDAP has 7 members – 4 independent members and 3 council members:
- 2.2.1 the Presiding Member is chosen by the Minister from a list of at least 2 nominees submitted by the relevant councils;
- (a) the constituent councils established a subcommittee that makes a recommendation as to the two nominees to submit to the Minister for adoption by each member council;
- 2.2.2 the remaining members are chosen by the councils;
- 2.2.3 each council chooses 2 members each – one independent member and one council member (i.e. an elected member or staff member);
- (a) currently, each council member is an elected member of the relevant council);<sup>10</sup>
- 2.3 The RRDAP convenes at each of the 3 constituent councils on a yearly rotating basis.
- 2.4 Administrative and other costs are shared by the constituent councils.
- 2.5 If an appeal is commenced against a decision of the RRDAP, the relevant council bears the costs of the appeal. This arrangement reflects the fact that the RRDAP is a delegate of each of the constituent councils.
- 2.6 The RRDAP operates in the same manner as a CDAP in that:
- 2.6.1 it determines its own meeting procedures;<sup>11</sup>
- 2.6.2 it is the delegate of each of the constituent councils for Category 2 and 3 development applications in which representations are received and one or more representors wish to be heard and certain other applications;<sup>12</sup>
- 2.6.3 agendas and minutes of the RRDAP are published on each Council's website.<sup>13</sup>

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<sup>9</sup> *Development Act 1993* sections 34(3) and 34(4) – the Governor may constitute an RDAP by way of regulation in relation to an area or areas of the State comprising parts or all of the areas of 2 or more councils and may make regulations providing for the operations of the RDAP. The constitutions of each of the three existing RDAPs are contained within Schedules 28 – 30 of the *Development Regulations 2008*.

<sup>10</sup> According to section 34(4) of the Act, it is possible for the Governor to make regulations governing the staffing arrangements and costs and liability sharing arrangements between constituent councils to an RDAP. None of the constitutions for the currently-existing RDAPs contain such regulations, reflecting that the relevant councils agreed to these arrangements between them.

<sup>11</sup> The current meeting procedures of the RRDAP can be accessed through each of the constituent councils' websites, or by clicking [here](#).

<sup>12</sup> The delegations of each of the constituent councils are similar. The RRDAP delegations for the Renmark Paringa Council can be accessed [here](#).

<sup>13</sup> Each of the constituent councils has a dedicated RRDAP section on its website in which all documents relevant to the RRDAP and its operations can be accessed.

2.7 As outlined in the Issues Paper, each of the constituent councils has realised a wide range of benefits and experiences a limited range of disadvantages since the RRDAP was established.

2.8 These advantages and disadvantages are detailed in the table below:

**Table 12 – RRDAP Advantages and Disadvantages**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Less parochial and less political:               <ul style="list-style-type: none"> <li>○ the RRDAP is perceived to be less parochial and political by members of the public. Anecdotal evidence suggests that this has resulted in a decline in the number of appeals commenced in the ERD Court;</li> <li>○ elected members appointed to the RRDAP are required to assess developments in neighbouring councils, thus gaining an enhanced appreciation of the importance of an objective planning assessment</li> </ul> </li> <li>• Ability to attract and secure independent members:               <ul style="list-style-type: none"> <li>○ the councils are no longer required to “compete” for independent members and can offer attractive sitting fees</li> </ul> </li> <li>• Efficiencies of scale/cost reductions</li> <li>• More uniform interpretation of Development Plan provisions and more consistent-decision making               <ul style="list-style-type: none"> <li>○ one RRDAP in the region, rather than 3 CDAPs has naturally resulted in a greater consistency in decision-making;</li> </ul> </li> <li>• Better understanding of cross-regional and common issues and opportunities:               <ul style="list-style-type: none"> <li>○ as is the case with CDAPs, the RRDAP provides reports to the constituent councils on planning trends and identified weaknesses in the Development Plans. However, the RRDAP is able to report on issues affecting the region as a whole which has clear economic and other advantages to constituent councils’ stated objective to assist the local economy</li> </ul> </li> <li>• Promoting the benefits of a RDAP to stakeholders and investors (the community, developers, etc)</li> <li>• Scope to expand functions of a RDAP               <ul style="list-style-type: none"> <li>○ the RDAP has been very positively-received by each of the constituent councils such that each council is generally accepting of the possibility that the role of the RDAP may expand into the future.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Initial set-up is expensive, takes time and joint commitment is required               <ul style="list-style-type: none"> <li>○ an absolute commitment to the process, outcomes and required financial contribution is required from each council;</li> <li>○ regionalisation projects require a long-term commitment which may extend beyond council terms;</li> </ul> </li> <li>• Managing inspections across a large region</li> <li>• Costs may outweigh benefits for some councils, especially those whose CDAP is inactive</li> </ul>

### 3. HARMONISATION OF DEVELOPMENT PLANS (2010 – 2011)

- 3.1 The Better Development Plan and Alignment Development Plan Amendment (DPA) introduced the State's Better Development Plan Policy Library into the three Riverland Council's Development Plans, along with a range of long term economic growth objectives.
- 3.2 The Better Development Plan and Alignment DPA helped implement the Riverland Futures Taskforce aim to provide growth options for a regional target of an extra 7000 residents, equating to 3180 new dwellings (at an occupancy rate of 2.2 people per dwelling), over the next 30 years. This target was aligned to the State Strategic Plan target of a 2 million population by 2050.
- 3.3 The DPA also addressed a series of local policy amendments and strategic and economic development initiatives based on Structure Plans - noting that some of the longer term aspirations of the Structure Plans, for example, zoning of marina sites and regional waste management facilities was to form part of future regional considerations.
- 3.4 Consistent policy and zoning across the region was also introduced, as administered through a Regional Development Assessment Panel or by Council staff under delegation.
- 3.5 Future amendments to the Development Plan would introduce revised Modules (version 6) of the current State Planning Policy Library, with local variations where appropriate.
- 3.6 As part of the Better Development Plan and Alignment DPA, regional Structure Plans were developed in collaboration with the Department for Planning, Transport and Infrastructure and relevant agencies.
- 3.7 As outlined in the Issues Paper each of the Councils has realised a wide range of benefits and experienced only limited disadvantages since the implementation of this project.
- 3.8 The advantages and disadvantages are set out in the table on the next page of this Discussion Paper.

**Table 13 – Aligned Development Plans - Advantages and Disadvantages**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• There was a strong and consistent commitment of all councils right through the entire process. This commitment has ensured that there is uniform enthusiasm and commitment to the maintenance of harmonised Development Plan provisions into the future</li> <li>• Clarity of policy for land owners who have properties in more than one council area</li> <li>• Greater certainty/understanding for developers in the region</li> <li>• Harmonised planning policy is used to “sell” the Riverland as being a good region for investment and economic business attraction</li> <li>• Facilitates better sharing of development assessment staff and consultants: <ul style="list-style-type: none"> <li>○ where Development Plans vary considerably, planners are required to, in effect “learn” an entirely new plan when working in another council area. The similarities between Development Plans ensures that planning staff and consultants in the region can easily and quickly “switch” between plans, increasing efficiency, saving costs and reducing inconsistent decision-making between planners</li> </ul> </li> <li>• Via use of South Australian Planning Policy Library (formerly the Better Development Plan policy and format) - Development Plans are harmonised in Council-wide provisions and use of common Zone policy as well as format</li> <li>• Promotes policy consistency for Planning Officers and RDAP members when undertaking assessments/decisions</li> <li>• Leads to more consistent decision making – helping to reduce challenges, confusion, appeals and costs</li> </ul>	<ul style="list-style-type: none"> <li>• Agreement, cooperation and partnership between the councils is vital and needs to be enshrined through appropriate Memorandums of Understanding</li> <li>• Potentially complex and costly DPA processes: <ul style="list-style-type: none"> <li>○ complexity of this process increases proportionately with the numbers of Development Plans involved and the variation between those plans;</li> <li>○ this complexity is, however, reduced where councils have already converted to BDP-style Development Plans and can be further mitigated through a structured approach to harmonization (i.e. Zone by Zone, structure plan by structure plan or otherwise)</li> </ul> </li> <li>• The management and resolution of issues between and/or misaligned desired objectives and outcomes through the process can be difficult. Councils involved in harmonisation processes need to be wholly committed to the process and realize that some local planning objectives may need to be altered as a result of regionalisation</li> <li>• Lengthy processes which can overlap council terms. Robust processes need to be instituted to ensure that incoming councils are properly briefed in a timely fashion and that caretaker requirements are factored into decision-making timeframes. Further, the potential for the scope of projects altering as a result of new council bodies needs to be factored into project planning</li> <li>• The challenge of keeping the Development Plans “consistent” overtime, that is once the Development Plans have been aligned. This involves an ongoing commitment and dialogue by each council</li> </ul>

## PART THREE – OTHER SOUTH AUSTRALIAN AND INTERSTATE REGIONALISATION INITIATIVES

Each of the regionalisation projects/bodies examined below are relevant in the consideration of regionalisation of the planning functions of the SELGA councils moving forward.

It is relevant to note that where regionalisation initiatives have been imposed by Interstate governments, regional bodies and entities have often been established by the relevant stakeholder councils to coordinate their responses to and involvement in these processes.

### 1. EASTERN EYRE PENINSULA AND FLINDERS RANGES REGIONAL DEVELOPMENT ASSESSMENT PANELS

- 1.1 The Eastern Eyre Peninsula RDAP (“ERDAP”) and Flinders Ranges RRDAP (“FRDAP”) were each formally established by regulation on the same day as the RRDAP – 1 January 2010.
- 1.2 The ERDAP is established for the District Council of Cleve, District Council of Franklin Harbour and District Council of Kimba council areas and is a 7-member RDAP with a similar constitution to the RRDAP.
- 1.3 The ERDAP is relatively inactive and has not met since 2012.
- 1.4 The FRDAP is a 5-member RDAP established for 4 councils – The Flinders Ranges Council, the District Council of Mount Remarkable, District Council of Orroroo Carrieton and the District Council of Peterborough.
  - 1.4.1 The Presiding Member of the FRDAP is selected by the Minister in the same manner as the RRDAP.
  - 1.4.2 The remaining members are appointed by each of the constituent councils. Each council appoints one member each, and that person can be either a council member or a council officer.
- 1.5 The FRDAP has not met in 2014. In previous years, the FRDAP met 2 or 3 times a year on average.
- 1.6 Given the relatively low frequency of meetings, the ERDAP and FRDAP were not considered helpful models to consider in detail for the purposes of the Project.
- 1.7 Comments however were obtained from a number of constituent councils who confirmed that when the RDAPs are required to operate, they are considered to be positive overall from cost-saving and efficiency perspective.

### 2. EASTERN HEALTH AUTHORITY

- 2.1 The Eastern Health Authority (“EHA”) is a regional subsidiary established under section 43 of the *Local Government Act 1999* by the following councils:
  - 2.1.1 City of Norwood, Payneham and St Peters;
  - 2.1.2 City of Burnside;
  - 2.1.3 Campbelltown City Council;
  - 2.1.4 City of Prospect; and

- 2.1.5 The Corporation of the Town of Walkerville.
- 2.2 EHA provides public and environmental health services primarily to the constituent councils. From time to time, EHA is contracted to provide services to other councils.<sup>14</sup>
- 2.3 EHA performs functions and powers as delegate of the constituent councils under the following Acts (including associated regulations):
- 2.3.1 *South Australian Public Health Act 2011*;
  - 2.3.2 *Environment Protection Act 1993*;
  - 2.3.3 *Expiation of Offences Act 1996*;
  - 2.3.4 *Food Act 2001*;
  - 2.3.5 *Housing Improvement Act 1940*;
  - 2.3.6 *Supported Residential Facilities Act 1992*.
- 2.4 EHA's Board is comprised of ten members, being two elected members from each of the constituent councils.
- 2.5 As a body corporate, EHA is able to commence legal proceedings in its name and is able to defend decisions, orders and notices which it issues in its name. This means that the liability for legal costs is borne by EHA.
- 2.6 EHA collects and retains the statutory fees relevant to its decision-making functions, expiation fees and Court fines.
- 2.7 EHA is a financially self-sustaining entity.
- 2.8 EHA enters into contracts with each individual council for the provision of services under the abovementioned Acts, and the financial contribution of each council to EHA is determined accordingly.<sup>15</sup>

### 3. SOUTHERN TASMANIA REGIONAL PLANNING PROJECT

- 3.1 The Southern Tasmania Regional Planning Project was established jointly by the Tasmanian State Government and the Southern Tasmanian Councils Authority ("STCA") in 2009 to create the following for the region:
- 3.1.1 a regional land use strategy;
  - 3.1.2 an infrastructure investment strategy;
  - 3.1.3 coordinated, consistent and contemporary planning schemes<sup>16</sup> for all councils involved, based on the common strategy.
- 3.2 The STCA is a body corporate established in a manner similar to a regional subsidiary<sup>17</sup> and was established to manage the project on the behalf of its 12 constituent councils.<sup>18</sup>

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<sup>14</sup> Presently, EHA is providing immunisation services on the behalf of the City of Unley.

<sup>15</sup> For more information on EHA, click [here](#) to access their website, and click [here](#) for a copy of the EHA Charter.

<sup>16</sup> This is the Tasmanian equivalent of a Development Plan under the *Land Use Planning and Approvals Act 1993* (Tas)

- 3.3 The regional land use strategy was implemented in 2010 and amendments to it are facilitated by the STCA on the behalf of its constituent councils.<sup>19</sup>
- 3.4 Draft interim planning schemes for each council area were developed and underwent public consultation in July 2013. Amended draft interim planning schemes from 2014 are available to view [here](#) and are currently awaiting Ministerial approval.
- 4. CRADLE COAST AUTHORITY (TASMANIA)**
- 4.1 The Cradle Coast Authority (“CCA”) was established in a manner similar to the STCA by nine councils in north-western Tasmania.
- 4.2 The CCA was established to facilitate sustainable development in the region and has roles and functions in promoting tourism, regional development, natural resources management responsibilities as well as planning.
- 4.3 The CCA has assisted in the development of a regional interim planning scheme, which came into operation on 16 October 2013.<sup>20</sup>
- 5. G21 – THE GEELONG REGION ALLIANCE AND REGIONAL GROWTH PLANS (VICTORIA)**
- 5.1 The Victorian Department of Transport, Planning and Local Infrastructure initiated a series of regional growth plans, which are developed in conjunction with affected councils in the various regions.
- 5.2 The regional growth plans are a strategic planning document which is incorporated into the State Planning Policy Framework (similar to the South Australian Strategic Plan).
- 5.3 G21 is a proprietary listed company which was established under the *Corporations Act 2001* (Cth) by the municipalities of Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast.
- 5.4 G21 is a non-profit entity funded by its constituent councils, its membership base and grants. G21 is managed by a board of directors which comprises 10 directors appointed by the constituent councils (being 1 elected member and the CEO of each council) and 5 directors who are elected by G21 members at the Annual General meeting.
- 5.5 Membership of G21 is open to State, Federal and local government entities, companies, cooperatives, individuals, community groups and cooperatives.
- 5.6 G21 formed a partnership with the Victorian Government to prepare and implement the regional plan for its region.

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<sup>17</sup> Sections 29 – 38 of the *Local Government Act 1993* allows councils in Tasmania to establish “authorities” which share many similarities to regional subsidiaries established under the *Local Government Act 1999* (SA).

<sup>18</sup> The 12 councils are Brighton Council, Central Highlands Council, Clarence City Council, Derwent Valley Council, Glamorgan Spring Bay Council, Glenorchy City Council, Hobart City Council, Huon Valley Council, Kingborough Council, Sorell Council, Southern Midlands Council and Tasman Council.

<sup>19</sup> Further information can be accessed [here](#).

<sup>20</sup> Further information can be accessed [here](#).



## 6. NSW – JOINT REGIONAL PLANNING PANELS

- 6.1 Joint Regional Planning Panels were established by the NSW State Government in 2009 to determine regionally-significant planning applications.
- 6.2 Each Panel is an independent body and not a delegate of any council.
- 6.3 Panels are appointed by the Minister and comprise of five members being:
  - 6.3.1 a chair appointed by the Minister with the concurrence of the Local Government and Shires Associations of NSW;
  - 6.3.2 two other members appointed by the Minister; and
  - 6.3.3 two members appointed by the councils.<sup>21</sup>

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<sup>21</sup> Further information on these Panels click [here](#)

## PART FOUR – THE PLANNING REVIEW

This Discussion Paper is timely and coincides with the current work being undertaken by the Expert Panel on Planning Reform.

The Expert Panel on Planning Reform was appointed by the State Government in February 2013 and has been undertaking a review of South Australia's planning system which is scheduled to be completed in December 2014.

The review has been divided into three key stages:

1. **“Establishing Partnerships” – during this stage:**
  - 1.1 two reference groups were formed, one constituted by various developer, community, local government and professional interest groups, and another constituted by all State Government agencies which interact with the planning system; and
  - 1.2 a review of the planning system was undertaken by the Panel, with particular reference to previous planning reviews undertaken in 1992 and 2008;
2. **“Listening and Scoping” – during this stage, which occurred from July to October 2013, the Panel undertook extensive public consultation and stakeholder-focussed workshops across the State, including a session in the South East.**
  - 2.1 The Panel's approach to consultation was novel – no particular ideas for reform were proposed by the Panel, rather, participants were asked to provide input to the panel on:
    - 2.1.1 their experiences of the planning system;
    - 2.1.2 questions which they would like the Panel to consider; and
    - 2.1.3 ideas to improve the planning system.
  - 2.2 On 9 December 2013, the Panel released a report entitled “What We Have Heard”. The report is a summary of the outcomes of the consultation process and did not express any particular views on reforms.
  - 2.3 The need for regional planning systems and approaches is a strong theme within this Paper, with the following particular comments and issues which are relevant to this Discussion Paper having been identified:<sup>22</sup>
    - 2.3.1 a need for planning policy and processes to differentiate between metropolitan and regional areas to better incorporate regional needs, interests and challenges;
    - 2.3.2 regionalisation of planning functions and increased collaboration to achieve the better and more effective use of resources;
    - 2.3.3 Regional Development Assessment Panels should be mandated;

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<sup>22</sup> South Australia's Expert Panel on Planning Reform, *What We Have Heard* 9 December 2013, available [by clicking here](#)

- 2.3.4 incentives should be legislated for councils to regionalise Development Plans;
- 2.3.5 structure planning and strategic planning should be undertaken on a regional basis with a focus on economic development;
3. **“Exploring and Discussing” – during this stage, the Panel considered the outcomes of stage two and delivered a paper entitled “Our Ideas for Reform” which contains its 27 “best” recommendations for reform (each containing a number of sub-areas), divided into 5 key areas.**<sup>23</sup>
- 3.1 The report makes a number of recommendations towards regionalisation of planning and development functions which are highly relevant to this Discussion Paper, including:
- 3.1.1 the creation of regional planning schemes (i.e. strategic planning documents);
- 3.1.2 the creation of Regional Planning Boards who will:
- (a) oversee changes to the regional planning scheme;
  - (b) approve council variations of that scheme and/or local council planning schemes; and
  - (c) appoint regional assessment panels which are intended to take the place of Council-based Development Assessment Panels;
- 3.1.3 that Regional Planning Boards will be appointed by the State Government, will have an as-yet undetermined number of members, including representatives from local government;
- 3.1.4 Regional Planning Boards and regional assessment panels will not be delegates of councils, but will be autonomous bodies with particular roles and responsibilities directly conferred on them by legislation;
- 3.1.5 where a development application must be determined by a regional assessment panel, the application must still be lodged with the relevant council and an assessment report on the application must be provided by council staff to the panel for determination;<sup>24</sup>
- 3.1.6 that Regional Planning Boards will be funded by local government through an as-yet undetermined funding scheme;
- 3.2 the creation of a “menu” of uniform and consistent planning policy provisions.
4. **The “regions” are not identified in the “Our Ideas for Reform” Paper. It would seem logical however that the South East would be a region and that the boundaries of this region would largely follow that of the SELGA’s.**
5. **It is the opinion of the authors of this report that SELGA and each of its member Councils have a timely opportunity to devise and constitute its own regionalisation model.**

<sup>23</sup> South Australia’s Expert Panel on Planning Reform, *Our Ideas for Reform*, August 2014, available [by clicking here](#)

<sup>24</sup> This recommendation proposes a similar process to the Joint Regional Planning Panels established in NSW and which are detailed in Part Three of this Discussion Paper

6. **Interstate experiences in regional planning initiatives, particularly those of the Tasmanian Authorities and G21 in Victoria<sup>25</sup> have demonstrated that proactive approaches to regionalisation present councils with an opportunity to develop regional bodies themselves and that these bodies are able to participate in these processes in place of alternative bodies mandated by State Governments.**
7. **Whilst the final recommendations of the Expert Panel are not due to be presented to the State Government until December 2014, and the legislative processes involved in implementing new legislation mean that a new planning system is likely to be at least 3-5 years from realisation, we encourage SELGA and its member councils to advance and expedite this Project.**
8. **This Project provides each of the SELGA-member councils with a timely opportunity to develop its own regional planning initiatives on its own terms, thereby presenting a regionalisation model which could well be incorporated into any future planning system which may be implemented in this State.**

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<sup>25</sup> See Section Three of this Discussion Paper

# SECTION TWO

## PART FIVE – A REGIONAL DEVELOPMENT PLAN

As stated in Section One, [paragraph 2](#) above, one of the key recommendations of the [Local Excellence Expert Panel's final report](#) was that councils collaborate to develop Regional Development Plans.

Consistent with this recommendation, an “Essential Component” of the Regional Planning Alliance Project is the establishment of a regional Development Plan for the seven SELGA-member councils, or at the very least, Development Plans that are “harmonised” such that they are consistent in presentation, format and policy.

### 1. LEGISLATIVE AND OTHER FRAMEWORK – WHAT CAN BE ACHIEVED?

1.1 Section 23(2) of the Act provides:

*“A Development Plan may relate to any geographical part of the State (but no more than one plan may relate to a particular part of the State)”.*

1.2 Currently, there is a Development Plan for each council area in the State. This has been the case since the commencement of the *Planning Act 1982*.<sup>26</sup>

1.3 On a strict reading of section 23(2), it does not prevent a regional Development Plan from being implemented.

1.4 For the purposes of the Issues Paper it was concluded that a single regional Development Plan could not be achieved under the Act as it currently stands.

1.5 This conclusion was based upon practical considerations, past experiences (including that of the Riverland Futures Project which resulted in three harmonised Development Plans rather than a single, regional Development Plan) and feedback from preliminary discussions with policy planning staff at DPTI.

1.6 Subsequent to the Issues Paper and the Workshops, senior staff at DPTI have confirmed that:

1.6.1 technology limitations and substantial differences between planning policy and Development Plans have prevented regional Development Plans from being entertained previously;

1.6.2 due to the implementation of the SA Planning Policy Library (which 6 of the 7 SELGA-member councils' Development Plans are now consistent with) and improved technology, a regional Development Plan is possible;

1.6.3 implementing a regional plan will be a “challenge” for DPTI to accommodate, however, DPTI is open to this challenge and is willing to work with SELGA to achieve this;

1.6.4 in the view of DPTI staff, a regional Development Plan could be achieved through a careful and considered plan adopted by the SELGA-member councils to undertake a series of staged harmonisation DPA's such that

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<sup>26</sup> Under the *Planning and Development Act 1966*, regional planning regulations existed for the Hills Face Zone, however the majority of regulations were for either entire or parts of council areas.

the transition to a regional Development Plan can be undertaken in a proper and considered manner;

1.6.5 the achievement of a regional Development Plan is a long-term prospect.

## 2. A REGIONAL DEVELOPMENT PLAN – HOW COULD THIS BE ACHIEVED

2.1 As detailed within Tables 9-11 within Part One to this Discussion Paper and in [Appendix F](#),<sup>27</sup> despite the fact that 6 of the 7 SELGA-member councils have converted their Development Plans to the SA Planning Policy Library format, the degree of variation between each plan is still significant.<sup>28</sup>

2.2 For a regional Development Plan to be achieved, the following would need to occur:

2.2.1 all councils will need to commit fully to this process over a long-term period and will need to agree upon;

- (a) the content of DPA's to achieve regionalisation;
- (b) the timing and content of section 30 Strategic Directions Reports such that they inform this process;
- (c) the considered use of section 101A Strategic Planning and Development Policy Committees and how they may assist in this process;
- (d) adoption of SA Planning Policy Library modules;<sup>29</sup>
- (e) a regional approach for determining how to agree on policy consistency and any local variations;
- (f) the breadth of the DPA's (eg will they be for Council-wide policy only, or for a particular Zone or Zones on a progressive priority basis, or an entire Development Plan review);
- (g) how the process will be managed. The Riverland Futures Project was managed through a central working party with DPTI representation (with agreed terms of reference) and a planning advisor;
- (h) budget and cost-sharing arrangements;

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<sup>27</sup> Although the brief for the Regional Planning Alliance Project does not include undertaking a review of Development Plan policy (that is, this would be a large separate project emanating from the Regional Planning Alliance Project recommendations), to assist with an understanding of how the seven Development Plans differ in policy content, a brief analysis of key zone policy has been provided in [Appendix F](#). The analysis in [Appendix F](#) clearly highlights the enormous physical volume of each Development Plan (with some 2,427 pages of policy and 990 pages of mapping) and the differing policy content across various zones, for example the density/dwelling types in the Residential Zone and the land division and dwelling criteria as it relates to the Primary Production Zone

<sup>28</sup> We note and recognise that the majority of variations between SA Planning Policy Library plans are contained within Zone provisions, rather than in the Council-Wide modules which are, with the exception of local variations, largely consistent and/or similar to each other.

<sup>29</sup> In the case of the City of Mount Gambier, which has no present intentions to convert to this Development Plan format, the City will need to commit to a conversion of its Development Plan. The cost-sharing implications of this will need to be carefully considered and agreed between the councils.

- (i) selection processes for consultants;
- (j) timeframes, project management and reporting requirements.

2.2.2 further to the above, the following must also be achieved:

- (a) assistance and support from DPTI needs to be obtained. DPTI's input is essential to ensure that the required DPA's are developed and scheduled appropriately;
- (b) mechanisms to ensure that DPA's during and after the conversion process are consistent and do not detract from regionalisation will need to be agreed and maintained between the councils and DPTI to ensure that the integrity of a regional Development Plan is maintained;

2.2.3 as alluded to in paragraph 2.2.1 above, the following planning policy work will need to be undertaken and achieved through a series of DPA's:

- (a) full harmonisation of Council-Wide provisions (with, of course, appropriate local variations identified and allowed to remain);
- (b) harmonisation of Zone types and Zone-specific provisions;
- (c) harmonisation of Policy Area/Precincts and their provisions. Local Policy Areas and/or Precincts remain where required;
- (d) the boundaries of all Zones and Policy Areas/Precincts etc will need to be reviewed and considered on a regional basis. Current council-area boundaries between Zones will need to be reconsidered;
- (e) structure plans and growth areas will need to be harmonised and redrafted on a regional basis;

2.2.4 as part of this process, councils may need to accept changes to their long-term strategic planning and growth policies - a regional Development Plan will need to consider the region as a whole.

2.3 Steps 2.2.3(a) to (c) have been achieved in the Riverland region to date as a result of the Riverland Futures Project.

### **3. HARMONISATION OF DEVELOPMENT PLANS**

3.1 Harmonisation of Development Plans, as has been achieved in the Riverland region, is achievable. Further, this process is essential if the SELGA-member councils wish to eventually achieve a single, Regional Development Plan.

3.2 The process to achieve harmonised Development Plans across the region is outlined at paragraphs 2.21 and 2.2.3(a) – (c) above.

### **4. CHALLENGES**

The following challenges will need to be carefully considered and overcome to achieve a regional Development Plan and/or harmonised Development Plans:

4.1 Regional Development Plan:

- 4.1.1 the development of a regional Development Plan will require a considerable shift in cultural and political attitudes towards planning in individual councils and their communities;
  - 4.1.2 regional planning may disrupt and/or alter the long-term business and other plans of individual councils, particularly those intended to attract residential growth and employment opportunities as planning for such prospects will need to be undertaken with the interests of the entire region in mind.
- 4.2 Regional Development Plan and harmonised Development Plans:
- 4.2.1 agreeing upon appropriate mechanisms and contracts to ensure that the project occurs – the long-term nature of such a project is considered to be particularly challenging;
  - 4.2.2 incorporating election timeframes into the process and ensuring that appropriate structures are put into place to ensure that incoming councils are briefed on the project such that it can continue despite elections.

## 5. SECTION 101A COMMITTEES

- 5.1 Pursuant to section 101A of the Act, each Council must have a Strategic Planning and Development Policy Committee.
- 5.2 The Minister can exempt a council from requirement to establish such a committee, but only where the Minister is satisfied that the functions of a committee established by the council under the *Local Government Act 1999* include the legislated functions of the committee.
- 5.3 This means that under the current Act, each of the SELGA-member councils would be required to retain its Strategic Planning and Development Policy Committee even if regionalisation of Development Plans occurs.
- 5.4 Given that there would be a need for individual councils to review the effectiveness of regional planning policies in their particular area and to propose amendments to Development Plan provisions on a localised basis, the retention of these committees is not considered to be a negative.
- 5.5 Rather, with proper consideration of the legislated role and function of these committees and an appropriate shift in focus towards regional planning policy structures, these Committees may play an important role in achieving and maintaining regional policies which are relevant and appropriate to the local council areas.

## 6. OPPORTUNITIES TO OVERCOME IDENTIFIED CHALLENGES

- 6.1 The Riverland Futures Project and the various other successful regionalisation projects identified in [Part Three](#) to this Discussion Paper were each undertaken with the full support of the relevant councils.
- 6.2 Strong support for a regional Development Plan, supported by evidence of the long-term benefits which will be achieved for the region and its individual councils must exist for such a project to succeed.
- 6.3 Anecdotal evidence from the Riverland demonstrates that regional planning policy harmonisation has achieved significant benefits for the region's economy and community.



- 6.4 Evidence from the Riverland councils also demonstrates cost-savings and increased efficiencies in planning functions which have benefited each of the councils.
- 6.5 Further, the advantages of regional collaboration on planning policy were recognised in part 11.1 of the [Local Excellence Expert Panel's final report](#), particularly in respect of the potential for sustainable economic development opportunities.
- 6.6 The workshops undertaken for this project have revealed that strong support exists across most councils for regional planning policy and that the advantages of such an approach are recognised amongst attendees of the workshops.
- 6.7 In moving forward with regional planning policy, it is recommended that SELGA consider obtaining a report from an economist or other suitably-qualified analyst to examine the economic benefits to regional planning policy such that appropriate support may be obtained throughout each of the councils and their community for this long-term project.

## 7. THE PLANNING REVIEW

- 7.1 The regionalisation of Development Plans, planning policy and strategic planning documents is one of the key themes of the recommendations contained within the "[Our Ideas for Reform](#)" Paper prepared by the Expert Panel on Planning Reform.
- 7.2 We encourage SELGA and its member councils to ensure that this Project is advanced such that key measures are implemented to ensure that Development Plans are, at the least, harmonised and eventually combined into a regional plan.
- 7.3 On the assumption that regional planning documents will be implemented in the future, work undertaken on regionalisation by SELGA now will likely provide significant benefit to the member councils in that:
  - 7.3.1 an existing model of regional planning policy which has had significant input from and is supported by the relevant councils may exist, or be in development which can be built upon;
  - 7.3.2 work undertaken by SELGA and the member councils can ensure that local considerations, topographical, environmental and economic issues are identified and examined so that they are taken into account in any future planning systems and documents;
  - 7.3.3 such work will assist the SELGA-member councils better and more easily transition into a new region-based planning system (assuming, of course, that this occurs).
- 7.4 Even if the recommendations in the "[Our Ideas for Reform](#)" paper do not result in law reform to mandate regional planning policy or plans, given the positive outcomes of the Riverland Futures Project in this regard, the recognition of the advantages of regional planning identified by the Local Excellence Expert Panel, the recognition of the advantages of regional planning by staff and elected members of the SELGA-member councils and interstate recognition for the advantages of regionalisation as evidenced by the various regional structures identified in [Part Three](#) of this Discussion Paper, we recommend that this Project is progressed regardless.

## Summary

As part of the SELGA Regional Planning Alliance initiative, the 7 councils have opportunity to:-

- Fully align their Development Plans with consistent planning policy at a whole of SELGA region level (similar to the Riverland Councils – refer Part 2 of this Discussion Paper), with local variations where required – either with seven (7) individually aligned Development Plans, or preferably one (1) whole of region Development Plan
- Introduce a Better Development Plan format for all Councils – all aligned with the latest Version 6 of the SA Planning Policy Library
- Monitor any new Version 7 releases of the SA Planning Policy Library, for example the Primary Production Zone and Natural Resources module
- Work at a regional level with regard to future amendments to the Development Plan
- Monitor the findings of the Expert Panel’s ideas on Planning Reform with regard to possible legislative reform and the idea of a State-Wide Planning Code or “menu”
- Work closely with DPTI to ensure that a single, Regional Development Plan can be achieved in the long-term

## PART SIX – A REGIONAL DEVELOPMENT ASSESSMENT PANEL

As stated in Section One, [paragraph 2](#) above, one of the key recommendations of the [Local Excellence Expert Panel's final report](#) was that councils establish Regional Development Assessment Panels to replace individual Council Development Assessment Panels.

Consistent with this recommendation, an “Essential Component” of the Regional Planning Alliance Project is the establishment of a Regional Development Assessment Panels for the 7 SELGA-member councils.

### 1. ESTABLISHMENT, ROLE AND FUNCTIONS

- 1.1 RDAPs are constituted by the Governor through regulation pursuant to section 34(3) of the Act.
- 1.2 Regulations constituting an RDAP (or separate regulations) can be made for the following purposes:<sup>30</sup>
  - 1.2.1 the membership of a regional development assessment panel, including—
    - (a) the number of members;
    - (b) the criteria for membership;
    - (c) the procedures to be followed with respect to the appointment of members (on the basis that appointments will, according to the terms of the regulation, be made by the relevant councils or, if appropriate, the Minister);
    - (d) the terms of office of members;
    - (e) 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
    - (f) the appointment of deputy members.
  - 1.2.2 the procedures of a regional development assessment panel;
  - 1.2.3 staffing and other support issues associated with the creation or operations of a regional development assessment panel;
  - 1.2.4 any special accounting or financial issues that may arise in relation to a regional development assessment panel;
  - 1.2.5 reporting by a regional development assessment panel on its operations and decisions;
  - 1.2.6 the proportions in which the councils for the areas in relation to which a regional development assessment panel is constituted will be responsible for costs and other liabilities associated with the regional development assessment panel;

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<sup>30</sup> *Development Act 1993*, s34(4)

- 1.2.7 other matters considered by the Governor to be necessary or expedient for the purposes of a regional development assessment panel.
- 1.3 In order for an RDAP to be established, councils need to apply to DPTI to request that the Governor constitute an RDAP. In making such an application, the relevant councils need to provide:
  - 1.3.1 a detailed submission as to why an RDAP is sought to be established; and
  - 1.3.2 a proposed governance structure; and
  - 1.3.3 details of how the Councils will operate and fund the RDAP.
- 1.4 For an RDAP application to be successful, it is recommended that the prior support of DPTI be sought and obtained, and that DPTI are kept informed and consulted on the application.
- 1.5 The regulations constituting the three existing RDAPs<sup>31</sup> each deal with the membership appointment and criteria, terms of office for RDAP members and quorum in detail. Meeting procedures are left to the RDAP to determine, and conditions of appointment and administration are left to the stakeholder councils to determine.
- 1.6 Once an RDAP is established, it functions in a manner very similar to a Council Development Assessment Panel in that:
  - 1.6.1 it can be the delegate of the relevant council in respect of Development Plan consent assessment functions and powers;<sup>32</sup>
  - 1.6.2 it can be assigned additional roles and functions by a council, including reporting on planning policy issues and trends;
  - 1.6.3 it sets its own meeting procedures; and
  - 1.6.4 its members are subject to the Minister's Code of Conduct under section 21A of the Act.

## 2. **ADVANTAGES AND DISADVANTAGES OF AN RDAP**

- 2.1 The advantages and disadvantages of an RDAP, as experienced in the Riverland context are detailed at paragraph 5 of the Issues Paper ([Appendix B](#)).
- 2.2 Further, the advantages of RDAP's are outlined at pages 51 and 52 of the [Local Excellence Expert Panel's final report](#).
- 2.3 On balance and taking into account comments and feedback from the workshop process, the advantages of an RDAP outweigh the disadvantages for councils particularly where:
  - 2.3.1 their current CDAP is operating regularly (at least once per quarter);
  - 2.3.2 attracting independent members has been difficult and/or where CDAPs in the region have largely the same independent members appointed to them;

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<sup>31</sup> *Development Regulations 2008*, Schedules 28-30

<sup>32</sup> *Development Act 1993*, section 34(23)

- 2.3.3 political and/or community pressures on CDAPs are significant.
- 2.4 In terms of time and costs savings specifically, significant savings can be realised for councils who fit into the above criteria in that:
  - 2.4.1 administration time and costs in facilitating a CDAP can be dramatically reduced through an equitable, rotating, “sharing” of these tasks between councils;
  - 2.4.2 sitting fee costs are reduced in proportion to the number of councils which an RDAP is established for and the relevant cost-sharing arrangements;
  - 2.4.3 public officer time and costs (especially complaints-handling procedures) are reduced significantly through rotating appointments or other sharing arrangements implemented by councils.
- 2.5 Further, anecdotal evidence from the Riverland councils suggests that the Riverland Regional Development Assessment Panel (RRDAP) has resulted in unexpected time and costs savings in that:
  - 2.5.1 the harmonised Development Plans means that the RRDAP members can efficiently assess and determine applications in each of the council areas;
  - 2.5.2 the manageable increase in workload to RRDAP members has resulted in them developing more thorough assessment skills and understanding of the Development Plan which increases decision-making efficiency;
  - 2.5.3 the public perception of the RRDAP is different to the former CDAPs. The RRDAP is viewed as a truly independent body, rather than as a body of the councils. Each of the Riverland councils has reported experiencing less planning appeals since the RRDAP was constituted.

### 3. **FUNDING AND PRACTICAL CONSIDERATIONS**

- 3.1 As explained in Parts Two and Three of this Discussion Paper, the most active of the three RDAPs currently in existence is the Riverland RDAP.
- 3.2 This RDAP is funded jointly by the Councils in that:
  - 3.2.1 sitting fees are shared jointly between the Councils;
  - 3.2.2 where an appeal against an RDAP decision occurs, the costs of the appeal are borne by the relevant council;
  - 3.2.3 the RDAP is “hosted” by each of the councils on a rotating basis. “Hosting” involves:
    - (a) meetings taking place at the host council; and
    - (b) administrative tasks such as the collation of agendas and the preparation of minutes is undertaken by the “host” council; and
  - 3.2.4 the role of the public officer also rotates between the councils on an annual basis;
  - 3.2.5 each council publishes the agendas, minutes and other documents relevant to the RDAP on its own websites.
- 3.3 The RRDAP meets once per month. Prior to the meeting, the RDAP undertakes site inspections.
- 3.4 The workload of the three elected members appointed to the RDAP is greater than that previously experienced by CDAP members in that:

- 3.4.1 the frequency of meetings is greater; and
- 3.4.2 the number of development applications is greater.
- 3.5 In discussions with the Riverland councils however, there were no particularly negative comments made as to the increase in workload.
  - 3.5.1 Meetings once per month were not considered to be overly onerous, numbers of development applications being determined by the RRDAP were not considered to be unmanageable and site visits were managed across the large geographical area covered by the three councils due to careful scheduling and organisation.
- 3.6 If the SELGA-member councils decide to establish an RDAP, the following funding and practical considerations need to be examined:
  - 3.6.1 cost sharing and hosting arrangements between the councils. Simply splitting costs and hosting arrangements evenly between councils may not be palatable where some councils will be more frequent users of the RDAP than others;
  - 3.6.2 the geographical size of the region. Depending on development application numbers in particular councils, it may be difficult for a single RDAP to effectively operate across the entire region. A regionalisation model containing 2 or more RDAP's (perhaps incorporating some councils north of the region and/or grouped by development application numbers and demands may be more appropriate).

### Summary

As part of the SELGA Regional Planning Alliance initiative, the 7 councils have opportunity to establish one or more RDAPs.

From the Riverland experience, the advantages of an RDAP are clear and can be fully realised for each of the SELGA-member councils, provided that consideration is given to appropriate geographical areas for an RDAP, the rates of development applications requiring Panel determination by each council and appropriate costs-sharing arrangements.

## PART SEVEN – A REGIONAL PLANNING AUTHORITY

An “Essential Component” of the Regional Planning Alliance Project is the establishment of a Regional Planning Authority for the seven SELGA-member councils to exercise the powers and functions of each council under the Act.

This Essential Component builds upon and furthers the general regionalisation recommendations in the [Local Excellence Expert Panel’s final report](#) where the costs-savings and other benefits achieved through regionalisation of council functions and powers were recognised.

Throughout the workshop process, we received significant support for this type of body, being an entity to undertake **all** powers and functions of each council under the Act. This would include planning policy, DPA functions, development assessment, building assessment, safety and inspections, enforcement and compliance and with responsibility for appeals.

The feasibility of such a comprehensive body is examined below.

### 1. LEGISLATIVE AND OTHER FRAMEWORK – WHAT CAN BE ACHIEVED?

- 1.1 Under the present Act, a regional authority could be established to undertake *most* of the functions and powers of councils under the Act.
- 1.2 The Act does present a number of challenges to the establishment of such a body in the areas of Development Plan assessment and section 101A committees.
- 1.3 These challenges could, however, be overcome through creative but lawful means under the current Act or otherwise through legislative reform.
- 1.4 To explain:
  - 1.4.1 Section 20(1) of the Act provides that a council may delegate its functions and powers under the Act.
  - 1.4.2 Section 20(2) states, relevantly, that a delegation may be made:
    - (a) to a particular person or body; or
    - (b) to the person for the time being occupying a particular office or position; or
    - (c) to a subsidiary established under the *Local Government Act 1999*.
  - 1.4.3 Further, section 56A(26) provides that a council is not required to establish a CDA where all of its functions and powers, as a relevant authority, have been delegated to **persons or bodies** under this Act.
  - 1.4.4 On its face, the SELGA-member councils are able to establish a regional subsidiary which could then act as the delegate of each of the councils under the Act, employ staff, appoint authorised officers and commence and respond to legal proceedings on behalf of the councils in return for an annual levy or other fees and charges – such legal proceedings would, however, be against or by the relevant council and not the delegate.

1.4.5 Section 34(23) presents an immediate challenge to the operations of such an authority in that it provides that:

*“34(23) A council must delegate its powers and functions as a relevant authority with respect to determining whether or not to grant development plan consent under this Act to---*

- (a) its council development assessment panel; or*
- (b) a person for the time being occupying a particular office or position (but not including a person who is a member of the council); or*
- (c) a regional development assessment panel (if such a delegation is consistent with the extent to which the panel may act under the provisions of the regulations constituting the panel...”*

1.4.6 This provision prevents a council from directly delegating its powers under section 33(1)(a) and 42 of the Act to any person or body other than an employee, a CDAP or an RDAP.

1.4.7 This challenge could be overcome through an alternative scheme of delegations, by:

- (a) establishing an RDAP which is then the delegate of the various councils.

The SELGA-member councils would need to coordinate their delegations so that the RDAP is the delegate in respect of each council's powers under section 33(1)(a) and 42 of the Act.

The RDAP could then sub-delegate these powers in respect of Category 1 and other development applications which are suitable to be determined by individual officers to the regional authority.

The Act neither prohibits nor envisages an RDAP sub-delegating its powers to another entity.<sup>33</sup>

In order for a scheme of delegations to be sufficiently transparent and robust for the purposes of oversight body review and efficient management, the councils would need to agree upon a uniform set of delegations and there will need to be structures put into place to ensure that the RDAP subdelegates its powers in an appropriate fashion. Such structures could potentially be achieved through the constituting regulations of the RDAP.<sup>34</sup>

The processing and assessing of a development application for Development Plan consent up to the point of determination could be undertaken by the Authority, with the final determination being made by the RDAP.

Appeals could be financed and managed by the Authority pursuant to appropriate contractual arrangements and a scheme of delegation; or

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<sup>33</sup> See section 20(3) of the Act – there is no legislative restriction placed upon a delegate's ability to subdelegate.

<sup>34</sup> The power of the Governor to make regulations to govern an RDAP pursuant to section 34(4) of the Act are, on their face, sufficiently broad to achieve regulations which guide the RDAP in respect of its powers of subdelegation.



- (b) the CEO of each council could, consistent with the authorisation given by the instrument of delegation, sub-delegate their powers under section 33(1)(a) and 42 in respect of applications which warrant determination by a Panel to the Authority, which could then ensure that applications are determined appropriately.

In order to ensure that the objective of sections 34(23) and 56A of the Act – which is to prevent the elected bodies of councils from determining applications for Development Plan consent – appropriate panel or other arrangements would need to be put into place by the Authority (preferably with the agreement of DPTI); or

- (c) a Regional Authority could be established as a regional subsidiary, preferably with DPTI's, support with a Charter that incorporates measures to govern an RDAP. The Governor can then enact regulations to create an RDAP which are consistent with the Charter for the regional subsidiary. In this way, an RDAP could be established which is then governed and administered by the Regional Authority as delegate of each Council and it can assess and determine development applications as delegate of each of the Councils.

- 1.5 Section 101A requires each council to establish a Strategic Planning and Development Policy Committee.
- 1.6 As discussed at paragraph 5 of Part Five, the Minister can exempt a council from the requirement to establish such a committee, but only where the Minister is satisfied that the functions of another committee established by the council under the *Local Government Act 1999* include the legislated functions of the committee.
- 1.7 This means that councils cannot avoid the need to constitute individual committees to satisfy the requirements of section 101A.
- 1.8 Each of the seven SELGA-member councils has had a varying degree of activity in terms of their Strategic Planning and Development Policy function. This has depended on the nature of planning issues arising at the time and on the initiation or commencement of related Development Plan Amendments.

**Table 15 – SELGA Councils - Strategic Planning and Development Policy Committees**

Council	Has established a Committee	Frequency of meetings
Tatiara	Yes	Monthly
Kingston	Not yet	-
Robe	Yes	As required
Mount Gambier	Yes	As required
Grant	Yes	Quarterly, or as required
Wattle Range	Not yet	-
Naracoorte Lucindale	Yes	As required, normally bi-monthly

- 1.9 Given the relatively low numbers of meetings taking place for each of the committees and the feedback from the workshops that these committees are manageable and not burdensome for the councils, we are not of the view that this requirement prevents the formation of a Regional Authority.

1.10 If the Regional Authority model were to be pursued to act as the delegate of the councils in respect of Development Plan Amendment functions, then sufficient procedures would need to be established to ensure that the activities of the committees are coordinated with those of the Authority.

## 2. PRACTICAL AND FINANCIAL CHALLENGES

The following challenges would need to be carefully considered and overcome before a Regional Authority was established:

- 2.1 a thorough cost/benefit analysis and business case for the establishment of such an authority needs to be undertaken with specific reference to each constituent council;
- 2.2 preferred governance models:
  - 2.2.1 such an authority could only be achieved through the constitution of a regional subsidiary pursuant to section 43 of the *Local Government Act 1999*;
    - (a) section 47 of the *Local Government Act* prohibits councils from forming companies and acquiring shares in companies. As such, the G21 corporate model is not achievable in South Australia;
    - (b) section 43 and Schedule 2 of the *Local Government Act* provide a significant degree of flexibility in the governance structures of a regional subsidiary, particularly in respect of the composition of the board, the powers, functions and duties it will exercise, staffing, funding and asset management;
  - 2.2.2 once the preferred model is determined, then the exact governance structures for the relevant charter or constitution will need to be agreed, including, most relevantly:
    - (a) funding arrangements;
    - (b) the constitution of the board of management;
    - (c) staffing;
    - (d) how surplus revenue is to be dealt with; and
    - (e) reporting and other related requirements.
- 2.3 funding arrangements for the work required for the establishment of the Authority will need to be agreed;
- 2.4 agreement will need to be reached on minimum usage levels of the Authority, and appropriate schemes of delegations;
- 2.5 both DPTI and the Office for State/Local Government Relations will need to be kept inform and involved in this process particularly given the unique nature of such an initiative under the Act, and the fact that the Minister for Local Government must approve of the establishment of a regional subsidiary.<sup>35</sup>

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<sup>35</sup> *Local Government Act 1999* section 43(2)

### 3. POTENTIAL FOR LAW REFORM

Whilst a Regional Authority could, at least in theory be established within the current legislative framework, such an authority could be better facilitated through amendments to the Act by:

- 3.1 amendment of section 34(23) to allow for delegations of Development Plan consent assessment powers and functions to be made to directly to a regional subsidiary or other body;
- 3.2 amendment to section 34 of the Act to allow the Minister to establish or otherwise endorse a regional subsidiary as an RDAP;
- 3.3 amendment of section 101A to allow exemptions for councils to the requirement to establish a section 101A committee if the Minister is satisfied that these functions and powers are undertaken by a regional subsidiary or other body established by a council.

### 4. THE PLANNING REVIEW

- 4.1 The creation of regional planning boards is a key feature of the “*Our Ideas for Reform*” Paper prepared by the Expert Panel.
- 4.2 The Options paper has not set out the proposed governance and funding structures for such bodies, other than that they may:
  - 4.2.1 be entities of the Crown appointed by the Minister, rather than delegates of councils;
  - 4.2.2 have responsibility for approving amendments to regional planning schemes and local schemes proposed by councils;
  - 4.2.3 appoint regional development assessment panels;
  - 4.2.4 be funded entirely by local government;
  - 4.2.5 determine development applications which are lodged and assessed to the point of determination by councils.
- 4.3 SELGA currently has an opportunity to develop a regional planning authority which is agreed to, supported and facilitated by each of the SELGA councils and which could be a viable alternative to the as-yet uncoded recommendations of the Expert Panel.

## PART EIGHT – SUMMARY, CONCLUSIONS AND FURTHER CONSIDERATIONS

### Summary and conclusion

Through the preparation of this Discussion Paper, the Local Government Association of South Australia and the South East Local Government Association have investigated opportunities for a stronger regional collaboration in planning functions of the SELGA-member councils.

Based on the detailed investigations, research and engagement with relevant stakeholders, there is clearly the will and means for the SELGA-member councils to implement the 3 key goals relating to a Regional Planning Alliance for the South East, through:

- Establishing a Regional Planning Authority
- Establishing a Regional Development Assessment Panel
- Developing consistent and aligned Development Plans or preferably one Development Plan

There is also considerable support, on the concept of a Regional Planning Alliance, provided by the Department for Planning, Transport and Infrastructure, and an expressed willingness to be actively involved during future implementation stages of the project.

Based on the recent success of the Riverland Futures Taskforce and the three Riverland Councils in establishing a regional approach to planning, and having considered other South Australian Regional Development Assessment Panels and interstate models, there is ability under the current legislative system to implement all three key goals.

Notwithstanding the means to implement the three key goals under the current legislative system, the SELGA-member councils are mindful of the current timing and opportunity for planning reform, and wish to promote a regional planning alliance model that best suits the needs of their councils and communities.

There is a full understanding that the success of the project would rest with a determined willingness and drive from the SELGA-member councils (at a staff, management and political level) to work cooperatively together over a series of years to implement a Regional Planning Alliance.

There will also need to be a commitment from the SELGA-member councils and other stakeholders to fund the implementation phase of the Regional Planning Alliance, over a number of years – and to prepare a thorough Business Case with regard to the fine detail of how a model would function and associated budget/financial considerations.

### RECOMMENDATIONS

#### Regional Planning Alliance Implementation Group

1. **That the SELGA-member councils evolve the Regional Planning Alliance Working Group into a Regional Planning Alliance Implementation Group – including the CEO and an Elected Member from each member council, the CEO of SELGA, a representative of the Department for Planning, Transport and Infrastructure (DPTI), and the Local Government Association of SA.**

2. **That the SELGA-member councils enter into an initial Memorandum of Understanding that provides in-principle support for the Regional Planning Alliance Implementation Group to commence further work to progress the recommendations of the Discussion Paper.**

**Priority – High**  
**Timeframe** – January 2015

3. **That the SELGA-member councils, through the Regional Planning Alliance Implementation Group, source initial seed funding from representative councils, and agencies such as Regional Development Australia, DPTI and the LGA to commence the early stages of the Regional Planning Alliance Project.**

**Priority – High**  
**Timeframe** – January 2015

### Essential components/actions

4. **That the SELGA-member councils, through the Regional Planning Alliance Implementation Group, progress in establishing a Regional Development Assessment Panel (RDAP) for the South East (or possibly a north and south RDAP), by:**

- 4.1 Preparing a Business Case for consideration and adoption of the SELGA-member councils having regard to the findings of the Discussion Paper
- 4.2 Establishing draft terms of reference for the RDAP
- 4.3 Establishing draft delegations and reporting requirements of the RDAP
- 4.4 Preparing a submission (with the assistance of DPTI) to the Governor for the constitution of the RDAP
- 4.5 Subject to SELGA's endorsement of each stage, establish an RDAP.

**Priority – High**  
**Timeframe** – Commence process early 2015, complete by mid 2016

5. **That the SELGA-member councils, through the Regional Planning Alliance Implementation Group, harmonise their Development Plans on a transitional and targeted basis, by:**

- 5.1 Entering into discussions with the City of Mount Gambier with regard to commencing a conversion of its Development Plan into the SA Planning Policy Library format (Better Development Plan)
- 5.2 Initially introducing consistent Version 6 modules of the SA Planning Policy Library at a Council-wide level, with local variations where essential
- 5.3 Working cooperatively together to target an approach to harmonising Development Plan policy at a zone level (by either a zone by zone approach, or by a whole of Development Plan)

- 5.4 Establishing a budget and funds through agencies such as Regional Development Australia, DPTI and the LGA, in a similar fashion to how the Riverland Futures Taskforce implemented aligned Development Plans
- 5.5 Establishing a realistic and achievable timeframe, involving the appointment of a consultant, preparation of Statement of Intent(s), undertaking required investigations and preparation of one or more Development Plan Amendments
- 5.6 Engaging with DPTI, at the outset, regarding the preference to establish one Development Plan for the South East, and how this best be achieved and managed with regard to responsibility for the strategic planning and development policy function of councils, as a longer term goal.

**Priority – High**  
**Timeframe –**

- 5.1 Q3-4 2014/15 and to determine procedural timeframes
- 5.2 Commence process Q1 2015/16 and to determine procedural timeframes
- 5.3 Establish priority targets/zones Q1 2015/16 – commence process Q3 2015/16 and to determine procedural timeframes
- 5.4 Q3-4 2014/15
- 5.5 Q3-4 2014/15 and to establish realistic target dates
- 5.6 To be determined

**6. That the SELGA-member councils, through the Regional Planning Alliance Implementation Group, progress the establishment of a Regional Planning Authority on its own terms, thereby presenting a regionalisation model which could be incorporated into a future planning system which may be implemented in the State, by:**

- 6.1 Preparing a Business Case, Terms of Reference, reporting and delegations for consideration and adoption of the SELGA-member councils – and having regard to the findings of the Discussion Paper and the final report of the Expert Panel on Planning Reforms, determines whether the model would sit under the current legislative framework or require legislative reform
- 6.2 Driving legislative reform, should the SELGA-member councils seek to pursue a Regional Authority model that is not achievable under the current legislative system
- 6.3 Determining whether or not a RDAP would form a part of the Regional Authority or whether the RDAP will be delegate of the Councils and operate in parallel with the Regional Authority.
- 6.4 Community engagement, ministerial approval, implementation, training, board member appointment, commencement dates

**Priority – Medium**  
**Timeframe –**

- 6.1 Commence process Q3-4 2014/15 and to determine targeted timeframes
- 6.2 To be determined
- 6.3 As per 6.1
- 6.4 To be determined

**Further considerations**

7. That the SELGA-member councils, through the Regional Planning Alliance Implementation Group and Regional Development Australia, considers obtaining a report from an economist or other suitably-qualified analyst to examine the economic benefits to regional planning policy such that appropriate support may be obtained throughout each of the councils and their community for this long-term project.
8. That in association with Recommendation 7, the SELGA–member councils, in collaboration with Regional Development Australia, prepares an Economic Development and Investment Attraction and Marketing Prospectus – to promote the benefits of the regional alliance to businesses and investors.

**Priority** – Medium (desirable)  
**Timeframe** – 2015/16

## 1. APPENDIX A – Consultant Project Brief



The Voice  
of Local  
Government

# CONSULTANT PROJECT BRIEF

## LGA & SELGA "Regional Planning Alliance Project"

*Investigating a Regional Approach to Planning Functions and Decision Making*

The primary purpose of the "Regional Planning Alliance Project" project is to investigate the opportunities for stronger regional collaboration in planning and to develop a Discussion Paper that

- Explores the feasibility of establishing a Regional Planning Authority, which is empowered to approve Development Plan Amendments (and possibly other functions such as strategic planning and assessment of Major Projects);
- Identifies opportunities and constraints for the introduction of "Regional Development Plans" and "Regional Development Assessment Panels" in the South East Local Government Association (SELGA), and more widely, South Australia; and
- Explores relevant existing examples of regional collaboration

### ESSENTIAL COMPONENTS

#### Regional Planning Authority

- Explore the feasibility of a Regional Planning Authority, recognising the significant legislative and administrative shift associated with this approach.
- Investigate the constraints and opportunities within the existing South Australian legislative framework. This will involve meeting with representatives from DPTI.
- Consider the potential role, structure, composition and funding model for such an Authority, having regard to the recommendations of the Local Excellence Expert Panel report on the 'Council of the Future' and any relevant work by the State Government's Expert Panel on Planning Reform.

#### Regional Development Assessment Panel (DAP)

- Investigate the potential benefits of developing a Regional DAP. Where possible, these benefits should be quantified in terms of time and cost savings.
- Investigate the potential constraints to developing and implementing a Regional DAP, and identify opportunities for overcoming these constraints.
- Explore relevant existing examples of regional planning collaboration, including those Regional Development Assessment Panels specified in Schedule 28, 29 and 30 of the Development Regulations 2008.

#### Regional Development Plan

- Investigate the potential benefits of developing a Regional Development Plan. Where possible, these benefits should be quantified in terms of time and cost savings.
- Investigate the potential constraints to developing and implementing a Regional Development Plan, and identify opportunities for overcoming these constraints.
- Incorporate a brief review the process recently undertaken by the Murray and Mallee Local Government Association to achieve better alignment of Development Plans across the Region and outline any challenges and barriers to that approach.



The Discussion Paper should reference and build on past studies, in particular the Joint Limestone Coast Section 30 Development Review (2010) by Connor Holmes.

#### PROJECT OUTPUT

The consultant will deliver a comprehensive Discussion Paper which addresses the three essential components of the project and provides a series of 'best practice' recommendations. The Paper will document the "Essential Components" investigations and outcomes, and should also consider any additional resourcing scenarios that may be required to support the implementation of these outcomes.

The Paper will be distributed to a broad Local Government audience and should be presented in a manner that is logical and easy to understand.

#### CONSULTATION

It is anticipated that consultation will be undertaken with the Reference Group during the development of the draft Discussion Paper. Consultation with key participants in the Murray and Mallee Local Government Association, and Development Officers of its member Councils, is also encouraged.

#### REFERENCE GROUP

LGA Secretariat- Lisa Teburea, Director Planning and Community Services  
South East Local Government Association (SELGA) Working Party:

Ann Aldersey (SELGA Executive Officer)  
Richard Vickery (SELGA President and Mayor, Tatiara District Council)  
Erika Vickery (Mayor, Naracoorte Lucindale Council)  
Peter Riseley (Mayor, District Council of Robe)  
Peter Harriott (CEO, Wattle Range Council)  
Trevor Smart (CEO, District Council of Grant)

*The South East Local Government Association (SELGA) undertakes a coordinating, advocacy and representational role on behalf of its Constituent Councils - The District Councils of Grant, Kingston, Naracoorte Lucindale, Robe, Tatiara, Wattle Range and the City of Mount Gambier.*

#### KEY MILESTONES

A draft of the Discussion Paper will be submitted to the LGA Secretariat for review by the Reference Group within 3 months of commencement. The draft Discussion Paper will be reviewed by the Reference Group and comment provided to the Consultant by the LGA Secretariat within 1 month of receipt of the draft, or unless extended by mutual agreement between the LGA Secretariat and the Consultant.

It is anticipated that the project will be completed and the final Discussion Paper delivered to the LGA Secretariat by the end of October 2014, unless extended by the LGA Secretariat.

#### FEE STRUCTURE

The Consultant will submit invoices to the LGA Secretariat. The first shall not precede submission of the draft Discussion Paper and the second shall not precede submission of the final Discussion Paper.

2. APPENDIX B – Issues Paper

# Regional Planning Alliance Project

- Issues Paper -

Local Government Association and the SELGA, August 2014

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3. What is the "Riverland Futures Project" and how has that project achieved regionalisation in the Riverland?	5
4. How does the Riverland Regional Development Assessment Panel work?	6
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6. How does the harmonisation of Development Plans work?	8
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8. Relevant considerations for regionalisation	10
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10. Where to from here?	12

## 1. Introduction

- 1.1 Development Answers and KelliedyJones Lawyers have been engaged by the Local Government Association and the SELGA to prepare a Discussion Paper for the Regional Planning Alliance Project.
- 1.2 Investigations into regional planning opportunities have been conducted by SELGA for some time. In 2011, a paper entitled "Regional Planning Opportunities" was prepared by SELGA which recommended further investigations into four key areas, being:
  - 1.2.1 regional planning consultants;
  - 1.2.2 Regional Development Assessment Panel;
  - 1.2.3 planning staff/Regional Development Assessment Body;
  - 1.2.4 consolidation of Council Development Plans.
- 1.3 The Discussion Paper will contain the results of detailed investigations into each of these areas, and will focus on three key regionalisation measures:
  - 1.3.1 a Regional Development Assessment Panel;
  - 1.3.2 Regionalisation of Development Plans;
  - 1.3.3 a comprehensive Regional Planning Authority to undertake planning, policy development assessment and other functions and powers of councils under the *Development Act 1993*.
- 1.4 This project is particularly timely, given the Expert Panel's "Our Ideas For Reform" paper which was published on 6 August 2014 and which contains numerous recommendations for increased regionalisation of planning policy and assessment functions.
- 1.5 This Issues Paper is a preliminary document which contains initial findings, ideas and discussion prompts which will form the basis of consultation with the SELGA Working Group and each of the SELGA-member councils in face-to-face interviews which will be conducted on 11 and 12 September 2014.

A Discussion Paper will be prepared following the consultation with SELGA-member councils – this Issues Paper contains preliminary information to prompt awareness and discussion.

## 2. What can and cannot be achieved under the Development Act 1993?

- 2.1 Under the *Development Act* the following regionalisation measures could be implemented:
  - 2.1.1 the establishment of an RDAP to act as the delegate of stakeholder councils in the determination of Development Plan consent applications;
  - 2.1.2 the harmonisation of Development Plan policies across stakeholder councils;
  - 2.1.3 the establishment of a body to undertake planning assessments (but not to determine the decision of Development Plan consent applications), employ authorised officers and to undertake inspections as well as enforcement and compliance functions for constituent councils;
  - 2.1.4 the sharing of development assessment and other staff and consultants.
- 2.2 The limitations of the *Development Act* are as follows:
  - 2.2.1 single, regional Development Plans covering several Councils cannot be achieved (though, as above, alignment of policies can);
  - 2.2.2 even if Development Plans are harmonised, each constituent council must have its own Strategic Planning and Development Policy Committee under section 101A of the *Development Act*;
  - 2.2.3 unless harmonisation of Development Plans (and subsequent changes) occur by way of Ministerial DPA, each constituent council must agree to changes. This could be managed through a Heads of Agreement or similar document;
  - 2.2.4 the regional body described in 2.1.3 above cannot be consolidated with an RDAP.

- 3. What is the “Riverland Futures Project” and how has that project achieved regionalisation in the Riverland?**
- 3.1 The Riverland Futures Project (RFP) was undertaken by the Renmark Paringa, Loxton Waikerie and Berri Barmera councils, during 2010-2012, with the intention of encouraging appropriate development and stimulating economic growth through a review of planning policies and simplifying development processes in the region.
- 3.2 The RFP was centrally managed through the Riverland Futures Taskforce in association with the 3 councils and the Department for Planning, Transport and Infrastructure.
- 3.3 The RFP was undertaken with the agreement and support of all three councils.
- 3.4 The RFP resulted in:
- 3.4.1 the establishment of the Riverland Regional Development Assessment Panel;
  - 3.4.2 the preparation of Regional Economic Prospectus;
  - 3.4.3 the harmonisation of each of the three councils’ Development Plans;
    - (a) via three (3) jointly managed council DPAs, each titled “Better Development Plan and Alignment Development Plan Amendment”;
    - (b) each Development Plan has the same Zones and the same Council-Wide and Zone/Policy Area provisions;
    - (c) minor regional variations or specific Zones do exist for obvious special site specific circumstances.

#### 4. How does the Riverland Regional Development Assessment Panel work?

- 4.1 The Riverland Regional Development Assessment Panel's (RRDAP) constitution is contained within Schedule 30 of the *Development Regulations 2008*.
- 4.2 The RRDAP has 7 members – 4 independent members and 3 council members;
  - 4.2.1 the Presiding Member is chosen by the Minister from a list of at least 2 nominees submitted by the relevant councils – the 3 councils established a subcommittee that made a recommendation for adoption by each member council;
  - 4.2.2 the remaining members are chosen by the councils:
    - (a) each Council chooses 2 members each – one independent member and one council member;
    - (b) this has resulted in 1 elected member from each council being appointed to the RRDAP.
- 4.3 The RRDAP convenes at each of the 3 councils on a yearly rotating basis.
- 4.4 Administrative and other costs are shared by the councils.
- 4.5 The RRDAP operates (section 34 of the *Development Act*) in the same manner as a CDAP:
  - 4.5.1 it determines its own meeting procedures;
  - 4.5.2 it is the delegate of each of the constituent councils for Category 2 and 3 development applications (where representations are received) and certain other applications;
  - 4.5.3 agendas and minutes of the RRDAP are published on each council's website.

## 5. Advantages/Disadvantages of a Regional Development Assessment Panel (RDAP)

### 5.1 Advantages of a RDAP:

- 5.1.1 less parochial and less political;
- 5.1.2 ability to attract and secure independent members;
- 5.1.3 efficiencies of scale/cost reductions;
- 5.1.4 more uniform interpretation of Development Plan provisions;
- 5.1.5 more consistent decision making;
- 5.1.6 better understanding of cross-regional and common issues and opportunities;
- 5.1.7 promoting the benefits of a RDAP to stakeholders and investors (community, developers etc)
- 5.1.8 scope to expand functions of a RDAP.

### 5.2 Disadvantages of a RDAP:

- 5.2.1 initial set-up is expensive, takes time and joint commitment;
- 5.2.2 managing inspections across a large region;
- 5.2.3 costs may outweigh benefits, for some councils, if a CDAP is inactive.



**6. How does the harmonisation of Development Plans work?**

6.1 Councils must agree upon:

6.1.1 content of DPA's;

- (a) guided by Section 30 Strategic Directions Report and Section 101A Strategic Planning and Development Policy Committees;
- (b) adoption of SA Planning Policy Library modules;
- (c) a regional approach for determining how to agree on policy consistency and any local variations;
- (d) the breadth of the DPA (eg, for Council-wide policy only, or for a particular Zone or Zones on a progressive priority basis, or an entire Development Plan review).

6.1.2 process managed through a central working party with DPTI representation (with agreed terms of reference) and a planning advisor;

6.1.3 budget and cost-sharing arrangements;

6.1.4 selection process for consultants;

6.1.5 establishing timeframes, project management and reporting requirements.

## 7. Advantages/Disadvantages of harmonised Development Plans

### 7.1 Advantages

- 7.1.1 where there is a strong and consistent commitment of all councils right through the entire process;
- 7.1.2 clarity of policy for land owners who have properties in more than one council area;
- 7.1.3 greater certainty/understanding for developers in the region;
- 7.1.4 can be used to “sell” the South East as being a good region for investment and economic business attraction;
- 7.1.5 can facilitate better sharing of development assessment staff and consultants;
- 7.1.6 via use of SA Planning Policy Library (Better Development Plan policy and format) - format of Development Plans will see harmonisation of Council-wide provisions and use of common Zone policy;
- 7.1.7 promotes policy consistency for Planning Officers and RDAP members when undertaking assessments/decisions;
- 7.1.8 leads to more consistent decision making – helping to reduce challenges, confusion, appeals and costs.

### 7.2 Disadvantages

- 7.2.1 agreement, cooperation and partnership between the councils is vital;
- 7.2.2 potentially complex and costly DPA processes;
- 7.2.3 how to manage and resolve any issues or misalignment of desired objectives and outcomes through the process;
- 7.2.4 lengthy processes – possibly overlapping council terms (potentially with the scope altering as a result);
- 7.2.5 keeping the Development Plans ‘consistent’ overtime, that is once the Development Plans have been aligned.

## 8. Relevant considerations for regionalisation

### 8.1 How could regionalisation occur/be facilitated?

- 8.1.1 RDAP – established under the *Development Act* for whole of region or parts thereof;
- 8.1.2 harmonised Development Plans – each council to implement DPA's by agreement;
- 8.1.3 Regional body – through the creation of a regional subsidiary under the *Local Government Act 1999*;
- 8.1.4 by monitoring the findings and implementation of the Expert Panel on Planning Reforms.

### 8.2 Issues and challenges

- 8.2.1 all councils must be committed;
- 8.2.2 Agreements/Heads of Agreement to be established at the outset – this is vital;
- 8.2.3 cost sharing arrangements for a RDAP or regional body may be difficult to agree upon:
  - (a) same cost per council (equal share)?
  - (b) per development application?
  - (c) per development application reported to the RDAP?
  - (d) per rate revenue?
  - (e) per population?
  - (f) per percentage of fees received?
- 8.2.4 governance structures

## 9. The Planning Review and the “Our Ideas for Reform” Paper

- 9.1 This paper contains the following recommendations relating to regionalisation:
- 9.1.1 divide the State into regions and establish regional planning boards for each;
  - 9.1.2 each board will include members representing local and state government with an independent chair appointed by the Minister;
  - 9.1.3 boards will work with local councils to coordinate planning functions in each region and to deliver government policy directions with assistance from the State Planning Commission;
  - 9.1.4 specific functions of the boards will include preparing regional strategies, approving council rezoning proposals, undertaking public hearings and other engagement, and appointing regional development assessment panels;
  - 9.1.5 Regional development assessment panels to replace CDAP’s entirely;
  - 9.1.6 opportunities to integrate boards with other bodies, particularly in country areas, should be explored to promote efficient decision-making and secure integrated policy outcomes for communities;
  - 9.1.7 Boards will be funded through co-contributions, as agreed by participating councils and the state government;
  - 9.1.8 there will be flexibility in the system to establish boards for special areas or projects;
  - 9.1.9 Regional boards will be able to change the equivalent of the Planning Strategy;
  - 9.1.10 Regional Planning Schemes (RPS’s) to be implemented. These documents to contain regional planning strategies and a regional Development Plan;
  - 9.1.11 Regional boards to develop and maintain RPS’s - local councils to implement local changes;
  - 9.1.12 RPS’s to incorporate infrastructure, environmental, public health and other plans to avoid duplication;
  - 9.1.13 consistent planning policies achieved through a limited selection of provisions, Zones etc.

## 10. Where to from here?

### 10.1 Further research and consultation to occur over the coming weeks:

- 10.1.1 Meeting with the Department of Planning, Transport and Infrastructure;
- 10.1.2 Interviews with key Council representatives - face-to-face interviews will be conducted on 11 and 12 September 2014;
- 10.1.3 More detailed consideration of the Planning Reforms report – “Our Ideas for Reform”;
- 10.1.4 Consider status of council Development Plans, DPAs and status/versions of Better Development Plan conversions;
- 10.1.5 Review of council development application data and other relevant statistics;
- 10.1.6 Relevant considerations and investigations.

### 10.2 Preparation of the Discussion Paper for consideration by the SELGA.

### 3. APPENDIX C – Council workshop/briefing sessions

## Regional Planning Alliance Project – SELGA and the Local Government Association

### SELGA-member Councils consultation/engagement meetings

2-4pm, Thursday 11 September 2014 at the Naracoorte Lucindale Council Chambers

For staff/representatives of the Tatiara District Council, Kingston District Council, District Council of Robe, and Naracoorte Lucindale Council

Hosted by Helen McDonald (SELGA Working Group) - facilitated by Kelledy Jones and Development Answers

10am-12noon, Friday 12 September 2014 at the College Room, Main Corner, Mount Gambier

For staff/representatives of the City of Mount Gambier, Wattle Range Council, and District Council of Grant

Hosted by Trevor Smart (SELGA Working Group) - facilitated by Kelledy Jones and Development Answers

### AGENDA

1. Welcome and introductions (5 mins)
2. About the Regional Alliance Project - key objectives (10 mins)
3. What does the Expert Panel say? – “Our Ideas for Planning Reform” (20 mins)
4. Work undertaken to date and any gaps in data (10 mins)
5. Initial issues – Issues Paper, August 2014 (10 mins)
6. Interactive session (60 mins)
7. Where to from here (5 mins)

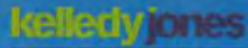
For further information please contact the respective host, or Dani McKinnon on [dmckinnon@rdalimestonecoast.org.au](mailto:dmckinnon@rdalimestonecoast.org.au) or 87231057. Please also feel free to contact either Victoria Shute at Kelledy Jones on 8113 7104 or David Altmann at Development Answers on 85311600 should you have any questions leading up to the sessions.



4. APPENDIX D – Power Point Presentation

# LGA & SELGA Regional Planning Alliance Project

SELGA-member Councils  
11 & 12 September 2014



## 2. About the Regional Alliance Project

### Regional Planning Authority

- Governance options
  - EHA Model - Subsidiary/Regional Subsidiary?
  - Limitations – Development Assessment and s101A committee
  - Cost sharing arrangements – EP Councils
  - A case for law reform?

### Regional Development Assessment Panel

- Governance options
  - Section 34
  - Riverland model – ‘the pros and cons’

### A Regional Development Plan

- Development Act – 7 Development Plans – but can align
- Can we have ‘one’ Development Plan?

## 1. Welcome and introductions

- Attendees
- Kelliedy Jones
  - Local Government Lawyers



- Development Answers
  - Local Government and Planning consultants



## 3. What does the Expert Panel say?

### 27 ideas on planning reform



- State Planning Commission
- Regional Planning Boards
- A single framework for State directions
- Reshape planning documents on a regional basis
- A consistent state-wide menu of planning rules
- Adopt clearer development pathways
- Independent professional assessment
- An on-line approach to planning

## 4. Work undertaken to date 5. Issues Paper

- Meeting with SELGA Working Group
- Initial research
- Review of Ideas for Planning Reform
- Development and Council data
  - Gaps in data
- Riverland Futures Taskforce
- Meeting DPTI
- Issues Paper



## Riverland RDAP

- Established by Governor
  - With Agreement of each Riverland Council
    - Section 34 – establishment and role
    - Schedule 30 of Regulations – procedures and terms
- Membership
  - Independent Presiding Member – Ministerial appointment
  - 2 members from each Council
    - An elected member
    - An independent member
- Role of RDAP
  - Act as Planning Authority for 3 Councils
  - Independence
  - Code of conduct
  - Decisions still based on individual Council Development Plans (but aligned)

## Riverland Futures project

- Driven by Riverland Futures Taskforce
  - To help stimulate and create positive economic future
- Strong partnership with 3 member Councils
- Strong partnership with Minister/DPTI
  - Assisted with timeframes/reporting/gazettal and funding
- Three main initiatives
  - Regional economic and investment attraction prospectus
    - Promote well managed growth
  - Regional Development Plan alignment
  - Regional Development Assessment Panel

## Riverland experience Regional Development Assessment Panel

- | Pros  | Cons   |
|---|--|
| <ul style="list-style-type: none"> <li>➤ 100% buy in by all Councils                             <ul style="list-style-type: none"> <li>• Agreed vision</li> </ul> </li> <li>➤ Backed up by MOU                             <ul style="list-style-type: none"> <li>• Bringing own costs / capital responsibilities etc.</li> </ul> </li> <li>➤ Obtained seed funding</li> <li>➤ Efficiencies of scale (1 Panel vs 3)                             <ul style="list-style-type: none"> <li>• Common meetings</li> <li>• Tailored Joint Agreements/Member meetings</li> <li>• Efficient use of time/resources/Staff/Member</li> </ul> </li> <li>➤ Attraction of independent members                             <ul style="list-style-type: none"> <li>• Not competing for Members / costs</li> <li>• Attracting Independent Members</li> <li>• Clear Public Officer</li> </ul> </li> <li>➤ Consistent decision making                             <ul style="list-style-type: none"> <li>• Aligned Development Plans with a key</li> <li>• Aligned Members with common set of policies</li> <li>• Facilitated approvals</li> <li>• Need for consistent officer reporting/chain</li> </ul> </li> <li>➤ Councils support and respect role of RDAP                             <ul style="list-style-type: none"> <li>• No political inter-relationships</li> <li>• Clearly understand role of RDAP vs Council</li> </ul> </li> <li>➤ Scope to expand role of RDAP</li> </ul> | <ul style="list-style-type: none"> <li>➤ Time to establish</li> <li>➤ Costs to establish                             <ul style="list-style-type: none"> <li>• But had support of DPTI</li> </ul> </li> <li>➤ Reporting and governance requirements to establish</li> <li>➤ Remaining committed to outcomes, during process</li> <li>➤ Establishing management and reporting responsibilities                             <ul style="list-style-type: none"> <li>• Need to share, so no risk of a Council being knowledgeable</li> <li>• Need to consider how to keep each Council engaged</li> </ul> </li> <li>➤ Potentially the geographic size of area - inspections</li> <li>➤ Needed to extent term of RDAPs whilst RDAP being established                             <ul style="list-style-type: none"> <li>• But had strong Ministerial/DPTI support</li> </ul> </li> </ul> |



## Riverland experience Development Plan Alignment

### Pros

- 100% buy in by all Councils
  - Agreed vision
- Cross Council/DPTI funded
- Driven by one Project Group and one planning consultant
  - Maximised uptake for cooperative approach
- Councils put considerable trust/confidence in role of Project Group
- Strong active support of DPTI and DPTI staff
- 3 DPAs based on SA Planning Policy Library - plus policy zone amendments
- Consistent decision making
  - Benefits public
  - Benefits Council seat and RDAP
  - Ease of implementation for RDAP members
  - Ease of reporting
  - Fair/neutral approach
- Promotes Riverland as best practice
- Promotes coordinated strategic planning
- Role of DPTI and agencies essential – front and centre

### Cons

- Time to coordinate
- Risk of an un-unified approach
- Managing DPAs across two Council terms - and 3 Councils
- Need for determined collaborative approach
- How to resolve differing opinions
- Costs to establish
  - Support of DPTI/Riverland Future Taskforce/Councils
- Keeping it consistent (into the future)



## Strategic function

- Section 101A
  - Council must establish a Committee
  - So that Council has a deliberate 'focus' on planning policy matters And monitors performance of its Development Plan and future needs and goals
  - Roles and functions
  - Reports to Council
- This is a very important role of Councils



## What about Council's strategic policy role?

- Responsibility rests with Council (Section 101 Committee)
  - Council sets the Policy
  - The Administration/RDAP administers the policy
- Is there a role for a coordinated function for a regional body regarding planning policy?



## Aligning Development Plans



## Development Plans - State of Play

- Grant
  - Development Plan not converted
  - Better Development Plan and General Amendment DPA at approval stage
  - Gateway Precinct DPA at approval stage
  - Country/Rural Living and Township Expansion DPA at approval stage
- Kingston
  - BDP conversion in 2008 – scope to update to V6
- Mt Gambier
  - Development Plan not converted
  - Current Urban Boundary Realignment DPA
  - Current Gateways Precinct DPA
  - Current Heritage DPA
- Naracoorte Lucindale
  - BDP conversion in 2010 – scope to update to V6
- Robe
  - BDP conversion in 2011 – scope to update to V6
  - Current Robe Golf Course Residential DPA
- Tatiara
  - BDP conversion in 2013
  - Current Better Development Plan, Commercial, Rural Living Zones and Miscellaneous (Part 2) DPA
- Wattle Range
  - BDP conversion in 2008 – scope to update to V6

## 7. Where to from here?

## 6. Interactive session

- Questions

## 5. APPENDIX E - Council workshop session - Attendees

### 11<sup>th</sup> September – Naracoorte Lucindale Council Chambers – 2pm – 4pm - TDC, KDC, DCR, NLC

Name	Position	Organisation
Helen MacDonald	CEO	NLC
Liz Travers	Independent Presiding Member	NLC, WRC, DCG, CMG Development Assessment Panels
Roger Sweetman	CEO	DCR
Michelle Gibbs		DCR
Rob Harkness	CEO	TDC
Rocky Callisto	Manager Development & Inspectorial Services	TDC
Richard Vickery	Mayor	TDC
Bill Hender	Chair	Tatiara DAP
Paul McRostie		NLC
Justine Aldersey		NLC
Erika Vickery	Mayor	NLC
Elected Member		NLC
Elected Member		NLC

### 12<sup>th</sup> September – Main Corner, Mt Gambier – 10am – 112pm – CMG, WRC, DCG

Name	Position	Organisation
Peter Harriott	CEO	WRC
Catherine Pegler	Planning Officer	WRC
John Best	Manager of Building & Planning	WRC
Ed Scanlon	Director Development Services	WRC
Damon Huntley	Planning Student	WRC
Bill Beumer	Independent CDAP Member	CMG
Peter Seebomh	Independent CDAP Member	CMG
Daryl Morgan	Engineering Manager (currently Acting Director - Operational Services)	CMG
Tracy Tzioutziouklaris	Strategic Project Officer	CMG
Michael Silvy	Manager - Regulatory Services	CMG
Jess Porter	Planning Officer	CMG
Simon Wiseman	Senior Planner	CMG
Josh Wilson	Project Officer	CMG
Ted Jordan		
Richard Sage	Mayor	DCG
Trevor Smart	CEO	DCG
Jane Fetherstonhaugh	Deputy CEO	DCG
Leith McEvoy	Director, Planning & Development	DCG
Rod Storan	Manager, Development	DCG
Adrian Schutz	Works Manager	DCG
Robert Mills		Kingston

**6. APPENDIX F - Policy Alignment – a brief snapshot – September 2014**

	Grant	Kingston	Mt Gambier	NLC	Robe	Tatiara	Wattle Range	Comments
<b>General information</b>	<ul style="list-style-type: none"> <li>• 386 pages</li> <li>• 175 pages maps/concepts</li> <li>• Consolidated 28 Aug 2014</li> <li>• BDP Conversion 28 Aug 2014 – version 5</li> </ul>	<ul style="list-style-type: none"> <li>• 342 pages</li> <li>• 145 pages maps/concepts</li> <li>• Consolidated 13 Dec 2012</li> <li>• BDP Conversion in 2008 – version 2</li> </ul>	<ul style="list-style-type: none"> <li>• 263 pages</li> <li>• 28 maps</li> <li>• Consolidated 28 August 2014</li> <li>• Not yet converted</li> </ul>	<ul style="list-style-type: none"> <li>• 306 pages</li> <li>• 121 pages of maps/concept plan</li> <li>• Consolidated 29 Nov 2012</li> <li>• BDP Conversion in 2010 – version 4</li> </ul>	<ul style="list-style-type: none"> <li>• 275 pages</li> <li>• 90 pages of maps/concept plans</li> <li>• Consolidated 28 August 2014</li> <li>• BDP Conversion 2011 - version 5</li> </ul>	<ul style="list-style-type: none"> <li>• 401 pages</li> <li>• 190 pages of maps/concept plans</li> <li>• Consolidated 24 Oct 2013</li> <li>• BDP Conversion 2013 – version 6</li> </ul>	<ul style="list-style-type: none"> <li>• 454 pages</li> <li>• 241 pages of maps/concept plans</li> <li>• Consolidated 7 Feb 2013</li> <li>• BDP Conversion in 2008 – version 2</li> </ul>	<ul style="list-style-type: none"> <li>• 2427 pages total</li> <li>• 990 pages of maps</li> <li>• Differing SA Policy Library versions</li> <li>• 1 Development Plan not converted</li> <li>• Considerable policy variations</li> </ul>
<b>Residential</b>	<p>SA Policy Library (with local variations and Policy Area)</p> <ul style="list-style-type: none"> <li>• No minimum density criteria at zone level (except for Policy Area)</li> </ul> <p>Mount Percy Golf Course Policy Area</p> <ul style="list-style-type: none"> <li>• Dwelling criteria based on design parameters</li> <li>• Land division minimum 450m<sup>2</sup></li> </ul>	<p>SA Policy Library (with local variations and Policy Areas)</p> <ul style="list-style-type: none"> <li>• Dwelling (CWMS) 600m<sup>2</sup></li> <li>• Semi-detached 420m<sup>2</sup></li> <li>• Group 300m<sup>2</sup></li> <li>• Row 370m<sup>2</sup></li> <li>• Flat 230-1500m<sup>2</sup> depending on no. flats</li> </ul> <hr/> <ul style="list-style-type: none"> <li>• Dwelling (no CWMS) - 1000m<sup>2</sup></li> <li>• Semi-detached 700m<sup>2</sup></li> <li>• Group 600m<sup>2</sup></li> <li>• Row 550m<sup>2</sup></li> </ul> <hr/> <ul style="list-style-type: none"> <li>• 1200m<sup>2</sup> Golf Course Policy Area</li> </ul>	<p>Residential Zone (with Policy Area variations)</p> <ul style="list-style-type: none"> <li>• Detached 450m<sup>2</sup></li> <li>• Semi-detached 450m<sup>2</sup></li> <li>• Group 450m<sup>2</sup></li> <li>• Flat 350m<sup>2</sup> (ave)</li> <li>• Row 350m<sup>2</sup> (ave)</li> </ul> <p>Land division criteria:-</p> <ul style="list-style-type: none"> <li>• 450m<sup>2</sup></li> <li>• 300m<sup>2</sup> for affordable housing</li> </ul> <p>Plus Residential Local Heritage Area; and Regeneration Zone with scope for higher density development.</p>	<p>SA Policy Library (with local variations)</p> <ul style="list-style-type: none"> <li>• Detached 600m<sup>2</sup></li> <li>• Flat 450m<sup>2</sup></li> <li>• Other 450m<sup>2</sup></li> <li>• 1200m<sup>2</sup> for non CWMS or sewer</li> </ul>	<p>SA Policy Library (with local variations)</p> <ul style="list-style-type: none"> <li>• All dwellings 450m<sup>2</sup></li> <li>• Land division 450m<sup>2</sup> as well</li> </ul> <p>Plus Residential Character zone</p>	<p>SA Policy Library (with land variations and Policy Area)</p> <ul style="list-style-type: none"> <li>• Detached 350m<sup>2</sup></li> <li>• Semi-detached 350m<sup>2</sup></li> <li>• Group 300m<sup>2</sup></li> <li>• Flat 250m<sup>2</sup></li> <li>• Row 300m<sup>2</sup></li> <li>• Padthaway 1000m<sup>2</sup></li> </ul>	<p>SA Policy Library (with local variations and Policy Area)</p> <ul style="list-style-type: none"> <li>• Detached 400m<sup>2</sup></li> <li>• Semi-detached 300m<sup>2</sup></li> <li>• Group 300m<sup>2</sup></li> <li>• Flat 300m<sup>2</sup></li> <li>• Row 300m<sup>2</sup></li> <li>• 2000m<sup>2</sup> in low density Policy Area</li> </ul> <p>Also State Heritage (Penola) Zone.</p>	<p>All have varying policy relating to density for housing and land division.</p>

<b>Rural Living</b>	SA Policy Library (with local variations, Precincts and Policy Area) <ul style="list-style-type: none"> <li>0.3-4.0ha for differing locations</li> </ul>	SA Policy Library (with local variations and Policy Area and Precinct) <ul style="list-style-type: none"> <li>0.4ha-5ha</li> </ul>	Policy for low density rural living <ul style="list-style-type: none"> <li>Land division at 1.5-2.0ha</li> </ul>	SA Policy Library (with Precincts and local variations) <ul style="list-style-type: none"> <li>Land division (nil; 0.5; 1.0ha)</li> </ul>	SA Policy Library (local variations and Precinct Areas) <ul style="list-style-type: none"> <li>Land division 1-2ha</li> </ul>	SA Policy Library (with local variations and Policy Areas) <ul style="list-style-type: none"> <li>Land division (0.5ha-2.0ha)</li> </ul>	SA Policy Library (with local variations and Precinct Areas) <ul style="list-style-type: none"> <li>nil-10ha</li> </ul>	All have varying policy relating to density and land division
<b>Country Living</b>	-	-	<ul style="list-style-type: none"> <li>5000m<sup>2</sup> land division</li> </ul>	-	-	-	-	-
<b>Township</b>	SA Policy Library (with local variations and Policy Area) <ul style="list-style-type: none"> <li>1200m<sup>2</sup> min lots unless sewer</li> </ul>	-	-	SA Policy Library (with local variations) <ul style="list-style-type: none"> <li>Detached dwelling 600m<sup>2</sup></li> <li>Flat 450m<sup>2</sup></li> <li>Other 450m<sup>2</sup></li> <li>Non CWMS or sewer 1200m<sup>2</sup></li> </ul>	Settlement Zone <ul style="list-style-type: none"> <li>All dwellings 900m<sup>2</sup></li> </ul>	SA Policy Library (with local variations and Policy Area) <ul style="list-style-type: none"> <li>No quantifiable land division or dwelling policy</li> <li>Mundulla 1500m<sup>2</sup></li> </ul>	SA Policy Library (with local variation and Precinct Areas)	All have varying policy relating to density and land division
<b>Primary Production</b>	SA Policy Library (local variation and Policy Areas) <ul style="list-style-type: none"> <li>Dwellings <ul style="list-style-type: none"> <li>Merit with various date criteria</li> <li>Horticultural lots – at least 20ha (at least 15ha in Hort Policy Area)</li> </ul> </li> <li>Land division <ul style="list-style-type: none"> <li>40ha (15ha in Hort Policy Area unless criteria met)</li> </ul> </li> </ul>	SA Policy Library (local variations and Policy Area) <ul style="list-style-type: none"> <li>40ha lots size</li> <li>Dwellings generally on lots of 40ha or greater (date criteria exemptions)</li> <li>Forestry – SA Planning Policy Library and non-complying in Policy Area</li> </ul>	-	SA Policy Library (local variations) <ul style="list-style-type: none"> <li>Dwelling 40ha lots or more</li> <li>Land division <ul style="list-style-type: none"> <li>40ha farming</li> <li>20ha intensive use</li> <li>10ha hort.</li> <li>1ha if for one of two dwellings (date criteria)</li> <li>Excise 1 of 2 dwellings onto lot of 1ha (date criteria)</li> </ul> </li> <li>Forestry – SA Policy Library</li> </ul>	SA Policy Library (local variations) <ul style="list-style-type: none"> <li>Land division <ul style="list-style-type: none"> <li>40ha farming</li> <li>20ha intensive</li> <li>10ha hort.</li> <li>1ha if for one of two dwellings (date criteria)</li> </ul> </li> <li>Forestry – SA Policy Library module</li> <li>Dwelling – PDC give scope for dwellings, but are 'non-complying' – appears inconsistent</li> </ul>	SA Policy Library (local variation, Precinct Areas and Policy Area) <ul style="list-style-type: none"> <li>Dwelling associated with farming</li> <li>Dwelling 20ha related to horticulture</li> <li>Scope for 2<sup>nd</sup> dwelling and seasonal workers related to farming</li> <li>Land division <ul style="list-style-type: none"> <li>40ha</li> <li>Excise one of two dwellings (1-3ha) with date and other criteria</li> </ul> </li> </ul>	SA Policy Library (with local variations and Policy Areas) <ul style="list-style-type: none"> <li>Dwellings 30ha lots</li> <li>Land division <ul style="list-style-type: none"> <li>1ha lots to excise one of two dwellings (date criteria)</li> <li>40ha land division generally</li> <li>No division in Fire Hazard Reduction Area</li> <li>Various Policy Area</li> </ul> </li> </ul>	Some general consistency, but strong scope to better align

	<ul style="list-style-type: none"> <li>➤ Excise one of two dwellings (up to 2ha) with date and other criteria</li> <li>➤ 1ha – for farm related activity</li> <li>➤ 10ha – intensive horticulture use</li> <li>• Forestry – SA Policy Library module</li> </ul>			module		<ul style="list-style-type: none"> <li>➤ 1ha – for farm related business</li> <li>➤ 10ha – intensive use</li> <li>• Land division non-complying and merit triggers appear to misalign</li> <li>• Forestry – SA Policy Library module</li> </ul>	<p style="text-align: center;">variations</p> <ul style="list-style-type: none"> <li>• Forestry – SA Policy Library module plus non-complying triggers</li> </ul>	
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## **South East Local Government Association - Regional Planning Alliance Project**

### **Regional Planning Alliance Implementation Group**

#### **Memorandum of Understanding**

Between

The City of Mount Gambier

District Council of Grant

Kingston District Council

Naracoorte Lucindale Council

District Council of Robe

Tatiara District Council

Wattle Range Council

and

The South East Local Government Association

#### **Agreement dated:**

#### **RECITALS**

- A. The Councils agree to enter into this Memorandum of Understanding (MOU) as a sign of their commitment to work co-operatively to progress the regionalisation of planning functions in the South East Region.
- B. The Councils agree to form a Regional Planning Alliance Implementation Group to deliver a Work Plan for the regionalisation of planning functions in the South East Region.

#### **IT IS AGREED:**

##### **1. ABOUT THIS MOU**

- 1.1. The Councils agree to work co-operatively in good faith to progress specific actions aimed at implementing three key goals for the regionalisation of planning functions in the South East:
  - 1.1.1. Establishing a Regional Planning Authority;
  - 1.1.2. Establishing a Regional Development Assessment Panel; and
  - 1.1.3. Developing consistent and aligned Development Plans or preferably one Development Plan.
- 1.2. The Councils acknowledge and agree that this MOU does not create any legally binding rights or obligations on the part of the Councils.



## **2. RESPONSIBILITY AND CONTRIBUTIONS OF PARTIES**

- 2.1. Each Council must be fair, reasonable, honest and diligent in performing its obligations under this MOU.
- 2.2. The responsibility for the costs associated with the fulfilment of the MOU will be as outlined in clause 8 below.

## **3. RELATIONSHIP OF COUNCILS**

- 3.1. The relationship between the Councils is limited to the purposes of this MOU and is not to be construed as a partnership, joint venture, principal and agent, trust, fiduciary or any other special relationship.

## **4. TERM**

- 4.1. This MOU will be effective from the date of its execution by the Councils and will be subject to annual review on the anniversary date of its execution by the Board of the South East Local Government Association.
- 4.2. The MOU will be terminated when it is no longer relevant to support the Regional Planning Alliance Project, by mutual written notice by the Councils.

## **5. TERMINATION AND WITHDRAWAL**

- 5.1. In the event a Council intends to withdraw from the MOU it shall give 3 months written notice to the other Councils.
- 5.2. The withdrawal of any Council does not terminate the MOU.
- 5.3. If more than 3 councils withdraw from the MOU, the remaining councils and the SELGA Board will determine if termination is required.
- 5.4. Any Council that withdraws shall be liable for the appropriate portion of those costs or liabilities that were incurred by the Councils in performance of this MOU prior to the withdrawal.

## **6. CONFIDENTIALITY**

- 6.1. Subject to the provisions of the Freedom of Information Act 1991, a Council must not, without the prior written consent of the other Councils, use or disclose confidential information regarding any other Council.
- 6.2. A Council will not use any confidential information provided to it pursuant to this MOU other than to discharge its obligations in accordance with the MOU.

## **7. THE REGIONAL PLANNING ALLIANCE IMPLEMENTATION GROUP - MEMBERSHIP AND MEETINGS**

- 7.1. The Group will be chaired by the President of the South East Local Government Association.
- 7.2. The South East Local Government Association will convene the Group meetings.
- 7.3. The Councils will individually be responsible to appoint two members of the Group, comprising:
  - 7.3.1. One Council elected member with interest and expertise in development planning; and
  - 7.3.2. One Council CEO or senior staff member with expertise in development planning and appropriate Council delegation.
- 7.4. The SELGA Executive Officer will be appointed to the Group, and other SELGA staff as required.
- 7.5. The Group will develop Terms of Reference to govern specific meeting procedures and requirements, to be endorsed by the Board of the South East Local Government Association.
- 7.6. The Group may invite membership or participation from relevant outside organisations, as determined by the Terms of Reference.

- 7.7. All members of the Group will be appointed for a term of 1 year, reviewed annually by each Council and the appointment of the South East Local Government Association.
- 7.8. The Group will develop an annual Work Plan for endorsement of the Board of the South East Local Government Association, together with an annual Implementation Budget.
- 7.9. Councils will be responsible for members of the Group contributing to the delivery of the Work Plan of the Group.

## **8. EXPENSES AND FEES**

- 8.1. All project expenses associated with the implementation of this MOU will be subject to individual Council approval, as part of the Implementation Group Work Plan and Implementation Budget.
- 8.2. All expenses associated with the implementation of this MOU will be subject to approval of the budget of the South East Local Government Association.
- 8.3. The costs of convening the Implementation Group will be met by the South East Local Government Association.
- 8.4. All expenses associated with providing two Council members of the Implementation Group will be met by individual Councils.

## **9. DISPUTE RESOLUTION**

- 9.1. It is the intention of the Councils to amicably and in good faith settle any dispute that arises out of the performance of this MOU, by way of discussion and negotiations between the relevant Chief Executive Officers of the Councils.
- 9.2. Where a dispute has arisen, it shall be referred to the Chief Executive Officers of the Councils who, if they cannot reach agreement, will refer the matter to their respective Council for determination.

## **10. GENERAL**

- 10.1. This Agreement can only be amended, modified, varied, released or discharged by the written agreement of the Councils.
- 10.2. The laws of South Australia apply to the performance of this MOU.
- 10.3. Entire Agreement - This MOU constitutes the full extent of terms that have been agreed to by the Councils in relation to the establishment and ongoing operation of the implementation Group.

Executed as a Memorandum of Understanding on the \_\_\_\_\_ day of \_\_\_\_\_ month of 2015

Signed for and on behalf of **THE CITY OF MOUNT GAMBIER**  
by its authorised officer in the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

Signed for and on behalf of **DISTRICT COUNCIL OF GRANT**  
by its authorised officer in the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

Signed for and on behalf of **KINGSTON DISTRICT COUNCIL**  
by its authorised officer in the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

Signed for and on behalf of **NARACOORTE LUCINDALE COUNCIL**  
by its authorised officer in the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

Signed for and on behalf of **DISTRICT COUNCIL OF ROBE**  
by its authorised officer in the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

Signed for and on behalf of **TATIARA DISTRICT COUNCIL**  
by its authorised officer in the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

Signed for and on behalf of **WATTLE RANGE COUNCIL**  
by its authorised officer in the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

Signed for and on behalf of **SOUTH EAST LOCAL GOVERNMENT ASSOCIATION**  
by its authorised officer in the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

## OPERATIONAL SERVICES REPORT NO. 6/2015

**SUBJECT:** INFRASTRUCTURE - Long Term Infrastructure and Asset Management Program  
- Ref. AF11/1255, AF11/1253, AF11/1254, AF11/1491, AF11/629, AF13/7

*Goal: Building Communities*  
*Strategic Objective: (i) The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans*

This report has been prepared to guide Council in the allocation of funding for the Forward Infrastructure Works Program. This report incorporates the following elements:

- Forward Roads Program
- Forward Footpath Construction Program
- Forward Pram Crossing Program
- Forward Stormwater Program
- Forward Playground Construction Program
- Forward Plant Replacement Program

This report combines these elements into a single consolidated plan, based on a ten (10) year horizon where possible so as to complement Council's Infrastructure and Asset Management Plan (IAMP).

For background, Section 122(1a) of the Local Government Act 1999 states:

*“(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)”*

Council has adopted its Long Term Financial Plan and Infrastructure and Asset Management Plan 2014 and this Forward Infrastructure Works Program will “dovetail” into both the documents referenced to Section 122(1a) of the Local Government Act 1999.

This report does not address the “Building and Structures” assets.

### 1. FORWARD ROADS PROGRAM

This program has several components, namely:

- Renewal of existing roads
- Construction of new roads (or additional assets such as widening)
- Roads to Recovery program
- Traffic Management
- Streetscaping

The IAMP 2014, based on current valuations (which were completed in June 2014), indicates the following:

*Table 2.1. Assets covered by the Infrastructure and Asset Management Plan  
(as at 31<sup>st</sup> December 2012)*

<b>Asset category</b>	<b>Dimension</b>	<b>Replacement Value (\$)</b>
Road surface (seal)	2,057,263m <sup>2</sup>	\$13,667,543
Road pavement	2,296,661m <sup>2</sup>	\$43,330,149
Kerb and channel	441,242m	\$26,476,548
Constructed footpaths	313,008m <sup>2</sup>	\$12,985,189
Drainage	460 bores, silt Pits & associated pipes	\$6,750,000
Carparks	71,220m <sup>2</sup>	\$9,289,200
Traffic Lights	17 sets	\$1,843,700
<b>TOTAL</b>		<b>\$114,342,329</b>

The Annual Depreciation for all these assets is approximately \$2,468,342 for 2015/2016 and Council needs to ensure that it allows at least this amount in the 2015/2016 Budget to renew the assets listed in Table 2.1 (it should also be noted that this figure will increase each year in line with inflation and the forward roads renewal plan - Appendix 1 reflects the inflationary costs).

The CBD Redevelopment project is essentially asset renewal and is therefore included in the roads and asset renewal program, and inclusion in this program helps Council achieve its annual sustainability expenditure (refer Appendix 1).

Appendix 1 is the Draft Forward Infrastructure Works Program, projected out to a ten (10) year horizon.

All the road projects on the plan have been determined on the basis of their condition (based on monitoring over several years). This program also includes the asset classes of road reseals, footpath reseals, carparks and stormwater. To attain financial sustainability, each asset class should have annual renewals in the same order of magnitude as the annual depreciation of the asset. The forward program in Appendix 1 aims to achieve this.

Streetscaping is a major focus for Council over the next three (3) years following the adoption of the Long Term Financial Plan (LTFP) in December 2012 (and reviewed in December 2013).

Council may be in a position in say 2-3 years time to participate in another project to underground power lines (PLEC Scheme) in the City Centre. This is not asset renewal works but will be included in future draft programs for Council's consideration if the opportunity presents.

### Roads to Recovery

The current Roads to Recovery program (which is the fourth program) is due to conclude in 2019.

The current program provides approximately \$282,000 per annum to the City and this is used for asset renewal works. If this funding is not available then Council has to find the funds from other sources to achieve its sustainability targets (note that in 2015/2016 Council receives a supplementary payment of \$282,000 - this will not occur next year).

### Traffic Control Program

This program typically identifies traffic management initiatives such as new traffic lights and roundabouts. A number of projects that have been identified in the long term plans have been deleted by Council “at the last minute” due to a range of reasons.

This report now takes the view that the desired projects will be identified (see list below) but will not be recommended for inclusion in the annual works program unless there is identified demand and/or instruction from Council.

The projects that previous studies have identified are:

- Traffic lights James Street/Wehl Street
- Traffic lights Penola Road/Lawrence Street/Alexander Street
- Roundabout Sturt Street/Krummel Street
- Traffic lights Bertha Street/Commercial Street

Council has been upgrading its traffic lights over the past few years (controllers, lanterns, tactiles etc) and \$50,000 is required in the 2015/2016 Budget to complete this program.

### Road Construction Program

Fortunately Council is not in a position where it has to undertake significant amounts of new road works. Wireless Road East, from Gladigau Road to the east will need to be continued. This will include kerbing, drainage and road widening and about half the work will be asset renewal and the rest will be new assets.

## 2. FORWARD FOOTPATH CONSTRUCTION PROGRAM

Council reviews its Forward Footpath Construction Program each year with a view to developing a ten (10) year plan.

Council has received the following requests for footpath since the last review.

Name	Details
<a href="mailto:courtney@cobwebmedia">courtney@cobwebmedia</a>	Bailey Street (full length, north side)
Kevin Harris	Palamountain Street Street (full length, east side) Truman Street (DeGaris Street to MacKenzie Street, north side)
Jo-Anne Skinner	Brodey Street (full length, north side)
Paul Samuels	Union Street (Queen Street to Fidler Street, west side)
AD & BA Tarrant	Shelley Crescent (east leg to west leg, north side) east leg (west side)
Paul Jenner	Kennedy Avenue (Red Oak Place to Wireless Road, east side)
Brett Mashado	Livingstone Street (full length, east side)
Unknown	Hart Street (full length, west side)
“mansell6”	Harrald Street (full length, south side)

The suggested program assumes that Council is prepared to allocate in the order of \$170,000 per annum to the footpath construction program. In the 2014/2015 Budget, Council allocated \$169,000 to this function.

The proposed program is shown as Appendix 2.

### 3. FORWARD PRAM CROSSING PROGRAM

Following a submission to the 2012/13 Budget, Council reinstated the pram crossing program. In line with other long term plans, a ten (10) year draft program is presented at Appendix 3, which assumes expenditure levels in the order of \$10,000 per annum.

### 4. FORWARD STORMWATER PROGRAM

Appendix 4 is a draft stormwater program which includes new assets and asset renewals. The program is based on identified needs and addresses, in the first instance, a number of main 'trouble' spots and in later years looks at strategic asset renewals.

### 5. FORWARD PLAYGROUND CONSTRUCTION PROGRAM

Appendix 5 is a Draft Forward Playground Construction Program which has not been projected to a ten (10) year horizon.

In February 2012, Council received a letter from Megan Medhurst and others requesting consideration of a playground in Lui Avenue (off Kennedy Avenue). This is a new residential area and is a reasonable request, and is therefore included in the draft program as Year 2015/2016.

### 6. FORWARD PLANT REPLACEMENT PROGRAM

Council has a significant plant and vehicle fleet and also has a policy on vehicle replacement.

Appendix 6 is a projected ten (10) year replacement program for all of Council's plant and vehicles and the change over frequency is in accordance with Council's adopted policy.

### SUMMARY

When Council has considered all the elements of this Forward Infrastructure Works Program, all the projects listed in 2015/2016 will be then incorporated into the draft 2015/2016 Budget for further consideration.

### RECOMMENDATION

- (a) Operational Services Report No. 6/2015 be received;
- (b) all projects listed in Appendix 1 to Appendix 6 inclusive for 2015/2016 be referred to the 2015/2016 Draft Budget for further consideration.

sighted:



**Daryl SEXTON**  
DIRECTOR - OPERATIONAL SERVICES



Per:  
**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

3 February 2015  
SW

- Appendix 1: Draft Forward Infrastructure Works Program
- Appendix 2: Draft Forward Footpath Construction Program
- Appendix 3: Draft Forward Pram Crossing Program
- Appendix 4: Draft Forward Stormwater Program
- Appendix 5: Draft Forward Playground Construction Program
- Appendix 6: Draft Forward Plant Replacement Program

(Refer Item of Operational Services Committee Minutes)



## ROAD RECONSTRUCTION PROGRAM (ASSET RENEWAL)

(refer also to Infrastructure and Asset Management Plan - July 2014)

Year 1 - 2015/16									
<b>Asset Renewal:</b>		<b>Roads to Recovery - New Program R2R4</b>	<b>Year 2 - Assume \$ 564,000.00</b>						
<b>Priority</b>	<b>Location</b>	<b>Location</b>	<b>Cost</b>						
1	O'Halloran Tce (Howland St to Wallace St)	Wireless Rd East - Stage 3 (East of Gladigau Rd)	(Renewal) \$ 220,000.00						
2	Commercial St West (Avey Rd to 500m west)	Graham Rd Resurfacing - Stage 1	(Renewal) \$ 180,000.00						
3	Eglington Tce (Victoria Tce to Wehl St)	Anthony St (John St to Jubilee Hwy)	(Renewal) \$ 82,000.00						
4	Wehl St North (Boothey St to Bailey St)	Wehl St South (Helen St to James St)	(Renewal) \$ 82,000.00						
5	James St (Gray St to Bay Rd)	<b>Totals: \$ 564,000.00</b>							
	CBD Renewal Project								
	<b>Totals: \$ 1,954,000.00</b>								
	Road Reseals	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: left;"><b>Sustainability Note:</b></td> </tr> <tr> <td style="padding: 2px 5px;">Council's 2015/16 financial target for asset renewal is</td> <td style="text-align: right; padding: 2px 5px;">\$2,468,342.00</td> </tr> <tr> <td style="padding: 2px 5px;">Planned Budgeted expenditure for asset renewals is (includes \$900,000 City Centre)</td> <td style="text-align: right; padding: 2px 5px;">\$3,209,000.00</td> </tr> </table>		<b>Sustainability Note:</b>		Council's 2015/16 financial target for asset renewal is	\$2,468,342.00	Planned Budgeted expenditure for asset renewals is (includes \$900,000 City Centre)	\$3,209,000.00
<b>Sustainability Note:</b>									
Council's 2015/16 financial target for asset renewal is	\$2,468,342.00								
Planned Budgeted expenditure for asset renewals is (includes \$900,000 City Centre)	\$3,209,000.00								
	Footpath Reseals								
	Carpark Resurfacing								
	Hotmix Intersections								
	Traffic Light Upgrades								
	<b>Totals: \$ 668,000.00</b>								
	<b>New Assets:</b>								
	Stormwater								
	Footpath Construction								
	Pram Crossings								
	<b>Totals: \$ 302,000.00</b>								

<b>Boundary Roads - Annual Allocation</b>		<b>\$ 164,000.00</b>
<b>Location</b>	<b>Cost</b>	
Asset Renewals	\$ 23,000.00	
New Assets	\$ 141,000.00	
<b>Totals: \$</b>	<b>164,000.00</b>	

Year 2 - 2016/17									
<b>Asset Renewal:</b>		<b>Roads to Recovery - New Program R2R4</b>	<b>Year 3 - Assume \$ 282,000.00</b>						
<b>Priority</b>	<b>Location</b>	<b>Location</b>	<b>Cost</b>						
1	Holder St (Lake tce East to Tallara Ave)	Duigan St (Brownes Rd to End)	(Renewal) \$ 143,000.00						
2	Commercial St West (Avey Rd to Oak St)	O'Halloran Tce (Wehl St to Howland St)	(Renewal) \$ 139,000.00						
3	Kurrajong St (Heath St to Lasciandra Cres)	<b>Totals: \$ 282,000.00</b>							
4	Crouch St North (Commercial St to John St)								
5	Hosking Ave (Grigg St to Hutley Tce)								
6	Foote St (full length)								
7	Swan St (full length)								
8	Sparrow Ave (full length)								
9	Lansell St (Ferrers St to Crouch St)								
10	Cardinia St (Davison St to Henty St)								
11	Commercial St West Resurface (McDonnell Dr to Sutton Ave)								
	CBD Renewal Project								
	<b>Totals: \$ 1,898,000.00</b>								
	Road Reseals	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: left;"><b>Sustainability Note:</b></td> </tr> <tr> <td style="padding: 2px 5px;">Council's 2016/17 financial target for asset renewal is</td> <td style="text-align: right; padding: 2px 5px;">\$2,530,051.00</td> </tr> <tr> <td style="padding: 2px 5px;">Planned Budgeted expenditure for asset renewals is (includes \$500,000 City Centre)</td> <td style="text-align: right; padding: 2px 5px;">\$2,889,000.00</td> </tr> </table>		<b>Sustainability Note:</b>		Council's 2016/17 financial target for asset renewal is	\$2,530,051.00	Planned Budgeted expenditure for asset renewals is (includes \$500,000 City Centre)	\$2,889,000.00
<b>Sustainability Note:</b>									
Council's 2016/17 financial target for asset renewal is	\$2,530,051.00								
Planned Budgeted expenditure for asset renewals is (includes \$500,000 City Centre)	\$2,889,000.00								
	Footpath Reseals								
	Carpark Resurfacing / Renewal								
	Hotmix Intersections								
	Stormwater								
	<b>Totals: \$ 686,000.00</b>								
	<b>New Assets:</b>								
	Footpath Construction								
	Pram Crossings								
	Stormwater								
	<b>Totals: \$ 279,000.00</b>								

<b>Boundary Roads - Annual Allocation</b>		<b>\$ 164,000.00</b>
<b>Location</b>	<b>Cost</b>	
Asset Renewals	\$ 23,000.00	
New Assets	\$ 141,000.00	
<b>Totals: \$</b>	<b>164,000.00</b>	

**Year 3 - 2017/18**

Asset Renewal:			Roads to Recovery - New Program R2R4		Year 4 - Assume		\$ 282,000.00		Boundary Roads - Annual Allocation		\$ 164,000.00	
Priority	Location	Cost	Location	Cost	Location	Cost	Location	Cost	Location	Cost	Location	Cost
1	Commercial St (Wehl St to Crouch St)	\$ 1,250,000.00	Doughty St (Jubilee Hwy to End)	\$ 230,000.00	Asset Renewals	\$ 23,000.00	Asset Renewals	\$ 23,000.00	New Assets	\$ 141,000.00		
2	Kilsby Pl (full length)	\$ 35,000.00	Webber St (Pressey St to End)	\$ 52,000.00	New Assets	\$ 141,000.00						
3	Sturt St (Anthony St to Mark St)	\$ 118,000.00										
	CBD Renewal Project	\$ 300,000.00										
	<b>Totals:</b>	<b>\$ 1,703,000.00</b>										
	Road Reseals	\$ 475,000.00										
	Footpath Reseals	\$ 76,000.00										
	Carpark Resurfacing / Renewal	\$ 50,000.00										
	Hotmix Intersections	\$ 53,000.00										
	Stormwater	\$ 90,000.00										
	<b>Totals:</b>	<b>\$ 744,000.00</b>										
	<b>New Assets:</b>											
	Footpath Construction	\$ 175,000.00										
	Pram Crossings	\$ 12,000.00										
	<b>Totals:</b>	<b>\$ 187,000.00</b>										

**Sustainability Note:**

Council's 2017/18 financial target for asset renewal to achieve financial sustainability is \$2,593,302.00  
Planned Budgeted expenditure for asset renewals is (includes \$300,000 City Centre) \$2,752,000.00

**Year 4 - 2018/19**

Asset Renewal:			Roads to Recovery - New Program R2R4		Year 5 - Assume		\$ 282,000.00		Boundary Roads - Annual Allocation		\$ 200,000.00	
Priority	Location	Cost	Location	Cost	Location	Cost	Location	Cost	Location	Cost	Location	Cost
1	Railway Tce (Elizabeth St to Bay Rd)	\$ 170,000.00	Acacia St (Banksia St to Kurrajong St)	\$ 39,000.00	Asset Renewal	\$ 200,000.00						
2	North Tce (Byrne St to Dalkeith Dr)	\$ 230,000.00	Wireless Rd West (Matthew Flinders Way to Wehl St)	\$ 243,000.00								
3	Caldwell St (Elizabeth St to Gray St)	\$ 90,000.00										
4	Kenney Ave (Wireless Rd to Bishop Rd)	\$ 216,000.00										
5	Lark Pl (Swallow Dr to Culdesac)	\$ 88,000.00										
6	Nelson St (Werona St to Wollonbar St)	\$ 81,000.00										
7	Chauvel St (Birdwood Ave to Montgomery Ave)	\$ 60,000.00										
8	Elizabeth St (Commercial St to Jane St)	\$ 111,000.00										
9	Sturt St Resurface (Bay Rd to Compton St)	\$ 230,000.00										
	<b>Totals:</b>	<b>\$ 1,276,000.00</b>										
	Road Reseals	\$ 488,000.00										
	Footpath Reseals	\$ 78,000.00										
	Carpark Resurfacing / Renewal	\$ 51,000.00										
	Hotmix Intersections	\$ 54,000.00										
	Stormwater	\$ 85,000.00										
	<b>Totals:</b>	<b>\$ 756,000.00</b>										
	<b>New Assets:</b>											
	Footpath Construction	\$ 183,000.00										
	Pram Crossings	\$ 12,000.00										
	Kennedy Ave Widening (Wireless Rd to Bishop Rd)	\$ 215,000.00										
	<b>Totals:</b>	<b>\$ 410,000.00</b>										

**Sustainability Note:**

Council's 2018/19 financial target for asset renewal is \$2,658,135.00  
Planned Budgeted expenditure is \$2,514,000.00

**Year 5 - 2019/20**

Asset Renewal:			Roads to Recovery - funding unknown		Boundary Roads - Annual Allocation (Assumed)	
Priority	Location	Cost	Location	Cost	Location	Cost
1	Robin St (Brolga St to Finch St)	\$ 66,000.00			Asset Renewal	\$ 200,000.00
2	Argyle Pl (Lake Tce to Lake Tce)	\$ 34,000.00				
3	Ruwoldt St (Howard St to End)	\$ 21,000.00				
4	Ellard St (Sutton Ave to Charles St)	\$ 94,000.00				
5	Stone Ave (full length)	\$ 99,000.00				
6	Finch St (Swallow Dr to Lake Tce East)	\$ 69,000.00				
7	Helen St (Elizabeth St to Gray St)	\$ 110,000.00				
8	Winston Tce (Bond St to Bertha St)	\$ 87,000.00				
9	Bailey St (End to Wimmera St)	\$ 46,000.00				
10	Shepherdson Rd (Bertha St to Wehl St Sth)	\$ 165,000.00				
11	Strangways St (full length)	\$ 69,000.00				
12	Keegan St (Percy St to Alexander St)	\$ 35,000.00				
13	Kurrajong St (Vansittart Rd to Heath St)	\$ 104,000.00				
14	Truman St (Palamountain St to Bond St)	\$ 52,000.00				
15	Bridges St (Birdwood Ave to Montgomery Ave)	\$ 62,000.00				
16	Kain St (McGregor St to Suttontown Rd)	\$ 147,000.00				
17	Lasiandra Cres (Weigelia St to Kurrajong St)	\$ 76,000.00				
18	Remove Hay Dr Bridge, fill and replace road	\$ 165,000.00				
	<b>Totals:</b>	<b>\$ 1,501,000.00</b>		<b>Totals:</b>		<b>\$ 200,000.00</b>
	Road Reseals	\$ 502,000.00				
	Footpath Reseals	\$ 80,000.00				
	Carpark Resurfacing / Renewal	\$ 53,000.00				
	Hotmix Intersections	\$ 56,000.00				
	Allowance to plane and asphalt roundabouts	\$ 100,000.00				
	Stormwater	\$ 95,000.00				
	<b>Totals:</b>	<b>\$ 886,000.00</b>				
	<b>New Assets:</b>					
	Footpath Construction	\$ 183,000.00				
	Pram Crossings	\$ 12,000.00				
	<b>Totals:</b>	<b>\$ 195,000.00</b>				

**Sustainability Note:**

Council's 2019/20 financial target for asset renewal is	\$2,724,588.00
Planned Budgeted expenditure is	\$2,587,000.00

**Year 6 - 2020/21**

Asset Renewal:			Roads to Recovery - funding unknown		Boundary Roads - Annual Allocation (Assumed)	
Priority	Location	Cost	Location	Cost	Location	Cost
1	Murdie St (Newton Cres to Douglas St)	\$ 50,000.00			Asset Renewal	\$ 200,000.00
2	Anthony St (Jubilee Hwy to Link St)	\$ 90,000.00				
3	Amor St (full length)	\$ 115,000.00				
4	Wehl St South (Lake Tce to Margaret St)	\$ 465,000.00				
5	Lake Tce East (Pick Ave to Schinkel St)	\$ 490,000.00				
6	Corry St (Hutley Tce to Lake Tce East)	\$ 28,000.00				
7	Laurie St (Shepherdson Rd to Millard St)	\$ 57,000.00				
8	Kooringa St (Buronga Ave to Culdesac)	\$ 80,000.00				
9	Acacia St (Jubilee Hwy to Vansittart Rd)	\$ 125,000.00				
10	Lawrence St (Penola Rd to End)	\$ 60,000.00				
	<b>Totals:</b>	<b>\$ 1,560,000.00</b>		<b>Totals:</b>		<b>\$ 200,000.00</b>
	Road Reseals	\$ 516,000.00				
	Footpath Reseals	\$ 83,000.00				
	Carpark Resurfacing / Renewal	\$ 54,000.00				
	Hotmix Intersections	\$ 57,000.00				
	Allowance to plane and asphalt roundabouts	\$ 100,000.00				
	Stormwater	\$ 90,000.00				
	<b>Totals:</b>	<b>\$ 900,000.00</b>				
	<b>New Assets:</b>					
	Footpath Construction	\$ 178,000.00				
	Pram Crossings	\$ 13,000.00				
	<b>Totals:</b>	<b>\$ 191,000.00</b>				

**Sustainability Note:**

Council's 2020/21 financial target for asset renewal is	\$2,792,703.00
Planned Budgeted expenditure is	\$2,660,000.00

Year 7 - 2021/22										
Asset Renewal:			Roads to Recovery - funding unknown	Boundary Roads - Annual Allocation (Assumed) \$ 200,000.00						
Priority	Location	Cost	Location	Cost						
1	Elder St (McGregor St to Suttontown Rd)	\$ 150,000.00								
2	Herbert St (Sutton Ave to Charles St)	\$ 100,000.00								
3	Earl St (Lacepede St to End)	\$ 87,000.00								
4	Robinson St (Sunnyside Dr to Lake Tce East)	\$ 105,000.00								
5	Howard St (Ruwoldt St to Lean St)	\$ 110,000.00								
6	Lake Tce West (Bertha St to Wehl St)	\$ 115,000.00								
7	Locke St (Canavan Rd to Shaughnessy Crt)	\$ 82,000.00								
8	Percy St (Penola Rd to Mitchell St)	\$ 95,000.00								
9	Heaver Dr (Wilga Rd to Suttontown Rd)	\$ 165,000.00								
10	Crouch St South (Griffiths St to Gwendoline St)	\$ 115,000.00								
11	Banksia St (Heath St to Acacia St)	\$ 89,000.00								
12	Francis St (Wyatt St to Jubilee Highway)	\$ 95,000.00								
13	Crouch St South (John Watson Dr to Lake Tce East)	\$ 178,000.00								
14	Anthony St (Link St to North Tce)	\$ 58,000.00								
15	Rotary Ave (Lake Tce to Culdesac)	\$ 97,000.00								
<b>Totals:</b>		<b>\$ 1,641,000.00</b>	<b>Totals:</b>	<b>\$ 200,000.00</b>						
Road Reseals		\$ 530,000.00	<table border="1"> <tr> <th colspan="2">Sustainability Note:</th> </tr> <tr> <td>Council's 2021/22 financial target for asset renewal is</td> <td>\$2,862,521.00</td> </tr> <tr> <td>Planned Budgeted expenditure is</td> <td>\$2,751,000.00</td> </tr> </table>		Sustainability Note:		Council's 2021/22 financial target for asset renewal is	\$2,862,521.00	Planned Budgeted expenditure is	\$2,751,000.00
Sustainability Note:										
Council's 2021/22 financial target for asset renewal is	\$2,862,521.00									
Planned Budgeted expenditure is	\$2,751,000.00									
Footpath Reseals		\$ 85,000.00								
Carpark Resurfacing / Renewal		\$ 56,000.00								
Hotmix Intersections		\$ 59,000.00								
Stormwater		\$ 80,000.00								
Allowance to plane and asphalt roundabouts		\$ 100,000.00								
<b>Totals:</b>		<b>\$ 910,000.00</b>								
<b>New Assets:</b>										
Footpath Construction		\$ 181,000.00								
Pram Crossings		\$ 13,000.00								
<b>Totals:</b>		<b>\$ 194,000.00</b>								

Year 8 - 2022/23										
Asset Renewal:			Roads to Recovery - funding unknown	Boundary Roads - Annual Allocation (Assumed) \$ 200,000.00						
Priority	Location	Cost	Location	Cost						
1	Margaret St (full length)	\$ 432,000.00								
2	Lake Tce East (Bay Rd to Crouch St)	\$ 492,000.00								
3	Lake Tce West (Wehl St to Goss St)	\$ 62,000.00								
4	Lake View Rd (Davison Dr to Davison Dr)	\$ 45,000.00								
5	Bertha St (Lake Tce to Franklin Tce)	\$ 46,000.00								
6	Hay Dr (Potters Point to Lake Tce West)	\$ 190,000.00								
7	Alexander St (Keegan St to Crouch St)	\$ 74,000.00								
8	Rymill Pl (Mawson Ave to Culdesac)	\$ 35,000.00								
9	Chute St (Ehret St to Victoria Tce)	\$ 87,000.00								
10	Ayers St (Boandik Tce to Playford St)	\$ 95,000.00								
11	Eustace St (North Tce to Canavan Rd)	\$ 190,000.00								
<b>Totals:</b>		<b>\$ 1,748,000.00</b>	<b>Totals:</b>	<b>\$ 200,000.00</b>						
Road Reseals		\$ 549,000.00	<table border="1"> <tr> <th colspan="2">Sustainability Note:</th> </tr> <tr> <td>Council's 2022/23 financial target for asset renewal is</td> <td>\$2,934,084.00</td> </tr> <tr> <td>Planned Budgeted expenditure is</td> <td>\$2,882,000.00</td> </tr> </table>		Sustainability Note:		Council's 2022/23 financial target for asset renewal is	\$2,934,084.00	Planned Budgeted expenditure is	\$2,882,000.00
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Council's 2022/23 financial target for asset renewal is	\$2,934,084.00									
Planned Budgeted expenditure is	\$2,882,000.00									
Footpath Reseals		\$ 87,000.00								
Carpark Resurfacing / Renewal		\$ 57,000.00								
Hotmix Intersections		\$ 61,000.00								
Stormwater		\$ 80,000.00								
Allowance to plane and asphalt roundabouts		\$ 100,000.00								
<b>Totals:</b>		<b>\$ 934,000.00</b>								
<b>New Assets:</b>										
Footpath Construction		\$ 188,000.00								
Pram Crossings		\$ 14,000.00								
<b>Totals:</b>		<b>\$ 202,000.00</b>								

Year 9 - 2023/24										
<b>Asset Renewal:</b>			<b>Roads to Recovery - funding unknown</b>	<b>Boundary Roads - Annual Allocation (Assumed) \$ 200,000.00</b>						
<b>Priority</b>	<b>Location</b>	<b>Cost</b>	<b>Location</b>	<b>Cost</b>						
1	Burcham St (Fidler St to Trevorrow St)	\$ 75,000.00		Asset Renewal						
2	Birdwood Ave (Monash Cres to Wimmera St)	\$ 152,000.00								
3	Wimmera St (Birdwood Ave to Boothey St)	\$ 25,000.00								
4	Boandik Tce (Crouch St to Warren St)	\$ 86,000.00								
5	Elizabeth St (Jane St to Jubilee Hwy)	\$ 165,000.00								
6	Dutton St (Boandik Tce to Cockburn St)	\$ 154,000.00								
7	John St (Crouch St to Crennan St)	\$ 149,000.00								
8	Ferrers St (Lake Tce to Commercial St)	\$ 625,000.00								
9	Blackall St (Hayes Cres to Hayes Cres)	\$ 110,000.00								
10	Henty St (Sturt St to Cardinia St)	\$ 36,000.00								
11	Curran St (Miller St to Telford St)	\$ 34,000.00								
12	Daniel St (Shepherdson Rd to Millard St)	\$ 61,000.00								
13	McDonald St (North Tce to Canavan Rd)	\$ 184,000.00								
	<b>Totals:</b>	<b>\$ 1,856,000.00</b>	<b>Totals:</b>	<b>\$ 200,000.00</b>						
	Road Reseals	\$ 564,000.00								
	Footpath Reseals	\$ 90,000.00								
	Carpark Resurfacing / Renewal	\$ 59,000.00								
	Hotmix Intersections	\$ 62,000.00								
	Stormwater	\$ 85,000.00								
	<b>Totals:</b>	<b>\$ 860,000.00</b>								
	<b>New Assets:</b>									
	Footpath Construction	\$ 198,000.00								
	Pram Crossings	\$ 14,000.00								
	<b>Totals:</b>	<b>\$ 212,000.00</b>								
<table border="1"> <thead> <tr> <th colspan="2">Sustainability Note:</th> </tr> </thead> <tbody> <tr> <td>Council's 2023/24 financial target for asset renewal to achieve financial sustainability is</td> <td>\$3,007,436</td> </tr> <tr> <td>Planned Budgeted expenditure is</td> <td>\$2,916,000</td> </tr> </tbody> </table>					Sustainability Note:		Council's 2023/24 financial target for asset renewal to achieve financial sustainability is	\$3,007,436	Planned Budgeted expenditure is	\$2,916,000
Sustainability Note:										
Council's 2023/24 financial target for asset renewal to achieve financial sustainability is	\$3,007,436									
Planned Budgeted expenditure is	\$2,916,000									
Year 10 - 2024/25										
<b>Asset Renewal:</b>			<b>Roads to Recovery - funding unknown</b>	<b>Boundary Roads - Annual Allocation (Assumed) \$ 200,000.00</b>						
<b>Priority</b>	<b>Location</b>	<b>Cost</b>	<b>Location</b>	<b>Cost</b>						
1	Grevillia St (Acacia St to Stafford St)	\$ 30,000.00		Asset Renewal						
2	Banksia St (Vansittart Rd to Coolabah St)	\$ 37,000.00								
3	Hosking Ave (Hutley Tce to Lake Tce)	\$ 42,000.00								
4	Howard St (Lean St to Pressey St)	\$ 30,000.00								
5	Laird St (Acacia St to Barrett Ave)	\$ 178,000.00								
6	Chester Pl (Crouch St to Culdesac)	\$ 42,000.00								
7	Anzac St (Ferrers St to Reginald St)	\$ 76,000.00								
8	Reginald St (Lansell St to Gwendoline St)	\$ 205,000.00								
9	Agnes St (Ehret St to Victoria Tce)	\$ 88,000.00								
10	Dundee St (Burton St to Culdesac)	\$ 45,000.00								
11	Banksia St (Jubilee Hwy to Vansittart Rd)	\$ 118,000.00								
12	Sturt St (Mark St to Henty St)	\$ 280,000.00								
13	Millard St (White Ave to End)	\$ 118,000.00								
14	Victor St (Lansell St to Gwendoline St)	\$ 180,000.00								
15	Bertha St (Franklin Tce to Shepherdson Rd)	\$ 110,000.00								
16	Queens Ave (Powell St to Penola Rd)	\$ 280,000.00								
	<b>Totals:</b>	<b>\$ 1,859,000.00</b>	<b>Totals:</b>	<b>\$ 200,000.00</b>						
	Road Reseals	\$ 580,000.00								
	Footpath Reseals	\$ 92,000.00								
	Carpark Resurfacing / Renewal	\$ 61,000.00								
	Hotmix Intersections	\$ 64,000.00								
	Stormwater	\$ 105,000.00								
	<b>Totals:</b>	<b>\$ 902,000.00</b>								
	<b>New Assets:</b>									
	Footpath Construction	\$ 433,000.00								
	Pram Crossings	\$ 14,000.00								
	<b>Totals:</b>	<b>\$ 447,000.00</b>								
<table border="1"> <thead> <tr> <th colspan="2">Sustainability Note:</th> </tr> </thead> <tbody> <tr> <td>Council's 2024/25 financial target for asset renewal to achieve financial sustainability is</td> <td>\$3,082,622</td> </tr> <tr> <td>Planned Budgeted expenditure is</td> <td>\$2,961,000</td> </tr> </tbody> </table>					Sustainability Note:		Council's 2024/25 financial target for asset renewal to achieve financial sustainability is	\$3,082,622	Planned Budgeted expenditure is	\$2,961,000
Sustainability Note:										
Council's 2024/25 financial target for asset renewal to achieve financial sustainability is	\$3,082,622									
Planned Budgeted expenditure is	\$2,961,000									

## DRAFT FORWARD FOOTPATH CONSTRUCTION PROGRAM

### Year 1 - 2015/16

1	Holloway Crescent - full length (260m)	\$26,800
2	Gordon Street (north side) - Sutton Ave to Umpherston St (330m)	\$34,000
3	Umpherston Street (west side) - Gordon St to Jubilee Hwy West (190m)	\$19,500
4	Genoa Street (south side) - Tumut Dr to existing path (95m)	\$10,400
5	Tumut Drive (west side) - Jubilee Highway to Genoa St (280m)	\$28,800
6	Lake Terrace West (north side) - O'Halloran Tce to Bay Rd (500m)	\$51,500
		<u>\$171,000</u>

### Year 2 – 2016/17

7	Lake Terrace East (north side) - Bay Rd to Crouch St (520m)	\$53,500
8	Thomson Street (west and north side) - Orr St to Pressey St (330m)	\$34,000
9	Umpherston Street (west side) - Commercial St to West St (170m)	\$17,500
10	Harvie Street (west side) - Thomson St to Newton Cres (75m)	\$8,200
11	Lansell Street (north side) - Ferrers St to Crouch St (380m)	\$39,200
12	Robin Street (north side) - Currawong Cres to Finch St (240m)	\$24,600
		<u>\$177,000</u>

### Year 3 - 2017/18

13	Wireless Road West (south side) - Wehl St to Perriam St (950m)	\$97,800
14	John Street (north side) - Crouch St to Anthony St (135m)	\$14,500
15	Ferrers Street (east side) - Lansell St to Lake Tce East (154m)	\$16,500
16	Rotary Avenue (west side) - full length (197m)	\$20,500
17	Montebello Dr to Wireless Rd West via Heathfield Way and Council Reserve (250m)	\$25,700
		<u>\$175,000</u>

### Year 4 - 2018/19

18	Alexander Street (north side) - Crouch St to Hedley St (250m)	\$25,700
19	Wireless Road East (south side) - Gladigau Rd to Kennedy Ave ( Stage 1 - 850m)	\$87,400
20	Swallow Drive (inside "loop") - except for areas already constructed (680m)	\$69,900
		<u>\$183,000</u>

### Year 5 - 2019/20

21	Wireless Road East (south side) - Gladigau Rd to Kennedy Ave (Stage 2 - 800m)	\$82,200
22	Pinehall Avenue (south side) - Suttontown Rd to Suttontown School (450m)	\$46,300
23	O'Halloran Terrace (south side) - Power St to Wehl St (530m)	\$54,500
		<u>\$183,000</u>

### Year 6 - 2020/21

24	Graham Road (east side) - full length (580m)	\$59,600
25	Plover Street (north side) - full length (88m)	\$9,300
26	Crouch Street South (east side) - Tallara Ave to Boandik Tce (360m)	\$37,000
27	North Terrace (north side) - Dalkeith Dr to Kennedy Ave (630m)	\$64,800
28	Kennedy Avenue (west side) - North Tce to 70m north (70m)	\$7,300
		<u>\$178,000</u>

### Year 7 - 2021/22

29	Lake Terrace East (north side) - Crouch St to Stone Ave (720m)	\$74,000
30	Lake Terrace East (north side) - Stone Ave to Pick Ave (320m)	\$33,000
31	Bray Street - full length (187m)	\$19,500
32	Wireless Road West (north side) - Wehl St to Penola Rd (530m)	\$54,500
		<u>\$181,000</u>

**Year 8 - 2022/23**

33	Kennedy Avenue (east side) - Redoak Pl to Wireless Rd East (270m)	\$27,800
34	Wireless Road East (south side) - Kennedy Ave to Honnington Blvd (425m)	\$44,200
35	Tumut Drive - Genoa St to North Tce (250m)	\$25,700
36	Currawong Crescent - full length (580m)	\$59,500
37	Jubilee Highway East (south side) - Gerloff St to Crouch St (305m)	\$30,800
		<u>\$188,000</u>

**Year 9 - 2023/24**

38	Winston Terrace (south side) - full length (190m)	\$20,000
39	Wilson Street (east side) - Commercial St to Anderson St (225m)	\$21,000
40	Victor Street (west side) - full length (380m)	\$39,000
41	Umpherston Street (west side) - West St to Gordon St (165m)	\$17,000
42	Ferrers Street (west side) - Lake Tce East to Gwendoline St (555m)	\$57,000
43	O'Connor Drive (south and east sides) - Acacia St to Creek St (430m)	\$44,000
		<u>\$198,000</u>

**Year 10 - 2024/25**

44	Mitchell Street (east side) - Alexander St to Frew Park (275m)	\$29,000
45	Hart Street South (east side) - full length (90m)	\$10,000
46	Jardine Street (north side) - Hedley St to Mitchell St (130m)	\$14,000
47	Jubilee Highway West (north side) - Willow Ave to O'Leary Rd (430m)	\$45,000
48	Bailey Street (north side) - full length (240m)	\$27,000
49	Palamountain Street (east side) - full length (135m)	\$15,000
50	Truman Street (north side) - DeGaris St to MacKenzie St (195m)	\$22,000
51	Bodey Street (north side) - full length (160m)	\$18,000
52	Union Street (west side) - Queens Ave to Fidler St (270m)	\$30,000
53	Shelley Crescent - (north side) east leg to west leg and (west side) east leg (230m)	\$26,000
54	Livingston Street (east side) - full length (285m)	\$32,000
55	Hart Street (west side) - full length (300m)	\$33,000
56	Harrald Street (south side) - full length (1,200m)	\$132,000
		<u>\$433,000</u>

*Note: Year 10 will need to be prioritised and some works carried forward to future years when Council significantly increases the funding available for footpath construction works.*

## DRAFT FORWARD PRAM CROSSING PROGRAM

<b>Year 1</b>	Crouch St North - Link St	2	<b>Year 6</b>	Umpherston St - Gordon St	8
<b>Current Yr</b>	Anthony St - Link St	8	<b>2019/20</b>	Wilga Rd - Quandong Ave	2
<b>2014/15</b>	Wehl St North - Baileys St	2		Wilga Rd - Underwood Ave	2
	Wehl St North - Bootheys St	2		Wilga Rd - Mulga St	2
	Ehret St - Ellis St	2		Wilga Rd - Karri St	2
	Ehret St - Park St	2		Wilga Rd - Heaver Dr	4
	Ehret St - Agnes St	2			<u>20</u>
	Ehret St - Chute St	2			
		<u>22</u>	<b>Year 7</b>	Swallow Dr - Wren St	2
<b>Year 2</b>	Ehret St - Eglington Tce	1	<b>2020/21</b>	Swallow Dr - Finch St	2
<b>2015/16</b>	Link St - Byrne St	4		Swallow Dr - Swan St	4
	Boandik Tce - Hanson St	2		Swallow Dr - Sparrow Ave	4
	Boandik Tce - Price St	2		Swallow Dr - Plover St	2
	Boandik Tce - Brigalow Tce	2		Swallow Dr - Lark Pl	2
	Crouch St South - Boandik Tce	1		Swallow Dr - Pigeon St	2
	Crouch St South - Lansell St	2		Swallow Dr - Quail Pl	2
	Crouch St South - Sunnyside Dr	2			<u>20</u>
	Crouch St South - Harbison St	2	<b>Year 8</b>	Pick Ave - Newsham Ave	2
	Shepherdson Rd - Daniel St	2	<b>2021/22</b>	Pick Ave - Pearce Cres	2
	Shepherdson Rd - Laurie St	2		Pick Ave - Pigeon St	4
		<u>22</u>		Pick Ave - Plover St	2
<b>Year 3</b>	Jardine St - Mitchell St	4		Plover St - Quail Pl	8
<b>2016/17</b>	Jardine St - Hedley St	6		Swallow Dr - Hawk Pl	2
	Jardine St - Keegan St	2			<u>20</u>
	Grantville Pl - Boucaut St	2	<b>Year 9</b>	Gwendoline St - Ferrers St Roundabout	8
	Cockburn St - Finnis St	2	<b>2022/23</b>	Pressey St - Lake Tce East	1
	Cockburn St - Dutton St	2		Ehret St - Ellis St	2
	Cockburn St - Torrens St	2		Canavan Rd - Locke St	4
	Cockburn St - Hanson St	2		Suttontown Rd - Underwood Ave	4
		<u>22</u>		Suttontown Rd - Heaver Dr	4
<b>Year 4</b>	Lansell St - Reginald St	2			<u>23</u>
<b>2017/18</b>	Lansell St - Arthur St	2	<b>Year 10</b>	Werona St - Nelson St	2
	Lansell St - Victor St	2	<b>2023/24</b>	Werona St - Lawson St	4
	Duigan St - Oolna St	2		Werona St - Griffiths St	2
	Harrald St - Tandara St	2		Werona St - Dandaloo Pl	2
	Harrald St - Brigalow Cres	2		Werona St - Laslett St	2
	Harrald St - Price St	2		Werona St - Tallara Ave	2
	Harrald St - Hanson St	2		Tallara Ave - Johnson St	2
	Harrald St - Finnis St	2		Tallara Ave - Hirth St	2
	Harrald St - Cockburn St	2		Tallara Ave - Burton St	2
		<u>20</u>			<u>20</u>
<b>Year 5</b>	Playford St - Dutton St	2			
<b>2018/19</b>	Playford St - Ayers St	2			
	Playford St - Blyth St	2			
	Playford St - Torrens St	2			
	John St - Gerloff St	8			
	John St - Davison St	3			
	Nicholas St - Shelton St	1			
		<u>20</u>			



## 10 YEAR DRAINAGE CONSTRUCTION PROGRAM

Year	Project Description	Asset Class	Estimate
1 - 2015/16	Davison St fencing of retention basin & WSUD improvement works	New	\$10,000
	Boandik Tce fencing of retention basin and WSUD improvement works	New	\$45,000
	Livingston St / Davison St drainage pipe upgrade works	New	\$25,000
	Rook Rd - Install additional bore & silt Pit	New	\$25,000
	Eagle Court - Install swale drains	New	\$15,000
			<b><u>\$120,000</u></b>
2 - 2016/17	Doughty St fencing of retention basin	New	\$6,000
	Gilmore Close - Install additional bore in basin	New	\$20,000
	Badenoch St - install pipe / pits into retention basin on east side of reserve	New	\$15,000
	Elizabeth St (Commercial St to Jane St) major drainage replacement works	Renewal	\$50,000
			<b><u>\$91,000</u></b>
3 - 2017/18	Jane St major drainage replacement works	Renewal	\$50,000
	Silt Pit reconstruction Heriot St - Bore No 38	Renewal	\$20,000
	Silt Pit reconstruction Bridges St - Bore No 58	Renewal	\$20,000
			<b><u>\$90,000</u></b>
4 - 2018/19	O'Halloran Tce major drainage replacement works	Renewal	\$45,000
	Silt Pit reconstruction Underwood Ave - Bore No 96	Renewal	\$20,000
	Silt Pit reconstruction Wireless Rd East / Crouch St - Bore No 116	Renewal	\$20,000
			<b><u>\$85,000</u></b>
5 - 2019/20	James St major drainage replacement works	Renewal	\$55,000
	Silt Pit reconstruction Radiata St - Bore No 125	Renewal	\$20,000
	Silt Pit reconstruction Gladigau Rd / Illawong Dr - Bore No 128	Renewal	\$20,000
			<b><u>\$95,000</u></b>
6 - 2020/21	Commercial West St major drainage replacement works	Renewal	\$50,000
	Silt Pit reconstruction Tumut Dr / Barwon Cres - Bore No 157	Renewal	\$20,000
	Silt Pit reconstruction Gordon St - Bore No 186	Renewal	\$20,000
			<b><u>\$90,000</u></b>
7 - 2021/22	Wehl St South / Commercial St major drainage replacement works	Renewal	\$40,000
	Silt Pit reconstruction John St / Crouch St - Bore No 284	Renewal	\$20,000
	Silt Pit reconstruction Commercial St West / Bertha St - Bore No 366	Renewal	\$20,000
			<b><u>\$80,000</u></b>
8 - 2022/23	Wehl St South / James St major drainage replacement works	Renewal	\$40,000
	Silt Pit reconstruction Harrald St - Bore No 238	Renewal	\$20,000
	Silt Pit reconstruction Keegan St - Bore No 150	Renewal	\$20,000
			<b><u>\$80,000</u></b>
9 - 2023/24	Helen St (Wehl St to Elizabeth St) major drainage replacement works	Renewal	\$45,000
	Silt Pit reconstruction Krummel St - Bore No 92	Renewal	\$20,000
	Silt Pit reconstruction Ferrers St - Bore No 81	Renewal	\$20,000
			<b><u>\$85,000</u></b>
10 - 2024/25	Bay Rd major drainage replacement	Renewal	\$60,000
	Heriot St / Ferrers St major drainage replacement	Renewal	\$25,000
	Silt Pit reconstruction - TBA	Renewal	\$20,000
			<b><u>\$105,000</u></b>

**DRAFT FORWARD PLAYGROUND CONSTRUCTION PROGRAM**

Year 1 - 2015/16	Lui Avenue (new playground Kennedy Avenue residential area)	\$ 50,000.00
Year 2 - 2016/17	Olympic Park (new playground near BBQ shelter - request from Netball Association)	\$ 30,000.00
Year 3 - 2017/18	Hanson Street Reserve (extension to existing playground)	\$ 40,000.00
Year 4 - 2018/19	Vansittart Park Playground (cover for existing playground)	\$ 60,000.00



## OPERATIONAL SERVICES REPORT NO. 7/2015

**SUBJECT:** POLICY REVIEW - A240 (Events on Council Land), F120 (Burning in Open), F135 (Flammable Undergrowth), L230 (Licensed Premises) and T110 (Taxi Regulation) - Ref. AF11/1950

*Goal:* Governance  
*Strategic Objective:* (i) Demonstrate innovative and responsive organisational governance

### BACKGROUND

In March 2014, Council considered Operational Services Report No. 7/2014 in relation to the review of Operational Services Policies and resolved:

*“(d) amalgamation and/or review of remaining Operational Services Policies continue to be undertaken on a prioritised and periodical basis under the direction of the Operational Services Committee.”*

In accordance with that resolution, the Council Policy relating to assemblies and events on Council Land, burning in the open at non-domestic premises, flammable undergrowth, licensed premises and taxi regulation have been reviewed and the resulting policies are presented for consideration and adoption, as attached to this report.

The changes that have been made to the Policies include:

- removal of out-dated requirements;
- formatting into the new Council Policy template; and
- general grammatical changes.

The existing A240 - Community - Assemblies and events on Council Land Policy can be found on Council's website:

<http://www.mountgambier.sa.gov.au/docs/council/policies/A240%20-%20Assemblies%20and%20Events%20on%20Street%20and%20other%20Council%20Land.pdf>

The existing F120 - Clean Air - Burning in Open Non-Domestic Premises Policy can be found on Council's website:

<http://www.mountgambier.sa.gov.au/docs/council/policies/F120.pdf>

The existing F135 - Flammable Undergrowth Policy can be found on Council's website:

<http://www.mountgambier.sa.gov.au/docs/council/policies/F135.pdf>

The existing L230 - Licensed Premises Policy can be found on Council's website:

<http://www.mountgambier.sa.gov.au/docs/council/policies/L230.pdf>

The existing T110 - Taxi Regulation Policy can be found on Council's website:

<http://www.mountgambier.sa.gov.au/docs/council/policies/T110.pdf>

### RECOMMENDATION

- (a) Operational Services Report No. 7/2015 be received;
- (b) Council hereby adopts new Council Policy A240 - Community - Assemblies and Events on Council Land as attached to this report;
- (c) Council hereby adopts new Council Policy F120 - Clean Air - Burning In Open - Non-Domestic Premises as attached to this report;

- (d) Council hereby adopts new Council Policy F135 - Flammable Undergrowth, as attached to this report;
- (e) Council hereby adopts new Council Policy L230 - Licensed Premises as attached to this report;
- (f) Council hereby adopts new Council Policy T110 - Taxi Regulation, as attached to this report;
- (g) Council makes the necessary amendments to Council's Policy Manual Index.



**Jessica PORTER**  
PLANNING OFFICER

sighted:




**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

2 February 2015  
SW

Attachment: A240 - Community - Assemblies and Events on Council Land (proposed)  
F120 - Clean Air - Burning in Open Non-Domestic Premises (proposed)  
F135 - Flammable Undergrowth (proposed)  
L230 - Licensed Premises (proposed)  
T110 - Taxi Regulation (proposed)

(Refer Item of Operational Services Committee Minutes)

	<b>COUNCIL POLICY (PROPOSED)</b>  <b>A240      <u>ASSEMBLIES AND EVENTS - On</u></b> <b>Streets and Other Council Land</b>	Version No:	142 1
		Issued:	-
		Next Review:	-

**1. INTRODUCTION**

This document sets out the policy of the City of Mount Gambier (“Council”) for when assemblies and events are held on Council land, including roadways, under the *Public Assemblies Act 1972*.

**2. NOTICE OF ASSEMBLY**

- (a) Where an organised assembly or event is planned to be held on a street or other Council land, and consent of Council has not or cannot be given under other legislative powers, the organisers be requested to lodge with Council a *Notice of Assembly* pursuant to the provisions of the *Public Assemblies Act, 1972*.
- (b) Such Notice is to be assessed by the Director - Operational Services using the attached pro-forma.
- (c) The purpose of a *Notice of Assembly* is not to seek Council ‘consent’ to a proposal, but to enable the proposal to be assessed as to whether or not any objection is to be made by Council in accordance with the *Public Assemblies Act 1972*.

NOTE: Council’s controls over organised assemblies and events on Council land are primarily contained in the provisions of the Local Government Act, Road Traffic Act and Council By-Laws.

**3. FOR COUNCIL USE ONLY**

APPLICATION RECEIVED FROM :.....(*Insert Applicant’s name*).....

SECTION A

- 1. Mount Gambier Police notified.
- 2. Date: / / Time.....Method.....

Actioned by.....


SECTION B

ASSESSMENT BY DIRECTOR - OPERATIONAL SERVICES

PART 1 - Public Assemblies Act 1972

- (a) If affected, would the proposed assembly unduly prejudice any public interest? YES/NO
- (b) If Yes - use delegated power to lodge objection pursuant to Section 4 (6) and (7) of the Act.
- (c) Section 4 (8)

- 1. Objection - served on Applicant :.....( *Insert Applicant’s name*).....  
Date: / / Time .....Method.....

	<b>COUNCIL POLICY (PROPOSED)</b>  <b>A240      <u>ASSEMBLIES AND EVENTS - On Streets and Other Council Land</u></b>	Version No:	143 1
		Issued:	-
		Next Review:	-

2. Objection - published in *The Advertiser* – Date:    /    /

3. Objection - published in *The Border Watch* – Date:    /    /

**PART 2** - *Summary Offences Act 1953*

(a) Should recommendation be made to Mayor to give directions pursuant to the provisions of Section 59 of the Act? YES/NO

(b) If YES, what directions are recommended (use separate sheet).

(c) Section 59 (6)

1. Direction - published in *The Advertiser* – Date:    /    /

2. Direction - published in *The Border Watch* – Date:    /    /

**PART 3** - *Local Government Act 1999*

(a) Should vehicles, etc. be excluded from public places affected by assembly pursuant to the provisions of the Act,

NOTE: Council decision required to implement as absolute majority required.

YES (but insufficient time) /NO

(b) If YES:

1. Date of Council Decision:    /    /

2. Notice - published in *The Government Gazette* – Date:    /    /

3. Notice - published in *The Border Watch* – Date:    /    /

If insufficient time:

Applicant Notified -

Date:    /    /    Time:            AM/PM    Method:.....


**PART 4** - *Road Traffic Act 1961*

(a) Should applicant make application to Council or the relevant Minister, pursuant to the provisions of the Act (Road Closing and exemptions for road events)?

YES (but insufficient time)/NO

(b) If yes with or without (insufficient time), advise applicant.

Date:    /    /    Time:            AM/PM    Method:.....

	<b>COUNCIL POLICY (PROPOSED)</b>  <b>A240      <u>ASSEMBLIES AND EVENTS</u> - On Streets and Other Council Land</b>	Version No:	144 1
		Issued:	-
		Next Review:	-

PART 5 - Traffic Control Devices

- (a) Are any temporary traffic control devices required to be erected for the purpose of the proposed assembly.

YES/NO

- (b) If YES, issue authorisation pursuant to Section 17 (Council delegation R.T.A.I. and delegation from Minister) and arrange for their erection.

PART 6 - Consultation

- (a) Was this assessment made in consultation with SAPOL?

YES/NO

- (b) If so:

Name:.....Date:    /    /    Time:            AM/PM

PART 7 - Council By - Laws

- (a) Any approvals required pursuant to Council By – Laws?

YES/NO

- (b) If so:

Details:

DATED this                    day of                    20

.....  
DIRECTOR - OPERATIONAL SERVICES

OR


.....  
CHIEF EXECUTIVE OFFICER

NOTE: Part 5 (Ministerial delegation) must be actioned by Director - Operational Services

**4. 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](http://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.




	<b>COUNCIL POLICY (PROPOSED)</b>  <b>A240      <u>ASSEMBLIES AND EVENTS</u> - On Streets and Other Council Land</b>	Version No:	145 1
		Issued:	-
		Next Review:	-

File Reference:	AF11/1747
Applicable Legislation:	Public Assemblies Act 1972 Summary Offences Act 1953 Local Government Act 1999 Road Traffic Act 1961
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	
Related Procedures:	
Related Documents:	

### DOCUMENT DETAILS

<b>Responsibility:</b>	<b>Director – Operational Services</b>
<b>Version:</b>	<b>1.0</b>
<b>Last revised date:</b>	<b>January, 2015</b>
Effective date:	
Minute reference:	## <sup>th</sup> Month, 201# Operational Services, Item #
Next review date:	January, 2019
<u>Document History</u>	
First Adopted By Council:	18 <sup>th</sup> February 1999
Reviewed/Amended:	15 <sup>th</sup> April 2003; 19 <sup>th</sup> September 2006; 16 <sup>th</sup> July 2013

	<b>F120</b>	<b>COUNCIL POLICY (PROPOSED)</b>  <b><u>FIRES</u> - CLEAN AIR - BURNING IN OPEN - NON-DOMESTIC PREMISES</b>	Version No:	1 <sup>146</sup>
			Issued:	-
			Next Review:	-

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for the issuing of permits, where the burning is to occur on non-domestic premises

## 2. ISSUING OF PERMITS


- (a) Except in exceptional circumstances, a permit not be granted to burn in the open on non-domestic premises, with the preferred method of disposal of wastes on such premises being recycling, removal to licensed refuse depot or incineration in a suitable incinerator.
- (b) However where a permit is issued to burn in the open the following conditions shall apply:
1. Fire & Emergency Services Act 2005 provisions apply;
  2. Six months must elapse before a further permit can be issued for the same premises;
  3. A permit shall not be issued to burn the type of material which is not able to be burnt on a domestic premises;
  4. The fire must not be lit before 7.00 a.m. and must be extinguished by 9.00 p.m. the same day. Heaps of rubbish which would take longer than this to burn should be divided;
  5. Heaps of rubbish should be frequently stoked to maximise the efficiency of the burn;
  6. If the weather conditions are not suitable on the chosen day for the burn it must be postponed. In particular, the weather should be fine and wind conditions such as not to blow smoke into nearby occupied premises.
- (c) The concurrence in writing of the Officer-in-Charge of the Mount Gambier South Australian Metropolitan Fire Service (MFS) unit is required before a permit is issued.
- (d) Any officer delegated the authority to issue a permit may vary these conditions if circumstances warrant.

## 3. REVIEW AND EVALUATION

This Policy is scheduled for review by Council in **Month 20##**; however, will be reviewed as required by any legislative changes which may occur.

## 4. 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](http://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.

	<b>F120</b> <b>COUNCIL POLICY (PROPOSED)</b>  <b><u>FIRES</u> - CLEAN AIR - BURNING IN OPEN - NON-DOMESTIC PREMISES</b>	Version No:	1 <sup>147</sup>
		Issued:	-
		Next Review:	-

File Reference:	AF11/1744
Applicable Legislation:	Fire & Emergency Services Act 2005
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	INSERT RELATED (Council) POLICIES
Related Procedures:	INSERT RELATED PROCEDURES (Council/Other)
Related Documents:	INSERT RELATED DOCUMENTS (Council/Other)

### DOCUMENT DETAILS

Responsibility:	Director – Operational Services, Team Leader - General Inspector
Version:	1.0
Last revised date:	June, 2014
Effective date:	## <sup>th</sup> Month, 201#
Minute reference:	## <sup>th</sup> Month, 201# Operational/Corporate & Community Services, Item #
Next review date:	Month, 201#
<u>Document History</u>	
First Adopted By Council:	18 <sup>th</sup> February 1999
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	<b>COUNCIL POLICY (PROPOSED)</b>  <b>F135                      <u>FLAMMABLE UNDERGROWTH</u></b>	Version No:	148 1
		Issued:	-
		Next Review:	-

**1. INTRODUCTION**

This document sets out the policy of the City of Mount Gambier (“Council”) for instances when Flammable Undergrowth Notices are not complied.

For the purposes of this Policy, references to “the Act” refer to the Fire & Emergency Services Act 2005.

**2. NON COMPLIANCE**


- (a) Where a notice is served by Council, pursuant to the Act, requiring a land owner to clear land and the notice is not complied with, an Authorised Officer may engage a private contractor to slash/remove the flammable growth on the property and have the requirements of the notice carried out.
- (b) The cost of all works are payable by and are the responsibility of the land owner. An additional amount equal to 100% of the contractor’s cost to cover administration and supervision of the contractor and are payable by and are the responsibility of the land owner.
- (c) An expiation notice may also be issued.
- (d) An invitation to show cause as to why the work should not be carried out, is not to be issued concurrently with the contractor being engaged by Council.
- (e) The owner is to be advised in writing of any action to engage a contractor to complete any outstanding works.

**3. REVIEW AND EVALUATION**

This Policy is scheduled for review by Council in August 2015; however, will be reviewed as required by any legislative changes which may occur.

**4. 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](http://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.

	<b>F135</b>	<b>COUNCIL POLICY (PROPOSED)</b>  <b><u>FLAMMABLE UNDERGROWTH</u></b>	Version No:	149 1
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File Reference:	AF1#####
Applicable Legislation:	Fire and Emergency Services Act 2005
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	
Related Procedures:	
Related Documents:	

### DOCUMENT DETAILS

Responsibility:	Director – Operational Services; Manager – Regulatory Services; Team Leader – General Inspector
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	<b>COUNCIL POLICY (PROPOSED)</b>  <b>L230                      <u>LICENSED PREMISES</u></b>	Version No:	1 <sup>150</sup>
		Issued:	-
		Next Review:	-

**1. INTRODUCTION**

This document sets out the policy of the City of Mount Gambier (“Council”) for Licensed Premises within the Council area.

**2. GRANTING OF PERMITS OR CONSENTS - LICENSED PREMISES**

(a) The Chief Executive Officer and/or the Director - Operational Services or their delegate, may issue a letter of consent (or any relevant notice) to an application made for:

1. a variation to the trading hours of an existing licensed premises (either temporary or permanent);
2. an extension or redefinition of an area of an existing licence for an existing premises;
3. a variation to an existing licensed premises location;

providing that in the opinion of the Chief Executive Officer and/or the Director - Operational Services the variations and/or extension is not contentious.

(b) Any application or Notice received by Council for a new establishment that is proposed to be licensed for the first time (and has not previously been licensed) must be considered and determined by Council.

**3. GRANTING OF PERMITS OR CONSENTS - LIMITED LICENSES**


1. The Chief Executive Officer and/or the Director - Operational Services or their delegate, may issue a letter of consent (or any relevant notice) to an application made for a Limited License providing that in the opinion of the Chief Executive Officer and/or the Director - Operational Services the Limited License is not contentious.
2. Any application or Notice received by Council for a Limited License which has been deemed as being contentious must be considered and determined by Council.

**4. REVIEW AND EVALUATION**

This Policy is scheduled for review by Council in August 2015; however, will be reviewed as required by any legislative changes which may occur.

**5. 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](http://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.

	<b>COUNCIL POLICY (PROPOSED)</b>  <b>L230                      <u>LICENSED PREMISES</u></b>	Version No:	1 <sup>151</sup>
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File Reference:	AF13/226
Applicable Legislation:	Liquor Licensing Act 1999
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	
Related Procedures:	
Related Documents:	

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	<b>COUNCIL POLICY (PROPOSED)</b>  <b>T110 TAXI REGULATION</b>	Version No:	152 1
		Issued:	-
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## 1. INTRODUCTION

- (a) The City of Mount Gambier ("Council") regulates taxis within the Council area in accordance with *By-law No. 6 of 2011: Taxi Regulation* ("the Taxi By-law") duly made by the Council on 16<sup>th</sup> August 2011.
- (b) Council acknowledges that taxis are an important part of the public passenger transport services available to residents and visitors to the Council area. The purpose of this policy is to benefit residents and visitors to the City of Mount Gambier by:
1. promoting a local taxi industry that is efficient, sustainable, equitable and well-managed;
  2. promoting a high level of taxi service standards in the Council area;
  3. endeavouring to meet the Council's obligations under the *Disability Discrimination Act 1992 (Cth)*;
  4. promoting compliance with the Council's Taxi By-law and providing for the effective enforcement of the Council's Taxi By-law and Taxi Regulation Scheme generally; and
  5. setting out the procedures by which the Taxi By-law and Taxi Regulation Scheme will be administered and enforced.

## 2. THE TAXI REGULATION SCHEME

- (a) Council has in place a Taxi Regulation Scheme for the purpose of effectively regulating of taxi's within the Council area ("the Scheme"). The Scheme consists of the following:
1. By-law No. 6 of 2011: Taxi Regulation ("the Taxi By-law");
  2. the Council's Taxi Regulation Policy ("the Policy");
  3. Taxi Licences;
  4. the Codes of Conduct for Drivers and Operators.
- (b) Council's Taxi By-law is made pursuant to the power conferred on the Council under section 667(1)3 of the *Local Government Act 1934*.
- (c) The Taxi By-law provides for the licensing of vehicles used to ply for hire and, in conjunction with this Policy and the Council's Taxi Licences, requires taxi operators and drivers to comply with certain aspects of the *Passenger Transport Act 1994* ("the PT Act") and *Passenger Transport Regulations 2009* ("the PT Regulations") and other prescribed standards.
- (d) For the purposes of the Taxi By-law, a person will be taken to **ply for hire** with a vehicle if-
1. the person drives it in a public street, road or place within the Council area while a sign on the vehicle indicates that the vehicle is available for hire; or
  2. it is used to commence or complete a journey within the Council area which involves the carriage of a passenger for a fee or reward; or
  3. the person drives it to or places it at a designated taxi-stand within the Council area; or
  4. the person drives it to a place within the Council area to pick up passengers to be carried for a fee or reward.



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(e) This Policy has been adopted by Council to assist with the implementation and administration of the Taxi By-law. In addition to the Taxi By-law, this Policy has been prepared in the context of the following instruments:

1. the *Passenger Transport Act 1994* and *Passenger Transport Regulations 2009*;
2. the National Competition Policy Agreements; and
3. the *Disability Discrimination Act 1996* (Cth) including the disability standards for *Accessible Public Transport 2002*, made under that Act.

(f) The Council undertakes to continue to licence taxis within its area so long as it has the power to do so under legislation. In the event that the Council's power to regulate taxis under a licence is revoked, the taxi industry within the Council's area will then become subject to the provision of the PT Act and PT Regulations.

### 3. LICENSING

(a) Council is committed to ensuring that residents and visitors to the City of Mount Gambier receive the highest standard of taxi service. Council is also mindful of the need to facilitate a sustainable taxi industry within the Council area that operates 24 hours, seven days a week.

(b) Council's Taxi By-law provides that no person shall use any vehicle for the purpose of plying for hire in a public road or place or cause or suffer any vehicle to be so used, without Council's permission, granted in the form of a taxi licence.


(c) Council currently regulates the issue of taxi licences in the Council area under the Taxi By-law. The Council has determined that the potential restriction on competition caused by limiting the issue of licences is justified because the net benefit to the community from regulation outweighs the cost of regulation.

(d) Council considers a range of factors to determine the appropriate number of Taxi Licences that are issued, including:

1. the current market value of taxi licences;
2. population change in and around the City of Mount Gambier;
3. demand for services as measured having regard to evidence provided by taxi operators in relation to both bookings and rank and hail hirings;
4. business viability and sustainability;
5. market stability;
6. compliance with customer service standards, in particular taxi response times;
7. vehicle standards;
8. public feedback;
9. the Council's statutory obligations; and,
10. the interests of the local community residing in and around the City of Mount Gambier.

(e) Currently, the number of vehicles licensed to operate as taxis in the Council area is **11** (eleven). Council will review the number of taxi licenses on a regular basis in accordance with this Policy.

(f) There are public passenger vehicles operating within the Council area that are accessible by the mobility impaired. Separately, Taxi service operators are responsible for complying with the obligations regarding transport standards under the *Disability*

	<b>COUNCIL POLICY (PROPOSED)</b>  <b>T110 TAXI REGULATION</b>	Version No:	154 1
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*Discrimination Act 1992* (Cth), including the requirement that the response times for taxi hiring for persons who are mobility impaired (i.e. persons who use and or rely upon wheelchairs or other mobility aids) are to be equivalent to those for general purpose taxi's.


- (g) Council will regularly review taxi service standards for people with disabilities in the Council area and is committed to facilitating taxi operator compliance with the *Disability Discrimination Act 1992*.
- (h) Any new taxi licence (including an access taxi licence) will be issued by a public tender in accordance with Council's Contracts and Tender Policy. The Council may issue special purpose 'access' taxi licenses for a reduced fee, on the condition that the operator will provide priority service to people with disabilities within the Council's area.

#### 4. TENURE OF LICENCES

- (a) Subject to the terms of the relevant licence, taxi licences continue in operation unless revoked or cancelled by the Council. All licences are subject to the annual payment of a renewal fee.
- (b) The Council may revoke a taxi licence where the licensee is in breach of any condition of the licence. Before revoking a licence, the Council will observe principles of procedural fairness. Specifically, the licensee will be informed of the Council's intention to revoke the licence and the reasons why and will be provided an opportunity to consider all of the relevant evidence and make submissions as to why this should not occur. The Council will take into account all relevant submissions made by a licensee before determining whether or not to revoke the licence.
- (c) Council may from time to time revise the annual renewal fee. Council will take reasonable steps to consult with current licensees concerning any proposed changes to the annual renewal fee and will give current licensees reasonable notice to any change to the annual taxi licence renewal fee for the coming financial year.

#### 5. TAXI OPERATOR ACCREDITATION

- (a) Following a review of the Scheme, (including discussions with the Department of Planning, Transport and Infrastructure), changes to the PT Regulations and the Taxi by-law review conducted in 2011, Council will require all taxi licensees to obtain Country Taxi Accreditation in accordance with section 27 of the PT Act, from 1<sup>st</sup> January 2012. Any taxi licence issued by Council from 1<sup>st</sup> January 2012 will contain a condition reflecting this requirement.
- (b) The licences issued by the Council have been amended to reflect the new operator accreditation requirement. Licensees will be required to comply with all the relevant conditions of Country Taxi Accreditation contained in the PT Act as imposed by the Minister, including those relating to maintenance of vehicles. Licenses issued after 1<sup>st</sup> January 2012 will also require licensees to:
  1. obtain class 55 compulsory third party insurance in respect of the taxi and any substitute vehicle;
  2. operate the taxi in accordance with a service plan approved by the Council.

	<b>COUNCIL POLICY (PROPOSED)</b>  <b>T110 TAXI REGULATION</b>	Version No:	155 1
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- (c) Under the Scheme, any person wishing to operate a taxi service must be licensed by the Council. The licensed operator must hold the requisite accreditation even if he/she does not undertake the provision of the taxi service. For example, if the licensee leases the license to another person who undertakes the provision of the taxi service, both the licensee and the person undertaking the taxi service must hold the requisite accreditation. This is necessary to ensure both public safety and the licensees and those undertaking the taxi service are fit and proper persons to hold a licence.

## 6. TAXI FARES


- (a) The Council will continue to set the fare levels for taxis operating in the Council area and will review the fares bi-annually.
- (b) The Council may resolve to increase fares having regard to the following:
1. the consumer price index;
  2. any increase to the cost of fuel;
  3. the operating costs of licensees, including vehicle maintenance costs;
  4. the standard practices of the taxi industry;
  5. the regulated fares in other jurisdictions (e.g. Adelaide Metro or Country Victoria);
  6. the use of taxi metres which comply with the PT Regulations for calculating fares;
  7. the need to maintain high service standards with respect to taxi operations within the City of Mount Gambier;
  8. any submission received by the Council from the Taxi Council SA Inc, being the peak taxi-cab industry body in South Australia; and
  9. the impact any fee increase would have upon users of the taxi service.
- (c) Licensees will be notified in writing of any increase to the fares.

## 7. CODES OF PRACTICE

- It is a condition of Council taxi licences and operator and driver accreditation that all operators and drivers must comply with the relevant Council Code of Practice (accreditation requires compliance with the Code).
- Council's Codes of Practice have been revised to address the needs of passengers with disabilities and to deal with security-related incidents.
- Schedules 2 and 3 of all taxi licences issued by Council contain Council's Codes of Practice. Copies can also be obtained from the principal office of Council.

## 8. SECURITY

- The Council considers that the security and safety of taxi drivers and their customers is paramount. Accordingly, the Council will investigate the feasibility of requiring security cameras to be installed into local taxis. In doing so, the Council recognises the need to ensure that the privacy of customers is protected and that all images taken from cameras are stored and transferred securely and safely.

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## 9. ENFORCEMENT AND DISCIPLINARY ACTION

- (a) Council has a responsibility to enforce compliance with the Taxi By-law and the conditions of taxi licences issued by Council. Enforcement with the by-law will be achieved by the issue of warnings, expiations and or prosecution where appropriate.
- (b) Council will work with the Department of Planning, Transport & Infrastructure to enhance the effectiveness of the Council's compliance activities. In the event that Council obtains sufficient evidence of a breach of the PT Act or PT Regulations, including conditions of accreditation, by a taxi driver or operator, Council will forward that information to the Department for the purposes of taking the appropriate disciplinary action through the Passenger Transport Standards Committee.
- (c) Council will monitor compliance with the conditions of taxi licences. Where the Council has evidence of a breach of a licence, Council may suspend the licence for a period of time or otherwise revoke the licence. Further, a breach of the licence may amount to a breach in the licensee's accreditation under the PT Act which may warrant the Passenger Transport Standards Committee taking disciplinary action against the licensee.

## 10. 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](http://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.

	<b>COUNCIL POLICY (PROPOSED)</b>  <b>T110 TAXI REGULATION</b>	Version No:	157 1
		Issued:	-
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File Reference:	AF1#####
Applicable Legislation:	Local Government Act 1934; Disability Discrimination Act 1992 (Cth); Passenger Transport Act 1994; Passenger Transport Regulations 2009; Accessible Public Transport 2002
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	
Related Procedures:	
Related Documents:	By-law No. 6 of 2011: Council's Taxi Regulation; Taxi Regulation Scheme; Council's Codes of Practice for Taxis; Codes of Conduct for Drivers and Operators; relevant National Competition Policy Agreements;

## DOCUMENT DETAILS

Responsibility:	Director – Operational Services; Manager – Regulatory Services; Team Leader – General Inspector
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## OPERATIONAL SERVICES REPORT NO. 8/2015

**SUBJECT:** POLICY REVIEW - A200 (Keeping of Birds and Livestock), A210 (Animals - Noise Nuisance), D210 (Dog Control - Problem Dogs) and D220 (Dog Control - Seizure of Dogs) - Ref. AF11/1950

*Goal:* Governance  
*Strategic Objective:* (i) Demonstrate innovative and responsive organisational governance

### BACKGROUND

In March 2014, Council considered Operational Services Report No. 7/2014 in relation to the review of Operational Services Policies and resolved:

*“(d) amalgamation and/or review of remaining Operational Services Policies continue to be undertaken on a prioritised and periodical basis under the direction of the Operational Services Committee.”*

In accordance with that resolution, all Council Policies relating to animal nuisance, animal control and the keeping of animals, birds or livestock, have been reviewed and the resulting policies are presented for consideration and adoption, as attached to this report.

In addition and in accordance with that resolution, all Council Policies relating to problem dogs, seizure of dogs and house inspections for unregistered dogs, have been reviewed and the resulting policies are presented for consideration and adoption as attached to this report.

The changes that have been made to the policies include:

- the amalgamation of Council Policies A200 and A210, therefore forming one Policy;
- the amalgamation of Council Policies D210 and D220, therefore forming one Policy;
- formatting into the new Council Policy template; and
- general grammatical changes.

The existing Policies can be found on Council’s website:

A200 - Animals - Keeping of Birds, Livestock:

<http://www.mountgambier.sa.gov.au/docs/council/policies/A200.pdf>

A210 Animals - Noise Nuisance:

<http://www.mountgambier.sa.gov.au/docs/council/policies/A210.pdf>

The existing Policies can be found on Council’s website:

D210 - Dog Control - Problem Dogs:

<http://www.mountgambier.sa.gov.au/docs/council/policies/D210.pdf>

D220 - Dog Control - Seizure of Dogs:

<http://www.mountgambier.sa.gov.au/docs/council/policies/D220.pdf>

### RECOMMENDATION

- (a) Operational Services Report No. 8/2015 be received;
- (b) Council hereby adopts new Council Policy A### - Animal Control as attached to this report;
- (c) Council revoke existing Council Policies A200 - Animals - Keeping of Birds, Livestock and A210 Animals - Noise Nuisance;

- (d) Council hereby adopts new Council Policy A### - Animal Control - Dogs as attached to this report;
- (e) Council revoke existing Council Policies D210 - Dog Control - Problem Dogs and D220 - Dog Control - Seizure of Dogs;
- (f) Council makes the necessary amendments to Council's Policy Manual Index.



**Jessica PORTER**  
PLANNING OFFICER

sighted:




**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

2 February 2015  
SW

Attachment: New Policy - Animal Control - Dogs (proposed)  
New Policy - Animal Control (proposed)

(Refer Item of Operational Services Committee Minutes)

	<b>COUNCIL POLICY (PROPOSED)</b>  <b>***NEW POLICY A### - ANIMAL CONTROL -</b>  <b>DOGS</b>	Version No:	160 1
		Issued:	-
		Next Review:	-

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) regarding problem dogs, undertaking inspections for unregistered dogs, the seizure of dogs and dogs wandering at large.

## 2. PROBLEM DOGS

(a) It is the Policy of Council that:

1. The owners of problem dogs be encouraged to have them destroyed voluntarily.
2. Where a problem dog that is impounded, is not subsequently claimed by the owner and is then destroyed, all outstanding monies due to Council in respect of that dog will be written off.

## 3. HOUSE INSPECTIONS

House to house inspections for unregistered dogs be undertaken on an annual basis, when possible.

## 4. SEIZURE OF DOGS

(a) Where a Dog Management Officer, appointed pursuant to the provisions of the Dog and Cat Management Act, 1995 is unable to seize a dog by reason of the savagery of that dog, the Dog Management Officer may request the services of a Police Officer to assist with the destruction and/or apprehension of the dog (Refer Section 60 of the Dog and Cat Management Act 1995).

(Note: Police Officers are Dog Management Officers pursuant to the Dog and Cat Management Act 1995).

(b) Where a Dog Management Officer is unable to seize a dog by reason of repeated evasion of the attempts at seizure, the officer be empowered to use a tranquilliser blow gun to seize the dog (Refer Section 60 of the Dog and Cat Management Act 1995).


(c) A Dog Management Officer may, pursuant to Section 61 of the Dog and Cat Management Act, 1995 seize and detain a dog and commence the required legal proceedings to have the dog destroyed/controlled (as appropriate) in the following circumstances:

1. the dog has attacked a person or animal and caused actual bodily harm and there is sufficient evidence to institute legal proceedings, or
2. a dangerous dog is the subject of an existing control order issued pursuant to the provisions of Section 50 of the Dog and Cat Management Act 1995 and the dog is found wandering at large in breach of that order.

(d) Where a dog has harassed a person or animal and no bodily harm has resulted, the officer should evaluate the circumstances as whether to seize and detain the dog pursuant to the provisions of Section 60 of the Act, with a view to obtaining a destruction order under Section 59 of the Act.

(e) Prosecution may be commenced pursuant to the provisions of Sections 47 and 50 of the Dog and Cat Management Act 1995.



	<b>COUNCIL POLICY (PROPOSED)</b>  <b>***NEW POLICY A### - ANIMAL CONTROL -</b>  <b>DOGS</b>	Version No:	161 1
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- (f) Authorisation of 4 (d) and (e) may be given by the Chief Executive Officer or the Director - Operational Services without reference to Council.

## 5. WANDERING AT LARGE


- (a) Where a dog is found wandering at large and is impounded, an expiation notice for wandering at large will be issued and where two (2) or more dogs belonging to the one owner are impounded at the same time, such notice be issued for each dog. Additional expiation fee notices will be issued for each of the following offences for each dog, if appropriate, provided that not more than three (3) expiation notices be issued in respect of each dog:
1. unregistered;
  2. not wearing collar/registration disc/owners name and address as applicable; and
  3. a total of not more than three (3) expiation notices be issued for any one incident.
- (b) Where a dog or dogs is/are found wandering at large but are not impounded, expiation fee notices be issued on the same basis as paragraph (a) if the owner is known or can be ascertained. Provided that a Dog Management Officer may issue a warning (except for being unregistered) at their discretion in the following circumstances:
1. the dog was in the immediate vicinity of the owners premises;
  2. there are no known previous warnings issued, and
  3. the dog/s have not been the subject of complaints in respect of problems associated with them wandering at large.

## 6. ISSUING OF WARNINGS

The Dog Management Officers may issue warnings for offences under the Dog and Cat Management Act

## 7. 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](http://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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	<b>***NEW POLICY A### - ANIMAL CONTROL - DOGS</b>	Issued:	-
		Next Review:	-

File Reference:	
Applicable Legislation:	Dog and Cat Management Act 1995
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	
Related Procedures:	
Related Documents:	Relevant Council By-Laws

### DOCUMENT DETAILS

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	<b>COUNCIL POLICY (PROPOSED)</b> <b>***NEW POLICY A### - ANIMAL CONTROL</b>	Version No:	163 1
		Issued:	-
		Next Review:	-

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for the keeping of animals, birds and livestock within the Council area.

## 2. PROPOSED KEEPING OF ANIMALS, BIRDS OR LIVESTOCK

(a) Where the keeping of animals, birds or other livestock is not subject to consent pursuant to the provisions of the Development Act, 1993 the following policy applies, subject to policy statements for particular policy areas or zones:

1. consent is NOT to be granted to keep horses, pigs or poultry or to build stables, piggeries, feed lots, dairies, poultry batteries, stock yards, kennels or similar within the area of the City of Mount Gambier.
2. consent is NOT to be granted to keep cattle, donkeys or wild animals in Residential Zones or on parcels of land where there is less than 0.2 ha of fenced vacant land for the exclusive use of the animals and stocking rates are consistent with accepted free range agriculture practice.
3. consent is NOT to be granted to keep sheep or goats in Residential Zones or on parcels of land where there is less than 0.1ha of fenced vacant land for the exclusive use of the animals and stocking rates are consistent with accepted free range agriculture practice.

(b) Where consent is granted for the keeping of animals, birds or other livestock, the conditions of approval must identify:


1. the type of animal/s to be kept;
2. the maximum number of animals to be kept;
3. that the animals are to be free range animals, although some shelter may be provided;
4. the type of shelter and/or enclosure in which the animal/s will be kept;
5. that where applicable, the approval is subject to the provisions of Council By-Laws; and
6. that where applicable the approval is subject to the provisions of the Local Government Act.

(c) This policy does not prevent any person from submitting a formal Development Application in accordance with the provisions of the Development Act, 1993. This policy will be used as a guide in determining such application.

## 3. EXISTING KEEPING OF ANIMALS, BIRDS AND LIVESTOCK

(a) Where an Authorised Officer becomes aware that the keeping of any animal, bird or other livestock is causing a public health risk the Authorised Officer may take appropriate action pursuant to the provisions of the South Australian Public Health Act 2011.

(b) Where a complaint of nuisance (other than noise) arising from the keeping of animal/s, bird/s or livestock is received the Chief Executive Officer shall, (if the complainant makes a written complaint, and is prepared to give evidence in a Court of Law, should legal proceedings be necessary) inspect or cause to be inspected the property which is the subject of the complaint.

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(c) Should the complaint be found to be justified, the following procedure shall be followed:

1. In the first instance, Council will serve a notice requiring the animal/s, bird/s or livestock to be reduced (if appropriate) in number and/or moved to another position on the property in accordance with Part 3 of the Animal Control policy;
2. Should the nuisance persist, a report be placed before Council for recommending that the animals, birds or livestock be removed from the property entirely.
3. For the purposes of this procedure and the Animal Control policy, nuisance includes offence from odours, dust, noise, rats, mice or other vermin, flies, aggression and frequent straying.
4. Where Council receives a complaint of noise nuisance as the result of keeping animal/s, bird/s or other livestock the owner/s of the animal/s, bird/s or other livestock are to be advised of the nature of the complaint and requested to take appropriate action to abate the nuisance. Such requests should initially be verbal, and then confirmed in writing. Any advice from Council should include any available information on how to abate the nuisance.
5. The complainant is to be forwarded a copy of the letter and advised:


*"Should the nuisance persist, you may wish to consider taking legal action by way of a Neighbourhood Dispute application, which may be obtained from the Registrar at the Mount Gambier Courthouse.*

*When making an application for a Neighbourhood Dispute, it is recommended that you provide the following information to the Registrar to enable him/her to make an accurate assessment of the problem and action required to resolve the situation.*

- (a) *Keep a diary for at least two (2) weeks noting the dates, times and nature of the nuisance and be available as a witness in Court.*
- (b) *If you are not the only close neighbour of the offending premises, get at least one other close neighbour to keep a diary noting the dates, times and nature of the nuisance and be available as a witness in Court.*
- (c) *Detail how you (and likewise for any other witness) established which animal was the source of the complaint.*
- (d) *Forward the information collected as per paragraphs (a), (b) and (c) above to Council for its consideration.*
- (e) *Continue to maintain the diary until the matter is resolved.*

#### **4. RECOMMENDATIONS FOR THE KEEPING OF ANIMALS, BIRDS OR LIVESTOCK TO MINIMISE NUISANCE**

- (a) Any housing or shelter or yard appurtenant to such housing or shelter should be sited:
  1. at least 9 metres from any building (whether on the subject land or any adjoining land) used for human habitation, where people work or is used to store food;
  2. at least 18 metres from any street or public place within the meaning of the Local Government Act (other than a laneway or service way), provided that in the case of a corner allotment such housing etc. shall be situated so that it is at least 9 metres from the side street;

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3. at least 2 metres from the boundary of any adjoining premises, except for situations as stated in (1) above.

(b) The floor of any housing or shelter or yard must be paved with concrete, clay bricks bedded in cement mortar or other suitable impervious material. A suitable alternative in the case of poultry is a deep litter system. Refer to relevant fact sheets at [www.pir.sa.gov.au/biosecuritysa/animalhealth](http://www.pir.sa.gov.au/biosecuritysa/animalhealth)

(c) The following be the maximum number of animals or birds to be kept at an average sized residential property:

1. not more than twelve (12) head of poultry aged more than 6 months, including not more than one (1) rooster and not more than two (2) ducks or geese, or combinations thereof;
2. not more than three (3) dogs aged more than three (3) months.

(d) Paragraphs (a) to (c) above are not legal requirements but will be used as a guide when action is taken pursuant to this policy.

## 5. KEEPING OF HORSES AND HORSE STABLES

(a) Council does not support the keeping of horses or the construction of stables in the City of Mount Gambier area.

(b) This policy does not apply to:

1. land that has been approved as Farm Land in terms of the Local Government Act; and
2. that has existing/continuing use rights (i.e. showgrounds area, etc) in accordance with the Development Act 1993.


(c) All existing horse stables are required to comply with all appropriate legislation.

## 6. REVIEW AND EVALUATION

This Policy is scheduled for review by Council in August 2015; however, will be reviewed as required by any legislative changes which may occur.

## 7. 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](http://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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		Next Review:	-

File Reference:	
Applicable Legislation:	Local Government Act 1934; Local Government Act 1999; Development Act 1993; South Australian Public Health Act 2011
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	
Related Procedures:	
Related Documents:	Relevant Council By-Laws

### DOCUMENT DETAILS

Responsibility:	Director – Operational Services; Team Leader – General Inspector
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<u>Document History</u> First Adopted By Council:	## <sup>th</sup> MONTH YEAR
Reviewed/Amended:	INSERT REVIEW DATE(S).

## OPERATIONAL SERVICES REPORT NO. 9/2015

**SUBJECT:** POLICY REVIEW - C330 (Removal of Objects from Council Land) - V120 (Removal of Vehicles from Public Places) - C340 (Sale of Commodities of Articles - Vehicles) - F220 (Sale of Commodities or Articles - Footways) - C180 (Badge and Raffle Days) - Ref. AF11/1950

**Goal:** Governance

**Strategic Objective:** (i) Demonstrate innovative and responsive organisational governance

### BACKGROUND

In March 2014, Council considered Operational Services Report No. 7/2014 in relation to the review of Operational Services Policies and resolved:

*“(d) amalgamation and/or review of remaining Operational Services Policies continue to be undertaken on a prioritised and periodical basis under the direction of the Operational Services Committee.”*

In accordance with that resolution:

- all Council Policies relating to the removal of vehicles and other objects from Council land have been reviewed and the resulting policy is presented for consideration and adoption, as attached to this report. The proposed new Policy is an amalgamation of Council Policies C330 and V120, therefore forming one Policy;
- all Council Policies relating to the sale of commodities or articles from vehicles and/or Council land, have been reviewed and the resulting policy is presented for consideration and adoption as attached to this report. The proposed new Policy is an amalgamation of Council Policies C340 and F220, therefore forming one Policy; and
- all Council Policies relating to the use of Council footways for promotional, fundraising, educational and commercial purposes have been reviewed and the resulting policy is presented for consideration and adoption, as attached to this report. The proposed new Policy is an amalgamation of Council Policies C180 and P120, therefore forming one Policy.

The existing policies can be found on Council’s website:

C330 Council Land - Removal of Objects from Council Land (including streets):

<http://www.mountgambier.sa.gov.au/docs/council/policies/C330.pdf>

V120 Vehicles - Removal from public places (streets):

<http://www.mountgambier.sa.gov.au/docs/council/policies/V120.pdf>

C340 Council Land - Sale of Commodities or Articles from Vehicles:

<http://www.mountgambier.sa.gov.au/docs/council/policies/C340.pdf>

F220 Footways - Sale of Commodities or Articles:

<http://www.mountgambier.sa.gov.au/docs/council/policies/F220.pdf>

C180 - Community Organisations - Badge Days Raffles Street Stalls:

[http://www.mountgambier.sa.gov.au/docs/council/policies/C180%20-%20Community%20Organisations%20-%20Badge%20Days%20%20Raffles%20%20Street%20Stalls\[1\].pdf](http://www.mountgambier.sa.gov.au/docs/council/policies/C180%20-%20Community%20Organisations%20-%20Badge%20Days%20%20Raffles%20%20Street%20Stalls[1].pdf)

P120 - Parking - On streets, roads and Council properties of vehicles for promotional, educational and commercial purposes:

<http://www.mountgambier.sa.gov.au/docs/council/policies/P120.pdf>

**RECOMMENDATION**

- (a) Operational Services Report No. 9/2015 be received;
- (b) Council hereby adopts new Council Policy F### - Footways and Council Land - Removal of Objects, as attached to this report;
- (c) Council revoke existing Council Policies C330 Council Land - Removal of Objects from Council Land (including streets) and V120 Vehicles - Removal from public places (streets);
- (d) Council hereby adopts new Council Policy F### - Footways And Council Land - Sale Of Commodities as attached to this Report;
- (e) Council revoke existing Council Policy C340 Council Land - Sale of Commodities or Articles from Vehicles and F220 Footways - Sale of Commodities or Articles;
- (f) Council hereby adopts new Council Policy F### -Footways and Council Land - Fundraising and Promotion, as attached to this Report;
- (g) Council revoke existing Council Policies C180 - Community Organisations - Badge Days Raffles Street Stalls and P120 - Parking - On streets, roads and Council properties of vehicles for promotional, educational and commercial purposes;
- (h) Council makes the necessary amendments to Council's Policy Manual Index.



**Jessica PORTER**  
PLANNING OFFICER

sighted:



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

2 February 2015  
SW

Attachment: New Policy - Footways and Council Land - Removal of Objects (proposed)  
New Policy - Footways and Council Land - Sale of Commodities (proposed)  
New Policy - Footways and Council Land - Fundraising and Promotion (proposed)

(Refer Item        of Operational Services Committee Minutes)



	<b>COUNCIL POLICY (PROPOSED)</b>  <b>***NEW POLICY F### - FOOTWAYS &amp; COUNCIL LAND – REMOVAL OF OBJECTS</b>	Version No:	169 1
		Issued:	-
		Next Review:	-

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) regarding the removal of objects (including vehicles) from Council land.

## 2. SEIZURE OF OBJECTS (NOT VEHICLES)

(a) Prior to seizing any object (goods, chattels, advertisements etc.) in accordance with Council By-Laws, an authorised officer may at their discretion give the owner of the object the opportunity to remove the same. Where this discretion is exercised, it should be confirmed in writing.

(b) Objects are to be removed to and stored at the Council's Works Depot.

(c) An inventory of objects seized is to be maintained. Is this a requirement under the Local Government Act? Inventory to be stored on TRIM? Is there a specific template that needs to be used?

(d) The following objects are not to be seized:

1. Any direction sign(s) of a genuinely temporary nature which refers to a legitimate "open inspection", public auction, "garage sale" or major sporting or community event and which are in respect of real estate, home inspections, garage sales, major sporting or community events:

- are placed on the footway only;
- the direction sign does not exceed 1000mm x 400mm;
- the direction sign is free standing;
- includes thereon the following wording (or similar)
- OPEN INSPECTION/NAME OF EVENT
- NAME OF AGENT/ORGANISATION
- AN INDICATOR ARROW
- (may be double sided);
- is not placed more than 500 metres from the actual location of the display, sale or event to which the sign refers;
- there are no more than two such signs allowed for each separate location/event;
- the sign(s) does not pose a potential hazard to the general public or which could adversely affect the free flow or safe flow of pedestrian or vehicular traffic;
- shall not be allowed to remain on the footway for more than three consecutive days or more than ten hours per day in respect of the location the sign refers; and
- shall not be allowed to be placed on the footway prior to sunrise and after sunset on any of the three (3) consecutive days.

2. Any advertising sign not more than one (1) metre in height and not more than 600mm wide which is stood on a footpath adjacent to or leaning against a fence or wall of a premises, and which projects not more than 300mm onto the footpath, UNLESS in the opinion of an authorised person the advertising sign:

- does not relate to the premises, or situation where the sign(s) are displayed.
- could be a potential hazard to the general public or which could adversely affect

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the free or safe flow of pedestrian or vehicular traffic.

- would aesthetically detract from the amenity of the locality.
- would not be in the best interest of residents of the City of Mount Gambier
- if in close proximity to traffic or pedestrian signals would conflict with any colour of the signals.
- is contrary to any other policy, by-law or legislative provision that Council has the power to implement or responsibility to enforce.

3. Any object placed on the footpath in accordance with a permit or licence issued by Council, or in accordance with the provisions of other Council policies.

### 3. SEIZURE OF VEHICLES

(a) Before removal of a vehicle pursuant to the provisions of:

1. the Road Traffic Act 1961; or
2. the Local Government Act 1999;

reasonable enquires are to be made as to the ownership of the vehicle, and if the owner can be ascertained they are to be given reasonable opportunity to remove the same.

(b) Ownership enquiries need not be made and notice given if the vehicle:

1. is in a dangerous position; or
2. is a pedal cycle obstructing a footpath in the City Centre or a local shopping area; or
3. is a shopping trolley.

(c) Vehicles are to be removed to and stored at the Council Works Depot.

(d) A register of vehicles seized is to be maintained. Is this a requirement of the Local Government Act? Should this be stored on TRIM? Is there a specific template that we should be using/already use?

(e) For the purposes of the Local Government Act 1999, a vehicle will be deemed to be abandoned if it is unregistered.

### 4. 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](http://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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		Issued:	-
		Next Review:	-

File Reference:	
Applicable Legislation:	Local Government Act 1999; Road Traffic Act 1961
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	
Related Procedures:	
Related Documents:	Relevant Council By-Laws

**DOCUMENT DETAILS**

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	<b>COUNCIL POLICY (PROPOSED)</b>	Version No:	1 <sup>172</sup>
	<b>***NEW POLICY – FOOTWAYS AND COUNCIL LAND – SALE OF COMMODITIES</b>	Issued:	-
		Next Review:	-

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for the issuing of Permits to allow the sale of commodities from footways and Council land. This Policy also applies to the regular display of goods on a footway by a retail premises.

For the purpose of this Policy ‘footway’ refers to the area of Council land located between a property boundary and the road kerb.

## 2. ISSUING OF PERMITS

- (a) Within the City Centre, where there is a street closure, as part of a special occasion, permits may allow sales to occur on the carriageway of the road;
- (b) Except for special occasions, permits should only be issued to shop holders to sell from the footpath in front of their own retail premises;
- (c) Conditions of permits are to include:
  - 1. permit holder to indemnify Council and provide evidence of a public liability insurance policy associated with the activity permitted by the permit;
  - 2. the activities permitted by the permit are not to hinder the public in the free and proper use of the footway;
  - 3. list of the particulars which may be sold pursuant to the permit.
- (d) The Permit Holder must be present at all times that the permit right is being exercised.
- (e) The Permit may not be transferred or assigned to any other party.

## 3. CONDITIONS FOR PERMITS

- (a) Permits pursuant to Council By-Laws to sell, offer, expose for sale, any commodity or article from a vehicle on Council land, are to be issued subject to the following conditions:
  - 1. The permit holder is to indemnify Council, to the value of \$20 million for any public liability associated with the activities permitted by the permit;
  - 2. The activities permitted by the permit are not to hinder the public in the free and proper use of the Council land;
  - 3. A list of commodities or articles to be sold pursuant to the permit is to be provided to Council;
  - 4. The minimum distance that the permit holder is to operate away from any shop, selling similar commodities or articles is to be included/identified in the permit;
  - 5. The length of time that a vehicle may operate from the same position on any one day is to be included/identified in the permit. Vehicles operating from fixed positions (other than short term) may require formal Development Approval pursuant to the *Development Act 1993*.

## 4. 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](http://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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	<b>***NEW POLICY – FOOTWAYS AND COUNCIL LAND – SALE OF COMMODITIES</b>	Issued:	-
		Next Review:	-

File Reference:	AF11/1950
Applicable Legislation:	Local Government Act 1999; Development Act 1993
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	-
Related Procedures:	-
Related Documents:	Relevant Council By-Laws

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	<b>COUNCIL POLICY (PROPOSED)</b>  <b>***NEW POLICY F### - FOOTWAYS &amp; COUNCIL LAND – FUNDRAISING AND PROMOTION</b>	Version No:	1 <sup>174</sup>
		Issued:	-
		Next Review:	-

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) regarding the use of footways and Council land for fundraising and promotional purposes and/or the display of vehicles.

## 2. NON - COMMERCIAL VEHICLES

(a) The following are considered to be non - commercial vehicles for the purposes of this policy:

1. Any vehicle marked with the graphic/logo (or similar) of any Commonwealth or State Government Department, Agencies or Statutory Authority that is being used for recruiting, promotional or educational displays;
2. Local Government Authority vehicles used for promotional or educational displays;
3. Tourism promotion vehicles;
4. Incorporated community organisation vehicles used for promotional or educational displays;
5. Vehicles with primarily a non-commercial promotional or educational display and which are owned or sponsored by a commercial organisation.

(b) Non-commercial vehicles may, with the approval of the Chief Executive Officer or the Director – Operational Services, park for a period of not more than two (2) weeks on the portion of Watson Terrace which abuts the Cave Gardens. The Chief Executive Officer or Director – Operational Services may also approve of the setting up of subsidiary displays on the lawns of the Cave Gardens, in the vicinity of the said vehicle, provided the Chief Executive Officer/Director- Operational Services is satisfied such display will not unreasonably interfere, with public use of the Cave Gardens. When approval is given for this area, electricity will be made available from the Old Town Hall building at no cost;

(c) The Chief Executive Officer or Director - Operational Services may approve of an alternative site provided that, where the non-commercial vehicle is to be parked is in front of an occupied premises and the consent of the occupier is obtained. When considering requests for sites on Council owned properties, the Chief Executive Officer/Director - Operational Services must take into account any lease on the property, and Council policies relevant to that property;

(d) Any approval given pursuant to this Section, shall be subject to the conditions below:

1. Approvals given in accordance with this policy are subject to the following conditions fixed pursuant to the provisions of the Local Government Act:
2. No goods, materials, merchandise, displays or structures associated with the vehicle are to be placed on a footpath, or carriageway. Such items, however, may, with the approval of the Chief Executive Officer or Director - Operational Services, be placed on other abutting Council property, provided that it will not unreasonably interfere with public use of the area. Provided that this condition does not prevent

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the use of a canopy or steps at the entrance/exit to the vehicle, if such canopy or steps are not creating a hazard or unreasonably interfering with public use of the area;

3. Advertising may be displayed on the vehicle, on a board/s leaning against the vehicle (but not on the carriageway side where a vehicle is parked on a road) and with any approved associated display. No other advertising shall be displayed, i.e. for tobacco products or alcohol and any advertising or sign which the Chief Executive Officer or Director - Operational Services considers offensive or inappropriate, shall be removed. Direction signs, however, may be used in accordance with Council Policy C330;
4. The use of amplification for announcements, advertising, entertainment or music shall be subject to any direction given by the Chief Executive Officer or Director - Operational Services;
5. The vehicle or other activity associated with it shall not create undue noise or other nuisance. Determination of such matters shall be at the discretion of the Chief Executive Officer or the Director - Operational Services;
6. Printed material and samples of goods may be handed out free to the public from in the vicinity of the vehicle, provided such activity does not cause a hindrance or hazard. Sale of such items requires specific approval of the Chief Executive Officer or the Director – Operational Services;
7. An admission charge or donation may be collected to defray expenses or for donation to charity; \*\*\*Who does this...Council or the applicant?\*\*\*
8. The vehicle shall meet all requirements of the Parking Regulations, apart from time limits. All associated vehicles (such as towing vehicles, passenger/goods carrying vehicles, unless they are an integral part of the display) shall meet all requirements of the Australian Road Rules;
9. The applicant shall indemnify and keep indemnified the Council against all actions, proceedings, claims, demands and expenses whatsoever which may be brought against, made upon or incurred by Council, in respect of injury, loss or damage (whether bodily injury or loss of, or damage to property) suffered by any person as a consequence of Council granting approval for the parking on any street, road or Council property of vehicles for promotional, educational and commercial purposes.

### 3. COMMERCIAL VEHICLES

- (a) For the purpose of this policy, Commercial Vehicles are all vehicles used for promotional, educational and commercial purposes, other than non-commercial vehicles as defined in Section 2(a) of this Policy;
- (b) This policy does not apply to any street trader licensed by Council;
- (c) With the approval of the Chief Executive Officer, a commercial vehicle for promotional, educational or commercial purposes may be parked immediately outside a shop or hall from which a trader conducts business on a permanent or temporary basis. Approval may be given for one (1) period per calendar year and the period shall not exceed seven

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(7) consecutive days. Sales of goods may be effected from the vehicle, or from the immediate vicinity of the vehicle, provided it causes no hindrance or hazard;

- (d) The conditions set out in Section 2(d) of this policy shall apply;
- (e) In some circumstances the vehicle itself may require Development approval and any associated advertising may require Development approval, pursuant to the Development Act 1993.

#### 4. COMMUNITY ORGANISATIONS

- (a) No more than one organisation be granted permission on the same day;
- (b) The preferred day for such collections is a Friday;
- (c) Except in conjunction with special events, the conduct of street stalls, trading tables, raffles and similar fund raising activities by community organisations on streets and roads will not be permitted;
- (d) Community organisations wishing to conduct such activities must also obtain permission, to conduct such activities from the landowners whose property abuts a street or road;
- (e) Any applications for community organisation fundraising or awareness days are to be determined by the Chief Executive Officer;
- (f) Applications must be made at least thirty (30) days prior to the requested date for any community organisation fundraising or awareness days.

#### 5. REVIEW AND EVALUATION

This Policy is scheduled for review by Council in **Month 20##**; however, will be reviewed as required by any legislative changes which may occur.

#### 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](http://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.



	<b>COUNCIL POLICY (PROPOSED)</b>  <b>***NEW POLICY F### - FOOTWAYS &amp; COUNCIL LAND – FUNDRAISING AND PROMOTION</b>	Version No:	1 <sup>177</sup>
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File Reference:	AF11/2213; AF13/375
Applicable Legislation:	Local Government Act 1999; Road Traffic Act 1961; Development Act 1993; relevant Australian Standards
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	C330
Related Procedures:	INSERT RELATED PROCEDURES (Council/Other)
Related Documents:	INSERT RELATED DOCUMENTS (Council/Other)

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