

AGENDA

Ordinary Council Meeting

Tuesday 18 February 2025

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

Time: 6:00 pm
Date: Tuesday 18 February 2025
Location: Council Chamber - Civic Centre
10 Watson Terrace, Mount Gambier



Sarah Philpott
CHIEF EXECUTIVE OFFICER
14 February 2025

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1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

That the apology from Cr Max Bruins be received.

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

4.1 CONFIRMATION OF COUNCIL MINUTES

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 21 January 2025 be confirmed as an accurate record of the proceedings of the meeting.

5 MAYORAL REPORT

5.1 MAYORAL REPORT - FEBRUARY 2025

- Weekly meetings with CEO
- Regular meetings with General Managers
- Meeting with Liberal State Team
- Policy Announcement by Liberal State Team
- Citizenship Ceremony
- LGA Board of Directors Meeting (virtual)
- Australia Day Breakfast and Citizen of the Year Awards
- Introductory Meeting with CEO, Sarah Philpott and G4S General Manager, Simon Berg
- Lifeblood Volunteer Lunch
- LGA Board Nominations Committee Meeting
- Elected Member Briefing – Strategic Land Use Update
- Elected Member Briefing – Rating Review
- Elected Member Briefing – Introductory Meeting with Lauren Oxlade (RDALC)
- Mayor’s Christmas Appeal Photo
- Information / Briefing Session – Audit and Risk Committee – Update on Budget Preparation
- Audit and Risk Committee Meeting
- LCLGA Meeting with DIT – Road and Transport issues
- Meeting with Sekina Castignani following presentation of petition to Council
- Introductory Meeting with CEO, Sarah Philpott and Liz Wheeler – Limestone Coast Veterans Hub & Nancy Wake Memorial Ride
- CEO Performance Review Committee Meeting
- Elected Member Briefing with Kelledy Jones Lawyers – Public Interest Disclosure
- Elected Member Briefing with Kelledy Jones Lawyers – By-Law Review



- Photo with new Flinders University Medical students
- LCLGA Mayors Catch Up (virtual)
- LCLGA AGM and General Meeting (Wulanda Recreation & Convention Centre)
- Event at Mount Gambier Regional Airport – Qantas Q400 Arrival, with CEO, Sarah Philpott

RECOMMENDATION

That the Mayoral Report be received.

6 REPORTS FROM COUNCILLORS

6.1 REPORTS FROM COUNCILLORS

Cr Josh Lynagh	Citizenship Ceremony, Australia Day Breakfast and Awards, Netball Border Challenge
Cr Jason Virgo	Australia Day Awards Ceremony, Webinar: Development of the new Biodiversity Act
Cr Paul Jenner	Meeting with Members of the State Opposition Liberal Team, Policy announcement by Liberal State Team at Wulanda, Citizenship Ceremony, Emerge 25 - Exhibition Opening at Riddoch Arts & Cultural Centre, GTE Board Meeting
Cr Max Bruins	Exhibition Opening – Riddoch Arts and Cultural Centre - Guy Detot: Memoire D'un Danseur and Harbingers: Care or Catastrophe

RECOMMENDATION

That the reports made by Councillors be received.

7 QUESTIONS WITH NOTICE

Cr Max Bruins gave notice of his intention for Cr Paul Jenner to ask the following questions:

7.1 QUESTION – MYLOCALSERVICES APP

Given the popularity of the MyLocalServices app and it's increasing ability to integrate with council systems, are we aware of any future IT developments planned which may enable ratepayers to utilise the app to review their outstanding balances owed and potentially integrate an online payment platform to enable them to use the app to make their quarterly or annual payments? If not, is this something that can be raised with them either directly or through the LCLGA so if system upgrades are required to enable such functionality it is included in any planned IT upgrades for council systems?

Answer:

To be provided at the meeting.



7.2 QUESTION – REQUEST FOR UPDATE – RETAINING WALL – LAKE TERRACE WEST

Can an update please be provided in relation to the collapsed retaining wall on Lake Terrace West which is part of the “Comfort Inn” complex? This wall has been collapsed for some time and is not only an eyesore, but limits pedestrian access on the south side of the street. Is council pursuing all legal options to have the owner rectify the damage to the wall in a timely manner?

Answer:

To be provided at the meeting.

8 QUESTIONS WITHOUT NOTICE

8.1 QUESTION/S TAKEN ON NOTICE FROM PREVIOUS MEETING

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO REVOKE OR AMEND

Nil

12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RECOMMENDATION

That Council Report titled Elected Member Information Briefing Sessions held since the previous Council Meeting be noted.

ATTACHMENTS

1. Information Briefing Session - Elected Members - Record of Proceedings - 28/01/2025 - Rating Review and Fringe Berrin [**12.1.1** - 2 pages]
2. Information Briefing Session - Elected Members - Record of Proceedings - 04/02/2025 - Strategic Property Update - Rating Review - Introductory Meeting with Lauren Oxlade RDALC [**12.1.2** - 2 pages]
3. Information Briefing Session - Elected Members - Record of Proceedings - 05/02/2025 - Update on Budget Preparation and Rating Review [**12.1.3** - 1 page]
4. Information Briefing Session - Elected Members - Record of Proceedings - 11/02/2025 - Public Interest Disclosure - By Law Review [**12.1.4** - 2 pages]



**INFORMATION / BRIEFING SESSION
5:00 PM, TUESDAY, 28 JANUARY 2025**

Ref: AF22/549

**RECORD OF PROCEEDINGS
5:00 PM, TUESDAY, 28 JANUARY 2025
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier**

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

The sessions described at Item 1 and 2 will be open to the public.

1. Rating Review

GUESTS:-

Michelle Bennetts, LGIQ
John Comrie, JAC Comrie Pty Ltd (virtual)

MEMBERS PRESENT:-

Cr Max Bruins
Cr Sonya Mezinac
Cr Frank Morello
Cr Jason Virgo
Cr Paul Jenner (virtual)
Cr Josh Lynagh

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager People, Place and Liveability
Manager Financial Services
Revenue Co-ordinator

MEMBERS APOLOGIES:-

Mayor Lynette Martin
Cr Mark Lovett
Cr Kate Amoroso

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Consultants presentation on the proposed rating review.

2. Fringe Berrin

GUESTS:-

Louise Adams
Taylor Fry

MEMBERS PRESENT:-

Cr Max Bruins
Cr Sonya Mezinac
Cr Frank Morello

STAFF PRESENT:-

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

- 2 -

Cr Jason Virgo
Cr Josh Lynagh

General Manager People, Place and Liveability
Manager Economy Strategy and Engagement
Team Leader Community Events

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Mayor Lynette Martin
Cr Paul Jenner
Cr Mark Lovett
Cr Kate Amoroso

Nil

DISCUSSION:

Members of the Fringe presented their three year business plan.

Discussion closed at 7.13 p.m.

**INFORMATION / BRIEFING SESSION
5:00 PM, TUESDAY, 4 FEBRUARY 2025**

Ref: AF22/549

**RECORD OF PROCEEDINGS
5:00 PM, TUESDAY, 4 FEBRUARY 2025
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier**

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

The sessions described at Item 1, 2 and 3 will be open to the public.

1. Strategic Property Update

MEMBERS PRESENT:-

STAFF PRESENT:-

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

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager People, Place and Liveability
Manager Governance and Property
Governance and Property Officer

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Cr Kate Amoroso
Cr Frank Morello

Nil

DISCUSSION:

Presentation on status of surplus DIT Land.

2. Rating Review

MEMBERS PRESENT:-

STAFF PRESENT:-

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

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager People, Place and Liveability

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Cr Kate Amoroso
Cr Frank Morello

Nil

DISCUSSION:

Update on Rating Review.

3. Introductory Meeting with Lauren Oxlade – RDALC – Activities and Update

GUESTS:-

Lauren Oxlade – Regional Development Australia Limestone Coast
Evan Flint – Chair – Regional Development Australia Limestone Coast

MEMBERS PRESENT:-

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

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager People, Place and Liveability
Manager Governance and Property
Governance and Property Officer

MEMBERS APOLOGIES:-

Cr Kate Amoroso
Cr Frank Morello

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Introductory meeting with Lauren Oxlade and update on activities of the RDALC.

Discussion closed at 6.45 p.m.

**AUDIT AND RISK COMMITTEE
INFORMATION / BRIEFING SESSION
4:30 PM, WEDNESDAY, 5 FEBRUARY 2025**

Ref: AF22/549

**RECORD OF PROCEEDINGS
4:30 PM, WEDNESDAY, 5 FEBRUARY 2025**
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

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

1. UPDATE ON BUDGET PREPARATION AND RATING REVIEW

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Paul Jenner
Paul Duka
Belinda Johnson (virtual)
Alexander Brown (virtual)

STAFF PRESENT:-

Chief Executive Officer
General Manager Corporate and Regulatory Services
Manager Financial Services

MEMBERS APOLOGIES:-

Nil

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Update to Audit and Risk Committee on Budget Preparation and Rating Review.

Discussion closed at 5:28 pm.

**INFORMATION / BRIEFING SESSION
5:00 PM, TUESDAY, 11 FEBRUARY 2025**

Ref: AF22/549

RECORD OF PROCEEDINGS
5:00 PM, TUESDAY, 11 FEBRUARY 2025
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

The sessions described at Item 1 and 2 will be open to the public.

1. Public Interest Disclosure

GUESTS:-

Tracy Riddle – Kelledy Jones Lawyers (virtual)

MEMBERS PRESENT:-

STAFF PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Sonya Meziniec
Cr Mark Lovett
Cr Jason Virgo
Cr Josh Lynagh
Cr Frank Morello
Cr Paul Jenner

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager People Place and Liveability
Manager Governance and Property
Manager Organisational Development

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Cr Kate Amoroso

Nil

DISCUSSION:

Training for Elected Members on their obligations under the Public Interest Disclosure Act.

2. By Law Review

GUESTS:-

Cimon Burke – Kelledy Jones Lawyers (virtual)

MEMBERS PRESENT:-

STAFF PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Sonya Meziniec
Cr Mark Lovett
Cr Jason Virgo
Cr Josh Lynagh
Cr Frank Morello
Cr Paul Jenner

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager People Place and Liveability
Manager Governance and Property
Manager Organisational Development

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Cr Kate Amoroso

Nil

DISCUSSION:

General training / information for Elected Members on By-Laws, the requirements under the Local Government Act and a proposed timeline for the review project.

Discussion closed at 7.07 p.m.

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

14 AUDIT AND RISK COMMITTEE

14.1 MINUTES OF AUDIT AND RISK COMMITTEE HELD ON 5 FEBRUARY 2025

RECOMMENDATION

That the minutes of the Audit and Risk Committee meeting held on 5 February 2025 be noted.

[Audit and Risk Committee Minutes](#)

14.2 STRATEGIC RISK REGISTER

COMMITTEE RESOLUTION ARC 2025/3

Moved: Mayor Lynette Martin

Seconded: Cr Paul Jenner

1. That the Audit and Risk Committee report titled 'Strategic Risk Register' as presented on Wednesday 5 February 2025 be noted.

CARRIED

14.3 WORK HEALTH SAFETY (WHS) AND WELLBEING QUARTERLY REPORT - OCTOBER - DECEMBER 2024

COMMITTEE RESOLUTION ARC 2025/4

Moved: Alexander Brown

Seconded: Cr Paul Jenner

1. That the Audit and Risk Committee report titled 'Work Health Safety (WHS) and Wellbeing Quarterly Report - October - December 2024' as presented on Wednesday 5 February 2025 be noted.

CARRIED

14.4 BUDGET FRAMEWORK POLICY B300

COMMITTEE RESOLUTION ARC 2025/5

Moved: Mayor Lynette Martin
Seconded: Cr Paul Jenner

1. That the Audit and Risk Committee report titled 'Budget Framework Policy B300' as presented on Wednesday 5 February 2025 be noted.
2. That having been reviewed by the Audit and Risk Committee on 5 February 2025, the reviewed and amended Budget Policy be endorsed.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the Budget Policy arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

CARRIED

14.5 REVIEW OF TERMS OF REFERENCE

COMMITTEE RESOLUTION ARC 2025/6

Moved: Alexander Brown
Seconded: Mayor Lynette Martin

1. That Audit and Risk Committee report titled 'Review of Terms of Reference' as presented on Wednesday 5 February 2025 be noted.
2. That the updated Audit and Risk Committee Terms of Reference having been reviewed by the Audit and Risk Committee at its meeting on 5 February 2025, be endorsed and recommended to Council for adoption.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the Terms of Reference arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

CARRIED

14.6 AUDIT AND RISK COMMITTEE MEETING REPORT

COMMITTEE RESOLUTION ARC 2025/7

Moved: Cr Paul Jenner
Seconded: Mayor Lynette Martin



1. That Audit and Risk Committee report titled 'Audit and Risk Committee Meeting Report' as presented on Wednesday 5 February 2025 be noted.
2. That Council write to the Minister for Local Government to seek clarity and guidelines of the intention and requirements of Section 126(8)(a) Local Government Act 1999.

CARRIED

15 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

15.1 MINUTES OF CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 11 FEBRUARY 2025

RECOMMENDATION

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 11 February 2025 be noted.

[Chief Executive Officer Performance Review Committee Minutes](#)

15.2 CHIEF EXECUTIVE PERFORMANCE REVIEW PROCESS 2025

COMMITTEE RESOLUTION CEOPR 2025/2

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinec

1. That Chief Executive Officer Performance Review Committee report titled 'Chief Executive Performance Review Process 2025' as presented on Tuesday 11 February 2025 be noted.
2. The process for the 2025 Chief Executive Officer Performance Review Committee be noted.
3. The procurement process for engaging an 'Independent Specialist Support' to conduct a transparent and impartial performance evaluation of the Chief Executive Officer be approved.

CARRIED

15.3 TERMS OF REFERENCE - PERIODICAL REVIEW

COMMITTEE RESOLUTION CEOPR 2025/3

Moved: Cr Max Bruins



Seconded: Cr Sonya Mezinec

1. That Audit and Risk Committee report titled 'Terms of Reference - Periodical Review' as presented on Tuesday 11 February 2025 be noted.
2. That the updated Chief Executive Officer Performance Review Committee Terms of Reference having been reviewed by the Chief Executive Officer Performance Review Committee at its meeting on 10 February 2025, be adopted.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the Terms of Reference arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

CARRIED

16 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

Nil

17 BUILDING FIRE SAFETY COMMITTEE

Nil

18 COUNCIL REPORTS

18.1 REQUEST FOR REMOVAL OF TREES - COUNCIL RESERVE - CORNER OF NORTH TERRACE AND KENNEDY AVENUE, MOUNT GAMBIER

Author: Karl Manarangi, Manager Operations Infrastructure

Authoriser: Barbara Cernovskis, General Manager City Infrastructure

RECOMMENDATION

1. That Council report titled 'Request for Removal of Trees - Council Reserve - Corner of North Terrace and Kennedy Avenue, Mount Gambier' as presented on Tuesday 18 February 2025 be noted.
2. That the Lemon Scented Gum tree and two Mahogany Gum trees be retained.
3. That Council Officers undertake the following:
 - (a) Continue to monitor the remaining tree near the adjacent property
 - (b) Review the status of the two trees located near the road at the time of undertaking schedule civil repair works, and progress any action that may be required in accordance with Councils' Tree Policy
4. That a letter be sent to the owner of 130 North Terrace, Mount Gambier, advising of this outcome.

PURPOSE

This report presents a formal request from the property owner of 130 North Terrace, Mount Gambier, to remove trees at the Council Reserve adjoining their property.



BACKGROUND / OPTIONS

The current property owner purchased 130 North Terrace, Mount Gambier, in September 2024 and soon after contacted Council with concerns of damage being caused to the property from trees on the adjoining reserve.

Council Officers met on 10 October 2024 onsite to discuss these concerns. It was advised that one tree could be removed due to borers, however the remaining trees were not supported by Council for removal in accordance with Council's Policy (T120 Tree Policy).

The property owner requested an internal review of the decision, and this was completed by the General Manager City Infrastructure. As part of the review, it was determined that the Acacia tree would be removed but the other trees remain.

A claim was also submitted by the owner for repairs undertaken at the property which Council forwarded to the Local Government Mutual Liability Scheme for assessment. A response was provided from the Scheme advising that Council was not liable.

The property owner was still not satisfied with the answers and outcomes provided and furthermore correspondence was sent directly to Elected Members. Following this the property owner presented a deputation to Council on 21 January 2025.

Council's Level 5 Arborist assessed the trees on 18 October 2024 and recommended that the remaining three trees be retained as per Council's Tree Policy - Section 4(b)(iv). These reports and correspondence from the General Manager City Infrastructure to the property owner are attached to this report.

In accordance with the Policy this matter has now been referred to Council for a final decision.

Extract - Council's Tree Policy - T120:

"Section 4 - Tree Removal:

- (a) Where Council grants approval for the removal of a tree for the benefit of a resident, and the tree is in a healthy state, removal and where applicable replacement will be at the ratepayers expense. This may apply where a tree is located in an area where a resident wishes to remove a tree for a supplementary driveway.*
- (b) Council is frequently requested to remove street trees. The reasons for seeking the removal can vary considerably and each case is to be assessed on its merits.*
 - (i) A resident may seek removal of a tree in writing to the City Arborist, stating their name, address, location of the tree and the reasons for the request for the removal of the tree.*
 - (ii) For each request for removal of a street tree, an assessment of the tree is to be undertaken and a recommendation submitted to the General Manager City Infrastructure, or in their absence the Chief Executive Officer.*
 - (iii) If the tree is diseased to the point that it is unlikely to recover, is too big for its location (based on size of tree in relation to footpath width, vehicle sight distance or power lines) or is causing or is likely to cause damage to adjoining property infrastructure the City Arborist, or in their absence the General Manager City Infrastructure or the Chief Executive Officer, may grant approval to remove the tree.*

(iv) Removal of a sound tree of appropriate size and location for reasons of appearance, overshadowing or dropping of foliage etc. is generally not supported and any recommendation to remove a tree on this basis is to be referred to Council for a final decision.”

IMPLICATIONS TO CONSIDER

Legal	Notwithstanding the Council Policy and Arborists Report referred elsewhere in this report, Council should turn its mind to section 244 of the Local Government Act 1999 which provides that Council is only liable as occupier of community land for injury, damage or loss that is a direct consequence of a wrongful act on the part of the Council. In this instance Council’s Arborist assessed the subject trees and determined them to be both structurally sound and healthy as indicated by good foliage colour and density typical of this species of tree along with no obvious structural flaws. Hence the removal of the tree is not warranted along with any remedial action that would be necessary to maintain the tree in a safe manner.
Financial and Budget	There is no current budget allocation for the removal of these trees.
Community Consultation and Engagement	Nil
Other Resources	Should the trees remain, there would be no significant financial cost to Council other than the maintenance of the trees. Should the trees be removed, there will be some cost for the removal of the tree and the replanting of a replacement tree. With reference to Council’s Tree Policy (T120) section 3, Council has resolved that where applicable, to plant streets with the same species of tree, which contributes to the aesthetics of the area.

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance – Setting of a precedence and future expenses	Minor (2)	Possible (3)	Moderate	Review budget and long-term financial plan.
Reputation – Impact Council by setting a precedence	Minor (2)	Possible (3)	Moderate	Ongoing and regular contact between applicants and Council Officers.
Legal / Regulatory / Policy – Council Policy	Minor (2)	Possible (3)	Moderate	Adherence to the Policy.
Service Delivery - NA	Insignificant (1)	Rare (1)	Low	NA
People – negative impact to staff morale	Moderate (3)	Possible (3)	Moderate	People Management protocols and practice.
Infrastructure - NA	Insignificant (1)	Possible (3)	Low	NA



Environmental – Reduction in Green Corridor Space	Minor (2)	Possible (3)	Low	Offset by planting more trees.
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APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 1: Environment and Liveability

- 1.1 Position the region's unique natural features, green corridors and biodiversity at the core of our storytelling to connect the community and travellers to Mount Gambier's natural identity.
- 1.8 Strengthen the city's connection to nature by enhancing green corridors with native vegetation and creating pathway linkages that connect urban areas to key natural assets, acknowledging the critical role these assets play in our visitor economy and the city's vibrancy.

This report contributes to delivery of the following key strategic project(s):

N/A

RELEVANT COUNCIL POLICY

[Tree Policy - T120](#)

IMPLEMENTATION AND NEXT STEPS

The property owner has concerns with four trees in total that are causing significant problems, two of which are planted extremely close to the road and two of which overhang their property. They believe that the removal of all four trees is necessary to effectively alleviate the issues.

Council's Arborist tree reports and recommendation was that one tree be removed which has been completed, and the rest were to remain in line with Council's Tree Policy.

Council Officers propose:

- 1. To monitor the remaining tree near the adjacent property.
- 2. To review the status of the two trees which are near the road (further investigation will be required when it comes time to undertake the civil repair works). Noting that this will need to be prioritised against other competing projects as part of Council's Asset Management Plan and future Works Program.

CONCLUSION

Given the tree reports from Council's Arborist, the internal review by the General Manager City Infrastructure and the review undertaken by the Mutual Liability Scheme, Council acknowledge that a considerable amount of resources has already been dedicated to this matter.

This report recommends that all remaining trees be retained and that Council Officers:

- a) Monitor the remaining tree near the adjacent property
- b) Review the status of the two trees located near the road at the time of undertaking scheduled civil repair works, and progress any action that may be required in accordance with Councils Tree Policy.



ATTACHMENTS

1. Arborist Tree Report - Acacia - 18 October 2024 [**18.1.1** - 3 pages]
2. Arborist Tree Report - Lemon Scented Gum - 18 October 2024 [**18.1.2** - 3 pages]
3. Arborist Tree Report - Mahogany Gum No.1 - 18 October 2024 [**18.1.3** - 3 pages]
4. Arborist Tree Report - Mahogany Gum No.2 - 18 October 2024 [**18.1.4** - 3 pages]
5. Letter to Property Owner - 24 October 2024 [**18.1.5** - 1 page]
6. Letter to Property Owner - 4 November 2024 [**18.1.6** - 1 page]
7. Letter to Property Owner - 6 December 2024 [**18.1.7** - 1 page]



[REDACTED], NORTH TERRACE

Created	2024-10-18 01:38:19 UTC by [REDACTED]
Updated	2024-10-18 01:38:19 UTC by [REDACTED]
Location	-37.82988059231006, 140.80189510475918

THE CITY OF MOUNT GAMBIER TREE ASSESSMENT

Council Officer	[REDACTED]
Date	2024-10-18
Inspection Type	Ground Visual

TREE LOCATION

Street Name	NORTH TERRACE
Street Number	130
Tree ID	N/A

COMPLAINANT DETAILS

Name of Complainant	[REDACTED]
E-Mail Address	[REDACTED]
Phone Number	[REDACTED]
Date Received	2024-10-14
Written Complaint Received	Yes
Written	E-Mail
Nature of Complaint	Dying Tree

TREE DESCRIPTION

Tree Species	Acacia sp.
Tree Height	Large
Trunk Size	Large
Previous History	No

TREE HEALTH

Overall Health	Poor
Foliage	Yes
Foliage Colour	Poor
Foliage Density	Poor
Comments	The trees health is poor as indicated by poor foliage density. Tree is almost dead.

TREE STRUCTURE AND DEFECTS

ROOT SYSTEM	
Root Problems	No
Excessive Lean	No
TRUNK	
Dead Branches	Yes
Hollows & Cavities	No
Wounds/Previous Branch Failure	No
Codominant Stems	Yes
Included Bark	No

Cracks	No
Cankers/Galls	No
Wood Decay	Yes
Pests	Yes
Conks/Mushrooms	No
Comments	The trees health is poor as indicated by the majority of the tree that is dead. There are borers evident throughout the tree which is why it is stressed and has almost died.

BRANCHES

Unbalanced Crown	No
Dead Branches	Yes
Twiggy Dieback	Yes
Hangers	No
Hollows & Cavities	No
Wounds/Previous Branch Failure	No
Codominant Stems	Yes
Included Bark	No
Cracks	No
Cankers/Galls	No
Wood Decay	Yes
Pests	Yes
Conks/Mushrooms	No

RISK CATEGORISATION

Risk To Public	Low
Risk To Property	Low
Action Required	Yes
Action	Remove Tree
Sent To LGAMLS	No

TREE PHOTOS

Photos



[REDACTED], NORTH TERRACE

Created	2024-10-18 01:51:32 UTC by [REDACTED]
Updated	2024-10-18 03:50:42 UTC by [REDACTED]
Location	-37.829842459241384, 140.80191455077454

THE CITY OF MOUNT GAMBIER TREE ASSESSMENT

Council Officer	[REDACTED]
Date	2024-10-18
Inspection Type	Ground Visual

TREE LOCATION

Street Name	NORTH TERRACE
Street Number	130
Tree ID	N/A

COMPLAINANT DETAILS

Name of Complainant	[REDACTED]
E-Mail Address	[REDACTED]
Phone Number	[REDACTED]
Date Received	2024-10-14
Written Complaint Received	Yes
Written	E-Mail
Nature of Complaint	Encroaching Vegetation

TREE DESCRIPTION

Tree Species	Corymbia citriodora
Tree Height	Large
Trunk Size	Medium
Previous History	No

TREE HEALTH

Overall Health	Good
Foliage	Yes
Foliage Colour	Good
Foliage Density	Fair
Comments	The trees health appears good with good foliage density and good foliage colour with no sign of pest or disease.

TREE STRUCTURE AND DEFECTS

ROOT SYSTEM

Root Problems	No
Excessive Lean	No
Comments	The tree root zone consists of open grass area surrounding the trunk with the boundary fence approximately 6m to the east of the trunk. There is no obvious recent disturbance within the root development area.

TRUNK

Dead Branches	No
Hollows & Cavities	No

Wounds/Previous Branch Failure	No
Codominant Stems	No
Included Bark	No
Cracks	No
Cankers/Galls	No
Wood Decay	No
Pests	No
Conks/Mushrooms	No
Comments	The tree is a single stem tree for approximately 8m where it diverges into two branches that form the upper crown of the tree.

BRANCHES

Unbalanced Crown	No
Dead Branches	No
Twiggy Dieback	No
Hangers	No
Hollows & Cavities	No
Wounds/Previous Branch Failure	Yes
Codominant Stems	No
Included Bark	No
Cracks	No
Cankers/Galls	No
Wood Decay	No
Pests	No
Conks/Mushrooms	No
Comments	Branch unions noted to be free of recognisable structural flaws.

RISK CATEGORISATION

Risk To Public	Low
Risk To Property	Low
Action Required	No
Sent To LGAMLS	No

TREE PHOTOS

Photos



[REDACTED], NORTH TERRACE

Created	2024-10-18 02:34:16 UTC by [REDACTED]
Updated	2024-10-18 04:00:06 UTC by [REDACTED]
Location	-37.829731237678516, 140.80198697041794

THE CITY OF MOUNT GAMBIER TREE ASSESSMENT

Council Officer	[REDACTED]
Date	2024-10-18
Inspection Type	Ground Visual

TREE LOCATION

Street Name	NORTH TERRACE
Street Number	130
Tree ID	Eucalyptus Botryoides No.1

COMPLAINANT DETAILS

Name of Complainant	[REDACTED]
E-Mail Address	[REDACTED]
Phone Number	[REDACTED]
Date Received	2024-10-14
Written Complaint Received	Yes
Written	E-Mail
Nature of Complaint	Encroaching Vegetation

TREE DESCRIPTION

Tree Species	Eucalyptus botryoides
Tree Height	Large
Trunk Size	Large
Previous History	No

TREE HEALTH

Overall Health	Good
Foliage	Yes
Foliage Colour	Good
Foliage Density	Good
Comments	The trees health appears to be good as indicated by good foliage density & colour with no evidence of pests or disease within the tree.

TREE STRUCTURE AND DEFECTS

ROOT SYSTEM	
Root Problems	No
Excessive Lean	No
Comments	The tree root zone consists of open grassed area surrounding the trunk with the property boundary approximately 6m to the east of the trunk of the tree. There is no obvious recent disturbance within the root development area and appears structurally sound.

TRUNK	
Dead Branches	No

Hollows & Cavities	No
Wounds/Previous Branch Failure	No
Codominant Stems	Yes
Included Bark	No
Cracks	No
Cankers/Galls	No
Wood Decay	No
Pests	No
Conks/Mushrooms	No
Comments	The tree consists of a single trunk to around 0.9m from ground level at which point it divides into two ascending stems. Each of these stems support a number of branches to form the upper crown typical of this specie of tree.

BRANCHES

Unbalanced Crown	No
Dead Branches	No
Twiggy Dieback	Yes
Hangers	No
Hollows & Cavities	No
Wounds/Previous Branch Failure	No
Codominant Stems	Yes
Included Bark	No
Cracks	No
Cankers/Galls	No
Wood Decay	No
Pests	No
Conks/Mushrooms	No
Comments	Branch unions are noted to be free of recognisable structural flaws. No evidence of pest or disease. Very Minor twiggy dieback which is normal for this specie of tree and no works required at the time of inspection. There is some branch overhang over the roof line however there is a large clearance level between the roofline and tree branches i.e the tree branches do not touch the roofline. There are a number of trees throughout the reserve that would also have an impact to the roof as leaves would be blown by the wind although they are not directly near the property. This is a natural occurrence with trees.

RISK CATEGORISATION

Risk To Public	Low
Risk To Property	Low
Action Required	No
Sent To LGAMLS	No

TREE PHOTOS

Photos



Trees overview



Tree in question

[REDACTED], NORTH TERRACE

Created	2024-10-18 02:26:09 UTC by [REDACTED]
Updated	2024-10-18 03:56:45 UTC by [REDACTED]
Location	-37.829775726323795, 140.8019614894323

THE CITY OF MOUNT GAMBIER TREE ASSESSMENT

Council Officer	[REDACTED]
Date	2024-10-18
Inspection Type	Ground Visual

TREE LOCATION

Street Name	NORTH TERRACE
Street Number	130
Tree ID	Mahogany Botryoides Tree 2

COMPLAINANT DETAILS

Name of Complainant	[REDACTED]
E-Mail Address	[REDACTED]
Phone Number	[REDACTED]
Date Received	2024-10-14
Written Complaint Received	Yes
Written	E-Mail
Nature of Complaint	Encroaching Vegetation

TREE DESCRIPTION

Tree Species	Eucalyptus botryoides
Tree Height	Large
Trunk Size	Large
Previous History	No

TREE HEALTH

Overall Health	Good
Foliage	Yes
Foliage Colour	Good
Foliage Density	Good
Comments	Thee trees health appears to be good as indicated by good foliage density & colour with no evidence of pests or disease within the tree.

TREE STRUCTURE AND DEFECTS

ROOT SYSTEM

Root Problems	No
Excessive Lean	No
Comments	The tree root zone consists of open grassed area surrounding the trunk with the property boundary approximately 6m to the east of the trunk of the tree. There is no obvious recent disturbance within the root development area and appears structurally sound.

TRUNK

Dead Branches	No
---------------	----

Hollows & Cavities	No
Wounds/Previous Branch Failure	No
Codominant Stems	Yes
Included Bark	No
Cracks	No
Cankers/Galls	No
Wood Decay	No
Pests	No
Conks/Mushrooms	No
Comments	The tree consists of a single trunk to around 2.3m from ground level at which point it divides into two ascending stems. Each of these stems support a number of branches to form the crown typical of this specie of tree.

BRANCHES

Unbalanced Crown	No
Dead Branches	No
Twiggy Dieback	Yes
Hangers	No
Hollows & Cavities	No
Wounds/Previous Branch Failure	No
Codominant Stems	Yes
Included Bark	No
Cracks	No
Cankers/Galls	No
Wood Decay	No
Pests	No
Conks/Mushrooms	No
Comments	Branch unions are noted to be free of recognisable structural flaws. No evidence of pest or disease. Very Minor twiggy dieback which is normal for this specie of tree and no works required at the time of inspection. There is some branch overhang over the roof line however there is a large clearance level between the roofline and tree branches i.e the tree branches do not touch the roofline. There are a number of trees throughout the reserve that would also have an impact to the roof as leaves would be blown by the wind although they are not directly near the property. This is a natural occurrence with trees.

RISK CATEGORISATION

Risk To Public	Low
Risk To Property	Low
Action Required	No
Sent To LGAMLS	No

TREE PHOTOS

Photos



Two gum trees in question.





Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

PO Box 56
Mount Gambier SA 5290

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

mountgambier.sa.gov.au

Reference: AR24/77953
Enquiries to: Barbara Cernovskis

24 October 2024

[REDACTED]
[REDACTED]
MOUNT GAMBIER SA 5290

Email: [REDACTED]

Dear [REDACTED]

RE: 130 NORTH TERRACE, MOUNT GAMBIER - OVERHANGING TREES

Thank you for your email dated 15 October 2024 requesting an internal review.

I have followed up on the information you have provided with Council's Parks and Gardens Coordinator (Level 5 Arborist) and the Manager Operations Infrastructure, and can provide the following:

- Council agree to removal of the Acacia Tree.
- Council does not agree to the removal or pruning of any of the other gum trees, in accordance with the Arborists review and advice.
- However, Council does advise that under the trees and the law handbook the property owner can engage a contractor to prune neighbouring trees back to the property line, noting that this will be at your own cost and any continual maintenance of the sucker regrowth will be your responsibility.
- It should also be dually noted that Council does not recommend this type of pruning as it has the potential to weaken the trees and may cause further safety concerns in the future.
- Council also advises that any works undertaken on Council trees including pruning should be done in consultation with Council's Arborist.
- Should you wish to lodge a claim for compensation, please contact [REDACTED], by email [REDACTED] or on 8721 2555, and he will assist you with this process
- Also, with regards to the street sweeper attending North Terrace, a Customer Request has been lodged for this on your behalf (CRM No. 81223/2024).

Based on all the information and in line with Council's Tree Policy, I consider this review closed.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Barb Cernovskis'.

Barbara CERNOVSKIS
GENERAL MANAGER CITY INFRASTRUCTURE



Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

PO Box 56
Mount Gambier SA 5290

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

Reference: AR24/77953
Enquiries to: Barbara Cernovskis

4 November 2024

[REDACTED]
MOUNT GAMBIER SA 5290

Email: [REDACTED]

Dear [REDACTED]

RE: 130 NORTH TERRACE, MOUNT GAMBIER - OVERHANGING TREES

Thank you for your email dated 24 October 2024.

Please find attached a copy of Council arborist report.

At this stage, Council is not prepared to get an independent arborist to assess these trees given the report that has been provided by a qualified level 5 Arborist advises there are no issues with the trees themselves. Should you disagree with the report you are entitled to engage your own arborist to prepare a report for Council to review however they must be a fully qualified Level 5 Arborist (Diploma) and this qualification needs be attached to their report.

With relation to the footpaths and roadways Council staff have been out and inspected the site and agree some maintenance can be done to rectify this and we will put this on our program to be assessed alongside other competing priorities.

I have made both the Parks and Gardens team and the street sweeper operator aware of the fallen debris on the roadside and within the reserve. This will be addressed as part of our routine reserve maintenance and our street sweeping program.

We appreciate you bringing these matters to our attention.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Barb Cernovskis'.

Barbara CERNOVSKIS
GENERAL MANAGER CITY INFRASTRUCTURE

- Attached:
- Arborist Report – Lemon Scented Gum
 - Arborist Report – Mahogany Gum No. 1
 - Arborist Report – Mahogany Gum No. 2



Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

PO Box 56
Mount Gambier SA 5290

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

Reference: AR24/89226
Enquiries to: Barbara Cernovskis

6 December 2024

██████████
██████████
MOUNT GAMBIER SA 5290

Email: ██████████

Dear ██████

RE: TREE MAINTENANCE - 130 NORTH TERRACE, MOUNT GAMBIER

Thank you for your email dated 28 November 2024 regarding ongoing concerns about tree maintenance on the reserve adjacent your property.

I advise that this matter will now be placed before Council at a future meeting for consideration of the removal of these trees.

As stated in my previous correspondence, Council Officers have assessed the footpath and roadway directly opposite the trees in question. It is acknowledged that some maintenance works are required and will need to be prioritised against competing projects.

With regards to the bike accident you mention, a review of Council's records do not indicate that a public incident report has been received.

Council will provide you with a response in due course regarding the outcome of its deliberations.

Yours faithfully

A handwritten signature in black ink, appearing to read "Cernovskis".

Barbara CERNOVSKIS
GENERAL MANAGER CITY INFRASTRUCTURE

18.2 GRANTS AND SPONSORSHIP PROGRAM 2024/2025 - MOUNT GAMBIER EISTEDDFOD AND MOUNT GAMBIER 100 MILE CYCLING CLASSIC AND STATE KERMESE CHAMPIONSHIP

Author: Xarnia Keding, Team Leader Community Events

Authoriser: Chris White, General Manager People Place and Liveability

RECOMMENDATION

- That Council report titled 'Grants and Sponsorship Program 2024/2025 - Mount Gambier Eisteddfod and Mount Gambier 100 Mile Cycling Classic and State Kermesse Championship' as presented on Tuesday 18 February 2025 be noted.
- That Council allocate \$15,574.17 cash and up to \$1,100.00 in-kind support from the 2024/2025 Grants and Sponsorship Program to support the Mount Gamber 100 Mile Cycling Classic and State Kermesse Championship.
- That Council allocate \$5,000.00 cash support from the 2024/2025 Grants and Sponsorship Program to support the Mount Gambier Eisteddfod.

PURPOSE

The purpose of this report is to recommend an allocation of funding via the Grants and Sponsorships program to support the Mount Gamber 100 Mile Cycling Classic and State Kermesse Championship and the Mount Gamber Eisteddfod.

These two applications are presented for consideration outside of the formal grants and sponsorship program rounds to ensure event delivery is not compromised noting the time frames.

Mount Gamber 100 Mile Cycling Classic and State Kermesse Championship is a complex event with multiple road closures requiring longer lead times to meet legislative requirements.

Mount Gambier Eisteddfod registrations require longer lead in time to ensure a successful event.

BACKGROUND / OPTIONS

Mount Gamber 100 Mile Cycling Classic and State Kermesse Championship

The 100 Mile Classic is a major annual cycling event conducted by the Mount Gambier Cycling Club with participants from intrastate and interstate conducted over roads in Mount Gambier and surrounding districts.

The State Kermesse championship is conducted across the same weekend and in conjunction with the 100 Mile Classic event, catering for various age groups, both male and female around the iconic Blue Lake/Warwar.

The event(s) has been conducted since 1933 on various courses in Mount Gambier and surrounding districts. This will be the 88th year of the running of this event. The number of participants has ranged between 100-150 over the years.

This year's Mount Gamber 100 Mile Cycling Classic and State Kermesse Championship event will run for 2 days. The event organiser has estimated that this year's event will attract 150 visitors per day, with an average spend per person per day of \$181.00 and 150 overnight visitors per day, with an average spend per person per day of \$388.00. This contributes to an estimated overall economic benefit of \$170,700.00 attributed to this event.



Mount Gambier Eisteddfod

The Mount Gambier Eisteddfod offers a unique opportunity for interested persons to compete in dance, calisthenics, choral and vocal, speech and drama, music and highland dancing. The inclusion of highland dance is a new division this year.

The competition is open to all ages but has an emphasis on younger people and promoting their artistic development.

Competitors can receive feedback from professional adjudicators which assist them in improving the standard of their performance.

This event provides performers with stage experience to help gain self-esteem, confidence and prepares them should they wish to perform professionally.

The competition is held at the Sir Robert Helpmann Theatre and Wehl Street Theatre.

The Eisteddfod commenced in 1982 with dance and calisthenics and over the years grew to a six-division competition.

This year's Mount Gambier Eisteddfod event will run for 34 days. The event organiser has estimated that this year's event will attract 129 visitors per day, with an average spend per person per day of \$181.00 and 86 overnight visitors per day, with an average spend per person per day of \$388.00. This equals a total spend of \$1,928,378.00 attributed to this event.

IMPLICATIONS TO CONSIDER

Legal	Event proponent is to supply Council a copy of their Public Liability Insurance Policy to the minimum value of \$20 million. Successful applicants are required to obtain all necessary land use, complete works in accordance with relevant legislative and compliance standards.															
Financial and Budget	<p>The cash/in-kind sponsorship requested will be drawn from the Grants and Sponsorships Program for the Financial Year 2024/2025 and is within the annual budget.</p> <p>In view of the above, this is not a request for an increase in the overall allocation pool for Financial Year 2024/2025.</p> <table border="1" data-bbox="624 1601 1447 1933"> <thead> <tr> <th data-bbox="624 1601 812 1682">Grants & Sponsorships Program</th> <th data-bbox="812 1601 952 1682">Total Budget 2024/25</th> <th data-bbox="952 1601 1093 1682">Allocated to Date</th> <th data-bbox="1093 1601 1300 1682">Recommended Allocations</th> <th data-bbox="1300 1601 1447 1682">Remaining 2024/25</th> </tr> </thead> <tbody> <tr> <td data-bbox="624 1682 812 1807">Cash</td> <td data-bbox="812 1682 952 1807">\$509,427</td> <td data-bbox="952 1682 1093 1807">\$409,389</td> <td data-bbox="1093 1682 1300 1807">100 Mile Classic \$15,574 Eisteddfod \$5,000</td> <td data-bbox="1300 1682 1447 1807">\$79,464</td> </tr> <tr> <td data-bbox="624 1807 812 1933">In Kind</td> <td data-bbox="812 1807 952 1933">\$139,997</td> <td data-bbox="952 1807 1093 1933">\$68,521</td> <td data-bbox="1093 1807 1300 1933">100 Mile Classic Up to \$1,100 Eisteddfod \$0</td> <td data-bbox="1300 1807 1447 1933">\$70,376</td> </tr> </tbody> </table>	Grants & Sponsorships Program	Total Budget 2024/25	Allocated to Date	Recommended Allocations	Remaining 2024/25	Cash	\$509,427	\$409,389	100 Mile Classic \$15,574 Eisteddfod \$5,000	\$79,464	In Kind	\$139,997	\$68,521	100 Mile Classic Up to \$1,100 Eisteddfod \$0	\$70,376
Grants & Sponsorships Program	Total Budget 2024/25	Allocated to Date	Recommended Allocations	Remaining 2024/25												
Cash	\$509,427	\$409,389	100 Mile Classic \$15,574 Eisteddfod \$5,000	\$79,464												
In Kind	\$139,997	\$68,521	100 Mile Classic Up to \$1,100 Eisteddfod \$0	\$70,376												
Community Consultation and Engagement	The Grants & Sponsorships Program guidelines are available on Council website. Council administration has worked closely with the															



	event organisers to bring this report to council for consideration in a timely manner to avoid impacting on event delivery.
Other Resources	Council events team have worked and will continue to work with event organisers.

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance – Council experiences financial loss because of inappropriate allocation of funds.	Minor (2)	Possible (3)	Moderate	50% paid up front and remaining amount paid on acquittal.
Reputation – Council experiences negative news profile, public agitation and loss of trust as a result of inadequate allocation of funds.	Moderate (3)	Possible (3)	Moderate	Council to review all marketing material including media releases.
Legal / Regulatory / Policy – Failing to adhere to Councils' Grants & Sponsorships Policy.	Minor (2)	Possible (3)	Low	Regular meetings between event organiser and community events team to ensure all documentation received.
Service Delivery – Funded event/projects are not delivered in accordance with grant conditions	Minor (2)	Possible (3)	Low	Ensure all documentation is received. 50% paid up front and remaining amount paid on acquittal.
People – Negative impact to community engagement and satisfaction as a new Grants & Sponsorships process and administrative requirements.	Minor (2)	Unlikely (2)	Low	Ongoing and regular contact between applicants and key council personnel. Feedback collated to review process and refine.
Environmental – Environmental damage to community land caused by inadequate land use planning and management.	Insignificant (1)	Unlikely (2)	Low	Ongoing and regular contact between event organiser and community events team. Acquittal to be reviewed to support similar event.



APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 4: Economic and Business Growth

4.10 Enhance Mount Gambier's appeal as a year-round destination through marketing, events and infrastructure.

Priority 5: A Vibrant Community

5.4 Support the strategic growth of an inner-city population through focussed residential and overnight stay growth initiatives.

5.7 Support and foster a program of festivals, events and arts initiatives that celebrate and promote diversity, accessibility and inclusivity, ensuring that everyone can fully participate in the cultural and social life of the city.

5.8 Cultivate community led festivals, events and collaboration.

5.10 Drive social change and strengthen communities through locally-led arts, cultural and recreational activities.

5.11 Position Mount Gambier as a regional centre for live performance.

5.12 Recognise, encourage and support artists, emerging artists, writers, and performers through promotion of the arts and supporting opportunities to exhibit and perform.

This report contributes to delivery of the following key strategic project(s):

Priority 5: A Vibrant Community

Delivery of a CBD activation and master plan that transforms our CBD into a vibrant hub, connecting locals and visitors, promoting inner-city living and boosting economic and social activity by creating a dynamic, culturally enriched environment for all ages.

Pursue programs and opportunities that enhance the live entertainment in our city.

RELEVANT COUNCIL POLICY

[Assemblies and Events on Streets and Other Council Land - A240](#)
[Community Land \(Reserves\) Lease/License/Rental Arrangements - R200](#)
[Grants and Sponsorship](#)

IMPLEMENTATION AND NEXT STEPS

Noting these applications are being considered outside of the formal Grants and Sponsorship Program Rounds, Council administration has worked closely with event organisers in a short lead time to assess and ensure the capacity and viability of these events and considers that they are both functional and achievable.

Pending the Council resolution, Council administration will follow the notification process to the proponents and continue to hold regular meetings in the lead up to the events.

CONCLUSION

This report recommends endorsing an allocation of \$15,574.17 cash and up to \$1,100.00 in-kind support from the 2024/2025 Grants and Sponsorship Program to support the Mount Gambier 100 Mile Cycling Classic and State Kermesse Championship.

This report recommends endorsing an allocation of \$5,000.00 cash support from the 2024/2025 Grants and Sponsorship Program to support the Mount Gambier Eisteddfod. These amounts fall within the existing budget allocation for Financial Year 2024/2025.

ATTACHMENTS

1. Grant Application - Mount Gambier 100 Mile Cycling Classic and State Kermesse Championship [**18.2.1** - 26 pages]
2. Grant Application - Mount Gambier Eisteddfod [**18.2.2** - 22 pages]



Application

Organisation/applicant name	Mount Gambier Cycling Club
Postal address	PO Box 1341 Mount Gambier SA 5290
Application prepared by	John Cranwell
Position	President
Phone	[REDACTED]
Email	[REDACTED]

Is your organisation registered for GST? YES NO

Please provide your organisation's Australian Business Number (ABN) **94 966 390 468**

Are you being auspiced by another organisation? YES NO

If YES please provide details and attach evidence

Organisation name

Incorporation number

Event/project details

Event/project name **Mount Gambier 100 Mile Cycling Classic and State Kermesse Championship**

Event/project date(s) **Saturday 17 and Sunday 18 May 2025**

Event/project venue **Saturday, city and surrounds, ending on Bay Road. Sunday, Blue Lake.**

Event/project summary *250 word description*

The 100 Mile Classic is a major annual cycling event conducted by the Mount Gambier Cycling Club with participants from intrastate and interstate conducted over roads in Mount Gambier and surrounding districts. The State Kermesse championship is conducted for various age groups, both male and female, around the iconic Blue Lake.

City of Mount Gambier Strategic Plan 2020-2024

Tick the relevant pillars that your event/project will support

Please identify the area/s in which your event supports the City of Mount Gambier Strategic Plan



Our People

A safe inclusive City where access to quality services & facilities supports a socially connected, vibrant & healthy community



Our Location

A perfectly centered place where people aspire to live, work, visit & invest



Our Diverse Economy

A diversified, innovative & resilient economy that generates jobs & services



Our Climate, Natural Resources, Arts, Culture & Heritage

A culturally-inspired City that strives to minimise its ecological footprint

To download a copy of the Strategic Plan, please visit:
www.mountgambier.sa.gov.au

Please explain how you will support these pillars *Maximum 250 words*

A significant number of intrastate and interstate riders participate in the 100 Mile and Kermesse Championship and they are accompanied by spectators and supporters. The influx of these visitors to the region provides a significant benefit to the hospitality and accommodation sectors. There are few events of this type held in the region during this period of mid-late May so it attracts a different genre of income to the area.

Which grant are you applying for?	Please tick and follow direction
Minor/Major/Corporate Event Grants	<input checked="" type="checkbox"/> Pages 12 to 17
Minor/Major Community Strengthening Grants	<input checked="" type="checkbox"/> Pages 18 to 20
Creative Arts Fund	<input type="checkbox"/> Pages 21 to 24
Sports and Recreation Capital Works	<input type="checkbox"/> Pages 25 to 30
Quick Response	<input type="checkbox"/> Page 31 to 33
Venue Sponsorship	<input type="checkbox"/> Page 34

Application

Are you considering applying for use of a Council venue?

YES NO

If yes, please attach completed Venue Hire Form

Are you considering using Council land?

YES NO

If yes, please attach completed Special Event Permit Application

Please note – if you are in the process of negotiating access to a Council venue, you will need to complete the Venue Hire Form or/and the Special Event Permit Application before we can consider this application.

Anticipated event attendance

Number of anticipated attendees per day **250-300**

Please provide a percentage breakdown of the anticipated attendees

Local	% 40	Region	% 10
Interstate	% 30	Intrastate	% 20
International	% 0	Total must equal 100%	

Provide an indication of the percentage of non-local participants and spectators expected to stay in paid accommodation within the region and how many nights.

50 % 2 Nights

Event budget

Estimated total budget for event: \$ 35,000

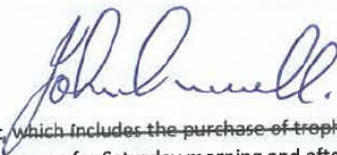
Please attach itemised budget showing all income, expenditure, profit and loss.

Sponsorship request

Minor Event Grant (up to \$2,000) / Major Event Grant (\$2,001 - \$15,000) / Corporate Event Grant (over \$15,000)

Cash amount: \$ 15,574.17 ex GST

Describe below how your funds will be spent:



Funding will be used to cover costs of running the event, which includes the purchase of trophies, sashes and other prizes, etc. Funding also covers traffic control which includes road closures for Saturday morning and afternoon and Sunday morning and afternoon. The hire of traffic cones, signage and management by an external traffic control company. A small amount goes towards marketing of the event, both locally, intrastate and interstate with the majority going to the costs of running the event. Junior events are held in conjunction with the senior events.

In-kind amount:

(Refer to Schedule of Fees and Charges Event Support for an estimated cost.)

\$ 2,000

Please detail any other assistance you are requesting (e.g. supply of rubbish bins, hire of bollards, bunting, witches hats, tiered seating, road closures, road signage etc.).

Hiring of witches hats, road signage and street sweeping of the Blue Lake circuit for the state championship kermesse on Sunday, 18 May 2025.

Please note - Any additional requests for support not included in this application will incur a cost as determined by the current Schedule of Fees and Charges Event Support.

Local Government account for all costs to the organisation whether they be direct or in-direct.

Complete the A to J if applying for a Major/Corporate Event Grant

A. Event description and program outline

Please attach detailed program.

Please include activities, entertainment, catering and other relevant information.

Saturday, 17 May 2025, the 100 Mile cycling road race along a course which was used in 2024 and with no alterations for 2025. Cyclists depart Millard Street and ride through adjoining council areas and finish along Bay Road outside the Police Station.

Sunday, 18 May 2025 the State Kermesse championship conducted around the Blue Lake which was used in 2024 and with no alterations for 2025.

B. Event history

Please provide a brief history of the event, including the number of times the event has been held in the past, including number of participants, spectators and key event outcomes.

The event has been conducted since 1933 on various courses in Mount Gambier and surrounding districts. This will be the 88th running of this event.

Participants have ranged from 100-150 over the years and spectators have been the same numbers as previous years.

Conduct a safe event to showcase Mount Gambier and the surrounding districts.

C. Event objectives

Please list the aims and objectives of the proposed event.

The aim of this event is to provide a chance for keen cyclists from around Australia to participate in an exciting race and to compete in this iconic cycling event which is a respected event on the AusCycling calendar.

D. Event sustainability

What strategies do you have in place to ensure the event is sustainable?

We are working with our sponsors, local councils and SAPOL to ensure this event remains sustainable now and into the future. The logistics and costs of running this event continue to grow, so the input from all of our stakeholders is vital.

Attracting support and sponsorship is paramount to the success of this event so that we can continue to offer prize money and prestige to attract riders from intrastate and interstate.

E. Economic impact

Provide detailed examples of the economic impacts that are likely to result from the event. Include estimations i.e. increase in tourism/retail/hospitality/business trade, new economic opportunities, tourism growth etc.

A significant number of the intrastate and interstate riders in the events compete on both days of the weekend. These riders are usually accompanied by support crews, spectators and supporters who provide significant benefits to the hospitality and accommodation sectors in the region. Most of these people stay 2-3 nights in the region and follow the Saturday event while driving around the Lower Limestone Coast, which adds considerable exposure.

F. Sponsorship Acknowledgement

Outline how you intend to recognise the support provided by City of Mount Gambier

When using the City of Mount Gambier logo please provide a proof for approval prior to printing.

Prominent recognition in the programs provided to all riders and spectators and promotion on flyers in the lead up to the event. We have previously used banners at the start and finish of the events to great effect and the course announcer regularly mentions sponsors over the PA during the start and finish of the event. The Mayor is offered the role of officially starting the event on the Saturday of the 100 Mile Classic and ladies event. City Council logos are placed on the MGCC website throughout the year with links to the council website. Option given to council to speak/present awards.

G. Community involvement and consultation

*How will your event involve local business, artists, volunteers and community groups?
e.g. markets, entertainment, food, security etc.*

We work closely with our sponsors and stakeholders to recognise their support and input facilitating the weekend's events. We like to support and recognise local business with the supply of refreshments at the start and finish of both day's events and look to hold our presentation at a local business (RSL in 2018, 2019 & 2022 and Metro Cafe in 2021, City Hall 2024). Liaison with local accommodation providers also ensures that all visitors to the region for the event receive maximum benefit to ensure further participation.

H. Accessibility and inclusion

How will you address accessibility and inclusivity for people with disabilities?

There are no restrictions on any person with a disability to any areas of the event.

I. Environmental impact

Briefly outline how you intend to manage the environmental impact of your event. This may include elements from your Traffic Management Plan, Occupational Health and Safety Plan, Waste Management Plan and Risk Assessment. Factors to consider include waste management, noise levels, pollution/rubbish, impact on community infrastructure etc. Also identify any environmental benefits arising from the event.

Absolute minimal environmental impact due to the nature of the the sport and event. All riders in the event are encouraged to minimise incorrect disposal of waste and riders have been sanctioned previously for litter disposed of incorrectly. Warnings are issued to riders to be aware of this. We will also conduct a clean up after each event on the weekend.

J. Event evaluation

How will you know if you have achieved the aims and the objectives of the event?

NUMBERS!

The more riders and spectators that we encourage to the region, the greater the benefit to the event. Senior riders are gradually increasing with the inclusion of the 111 KM event for ladies, as well as junior riders, which involves parents as well and this increases the exposure the event receives. MGCC has conducted surveys with participants previously and we will continue to do this and act accordingly to improve the event for all concerned.

Declaration

In submitting this application, I certify that, to the best of my knowledge, the statements in this application are true and I have read and I understand the City of Mount Gambier Grants and Sponsorships Guidelines and Events Guidelines.

I acknowledge that the City of Mount Gambier cannot guarantee funding approval for any application. If the grant is successful, I agree to acknowledge the contribution and support of the City of Mount Gambier within publicity, including all media, literature and promotional activities relating to the project, as well as in speeches during the course of any event.

I also agree to submit the required acquittal form with relevant supporting documentation, as well as at least two high resolution digital photographs and video footage (if available) relating to my event, within two months of the completed event. I understand the information, photos, video footage and other forms of media submitted as part of the acquittal requirements may be used by, or on behalf of, the City of Mount Gambier for promotional purposes and publications.

Name **John Cranwell**

Signature



Date 22/01/2025

Before submitting your application, please ensure you have attached the following:

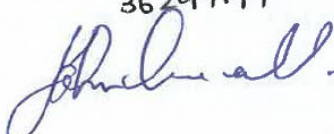
- Full Event Budget showing all income, expenditure, profit and loss.
- Copy of Event Equipment Form (in-kind) – if applicable.
- List of all funding partners for event.
- Copy of Hire Permit/Special Event Permit – if applicable.
- Completed Risk Assessment for your event.
- Proof of Public Liability Insurance to the value of at least \$20 million with a location of Australia and/or world-wide.

If your application is successful, please email the following documentation to city@mountgambier.sa.gov.au

- Your business plan and/or marketing plan.
- Copy of your organisation's most recent audited annual financial statement (Major/Corporate Grants only).

PROPOSED 100 MILE CYCLING CLASSIC 2025
 INCOME AND EXPENDITURE

INCOME		EXPENDITURE	
Sponsorship	\$22,000.00	Prize Money	\$17,000.00
Entry Boss	\$14,500.00	Comm Fees	\$2,100.00
		Escort Motorbike	\$100.00
		Sashes	\$400.00
		Programs (Paper)	\$50.00
		Honour Board Update	\$80.00
		Hire of Venue	\$313.00
		Cyclists Ahead Signs	\$270.00
		Icon Signs	\$110.00
		I&D Traffic Management	\$8,500.00 15 574.17.
		Handicapping Fees	\$300.00
TOTAL	\$36,500.00	TOTAL	\$29,223.00

36297+17


Dated 22.01.2025



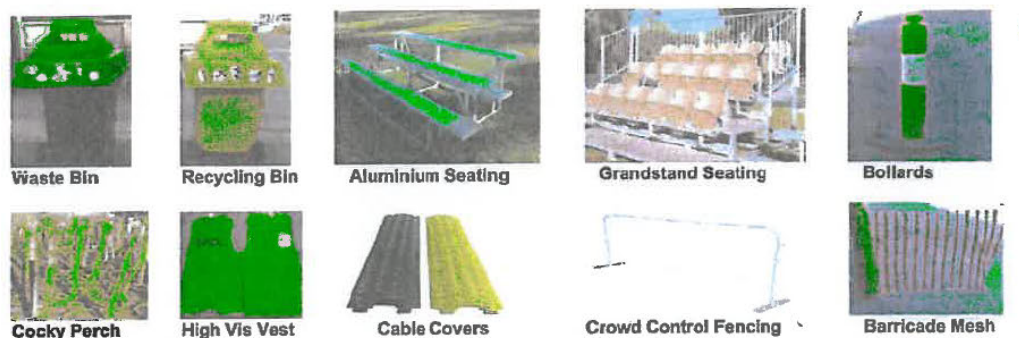
Event Equipment Booking Form

Event Name:	100 Mile classic		
Event Location:			
Contact Name:	John Cranwell	Phone Number:	[Redacted]
Email:	[Redacted]		
Pick Up Date & Time:	Thursday 15 May 2025	Return Date & Time:	Monday 19 May 2025

Equipment - (Pick Up Only)	Fee per item	Required	Collected	Returned	Total Cost
General Waste Bin	\$2.50				
Recycle Bin - Cans & Bottles	\$2.50				
Aluminium Seating L: 3m D: 1.3m H: 1.3m - Maximum 8	\$25.00				
Grandstand Seating - Maximum 8 (requires flat top truck & forklift to move)	\$25.00				
Bunting (only 30 mt rolls) - Maximum 15	\$1.50				
Barricade Mesh (30 or 50 mt rolls) - Maximum 10	\$1.50				
Bollards - Maximum 50	\$1.50		10x	no entry	
Wooden Droppers - Maximum 50	\$1.50			Road closed	
Electronic Fence Droppers - Maximum 50	\$1.50				
Cocky Perch Stands - Maximum 40	\$1.50				
Cocky Rails - Maximum 40	\$1.50				
Witches Hats - Maximum 50	\$1.50	50	200		300 -
Sandbags - Maximum 20	\$1.50				
High-Vis Vest	\$1.50				
3-Phase Power Distribution Board - x1	\$51.00				
Cable Covers per piece (1m long x 27cm wide) - Maximum 20	\$5.50				
Crowd Control Fencing per piece (2.5m wide) - Maximum 30	\$5.50				
Community Events Sign - x2	\$5.50	1			

Any requirement for Council to deliver/collect items will also incur hourly rates

Total Payable []



John Cranwell

John Cranwell

Equipment – Council to Deliver and Collect	Fee per item	Total Cost
Aluminium Seating		
Total for 2 seats	\$524.00	
Total for 4 seats	\$912.00	
Total for 6 seats	\$1,300.00	
Grandstand Must collect Grandstands and return – requires forklift and flat top truck. Depot to forklift onto truck at depot only. Collection not available on a Friday 9 only L 3800 x D 2500 x H 2300		
Bin Delivery		
Total for 6 bins (ute only)	\$270.00	
Total for 24 bins (ute & trailer)	\$318.00	
Road Closure Estimates		
<i>During the week</i>		
4 hours 2 staff (example: Fringe)	\$890.00	
2 Hours 6 staff (example: Tour of the Great South Coast)	\$1,298.00	
<i>On the Weekend</i>		
4 hours 2 staff (example: Fun Run)	\$1,514.00	
8 hours 6 staff (example: Hundred Mile Classic)	\$8,714.00	
Electronic Signage Trailer (per event)	\$800.00	
Line Marking – during the week only		
2 hours 2 Staff (example: Hill Climb Start / Finish / Pits)	\$547.00	
4 hours 2 Staff (example: Touch footy oval/ Relay for life)	\$955.00	
8 hours 2 Staff (example: Carpark)	\$2,137.00	
Total Payable		

- Submission of this form does not guarantee equipment availability

I acknowledge that I am responsible for the equipment during the period of loan and agree to remain liable for the cost of replacement in the case that any item is lost, stolen or damaged.

Name: Jared Peterson Signed: [Signature] Date: 2/5/23

Office Use Only	
Officer's Name:	Title:
Signature:	Date:
Charge Details:	Sponsorship Work Order: _____ GL Code: _____
	Payment required Total Payable \$ _____

LIST OF PROPOSED SPONSORS 2025

City of Mount Gambier
Pristine Skin & Laser Clinic
GT Bobcat
Fennell Forestry
She's Apples
MGA Insurance Brokers
Bendigo Bank
Kimberly-Clark Australia
Watersolve Irrigation
Native Plant Wholesaler
ASW Lawyers
District Council of Grant
InterSport Mount Gambier
Associated Roof Tiling
MM Electrical
De Grandi Cycle & Sport
Dr Colin Weatherill
Carlin & Gazzard
Banks Thargo Wines



Special Event Permit Application Use of Community Space

Tentative Booking (to be completed three months prior to event)	
Organisation	Mount Gambier Cycling Club
Contact Name	John Cranwell Position President
Address	PO Box 1341 Mount Gambier SA 5290 ABN 94 966 390 468
Phone	Mobile XXXXXXXXXX
Email	XXXXXXXXXX Website
Name of Event	Mount Gambier 100 Mile Cycling Classic
Event Description	Road cycling event.
Event Type	<input type="checkbox"/> Private <input checked="" type="checkbox"/> Community <input type="checkbox"/> Commercial <input type="checkbox"/> Medium (100-1000) <input type="checkbox"/> Major (>1000)
Dates	Saturday, 17 May 2025 and Sunday, 18 May 2025.
Event Start Time	Saturday 10 am, Sunday 7 am Event End Time Saturday 3 pm, Sunday 1.30 pm
Set Up Start Date & Time	Saturday 7.30 am, Sunday 7.00 am Pack Up End Date & Time Saturday 4.30 pm, Sunday 2.00 pm
Location	Saturday City and Surrounds ending on Bay Road. Sunday Blue Lake.
Attendance at one time	Attendance over duration
Public Liability Insurance	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Certificate Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Road Closure	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If yes, a temporary road closure application form will be supplied)
Tentative Approval can be given on the above information Please answer the following: If YES, details must be supplied on Page 2 before the Event can proceed	

Event Details - If Yes to any of the below – Refer to Page 2			
Alcohol	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Food	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Jumping Castle	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Marquees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Contractors	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Keys Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		Music	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		Power	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		Animals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
The event organiser must have a COVID Safe/ Management Plan on location (Refer www.covid19.sa.gov.au to obtain a plan)			

Declaration
I hereby acknowledge, understand and agree to comply with all conditions relating to this permit. I further agree that this permit will be revoked upon any breach of the conditions.

Applicants Signature	
I have read and agree to comply with and understood the terms and conditions <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name	John Cranwell
Signature	Date 13.01.2025

Tentative Booking Approval: <input type="checkbox"/> Yes <input type="checkbox"/> Not Required
--

Event Approved by Authorised Officer: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Application Fee <input type="checkbox"/> No <input type="checkbox"/> Yes \$ _____	Bond <input type="checkbox"/> No <input type="checkbox"/> Yes \$ _____
Officer's Name	Title
Signature	Date

Event Details (to be completed one month prior to event) – Final approval will be granted once all details complete			
ALCOHOL			
Own Supply	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Allowed unless Dry Zone – Licence Required	
Own Supply & Sold	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Liquor Licence & Security Guard may be required. Please refer to www.sa.gov.au/topics/business-and-trade/liquor-and-gambling/licences/liquor-licenses	
Catered	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Add details below	
Company Name	Business Licence	Contact Name	Phone Number
Liquor Licence attached	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
FOOD			
Own Supply	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Allowed for personal gatherings	
Catered	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Add details below	
Company Name	SA FBN	Contact Name	Phone Number
MUSIC			
Own Portable Supply	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Allowed within the Public Noise & Nuisance Act	
Live Band	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Add details below	
Company Name	Business Licence	Contact Name	Phone Number
Public Liability attached	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
JUMPING CASTLE			
Company Name	Business Licence	Contact Name	Phone Number
Safe Work Certificate attached:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
MARQUEE			
3m x 3m Pop Up	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Allowed – Larger add details below	
Company Name	Business Licence	Contact Name	Phone Number
Public Liability attached	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
CONTRACTORS			
Company Name	Business Licence	Contact Name	Phone Number
Public Liability attached	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		



Special Event Permit Application Terms & Conditions

General
Any authorisation granted by Council is <u>not</u> transferable and is able to be revoked by Council if the permit holder fails to comply with a condition of the authorisation or any other justifiable circumstance. The permit will not become valid until proof of the appropriate insurances has been provided to the Council.
Nature of the Permit
The Permit is not a lease or tenancy. Unless stated otherwise in special conditions, the area remains a public place and the operator does not have the exclusive use of the area. While applications are accepted for the purposes of monitoring activity at any community space, Applicants are to be aware that Council Reserves are a public space, any authorisation will not grant exclusive use to the area and Council or applicant will not restrict the public in any way.
Identification of Hazards
Whilst Council makes every effort to ensure the area is free of hazards, it is a condition of approval that the Applicant undertake a detailed inspection prior to the event and report any hazards to Council as soon as possible. Council does not accept responsibility for any damages caused by unforeseen circumstances (i.e. storm damage). Authorisation for any structures will not become valid until proof of the appropriate insurances is provided to Council. This can be from the supplier (who will be setting up the structure) or can be taken out separately by the Applicant.
Risk Management
Applicants agree to undertake a documented risk assessment and develop a risk management plan which guides the safe delivery of the event and to have available onsite during the event and provide to Council immediately upon request.
Public Liability Insurance
Applicants must provide Council with a current Certificate of Currency showing Public Liability Insurance to the value of at least \$20 million and any other licences as required pursuant to the activity being undertaken prior to the event.
Music and PA Systems (if applicable)
In accordance with By-Law 2 2018 Part 9.1 and 9.19; By-Law 3 of 2018 Part 7.2 and 7.7. Council approves amplification and/or live acoustic music, but must not involve a sound level that is excessive or that may adversely affect the enjoyment of the public. All Council community spaces have APRA approval.
Amusements
Amusement devices include any powered equipment that provides entertainment or amusement and includes jumping castles, rides, climbing walls, giant slides, bumper cars, merry-go-rounds and inflatable amusement devices. A current certificate of plant registration issued by Safework SA must be provided and you must provide a copy of the operators Public Liability Insurance.
Fees and Charges
Costs and bonds in accordance with the current Schedule of Fees and Charges which is endorsed by Council. An Invoice will be sent for payment including bond.
Fire Ban Days
Due to the limited vehicle entry points to the Valley Lake, Brownes Lake, Leg of Mutton Lake and Marist Park on extreme or catastrophic fire ban days these areas will be closed and no event can be held at these locations. On severe fire ban days smoking is not permitted and vehicles are not to park on grassed areas.
Vehicles on Reserves and Direction
Vehicles are not to be driven on reserves unless within an approved area. The applicant will remain liable for any damages to the site resulting from the booking.
Food Business Notification
All food businesses must be registered with a South Australian local government authority prior to operating in SA and must be able to provide their Food Notification Number to organisers. If an interstate business has not operated in SA before, they must complete a Food Business Notification form and return to Council prior to the event. Any enquiries in relation to this should be directed to Council's Environmental Health Officers.
Alcohol
Where liquor licence permits are required, a copy of Licence Approval must be supplied to Council. If this requirement is not met within two weeks prior to the event timeframes any permit is revoked.
Power Access
The applicant must ensure that any electrical device which is connected to a Council provided power outlet has been tested by a licenced electrician and displays a current test tag.
Gas
It is the event organisers responsibility to adhere to requirements set out in the Gas Safety at Festivals & Events booklet released by the Office of the Technical Regulator (OTR) and to submit a completed 'Gas Safety: event details form' to the OTR 4 weeks prior to the event. Visit www.sa.gov.au for access to both documents.



Special Event Permit Application Terms & Conditions

<p>Key Access</p> <p>All keys are to be collected from the Events Office at the Visitor Information Centre. Keys MUST be returned within two (2) business days following your event.</p>
<p>Indemnity</p> <p>The Applicant agrees to indemnify and release Council, its servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the approved use of any Council site and/or its associated buildings.</p>
<p>Pre-Event Checklist</p> <p>It is a condition of approval that the Pre-Event checklist be completed prior to the event taking place and any problems that are detected reported to Council.</p>
<p>Road Closure</p> <p>All request for road closures or traffic management in relation to your event must be included in this application. Details must include the roads being utilised, times and a traffic management plan. Council can enact road closures on behalf of the event but the costs incurred will be charged back to the event. This must be completed a minimum of three months prior to event.</p>
<p>Cleaning of Sites held under Licence, Lease or Council Land</p> <p>On the completion of the event or upon the end of the permit (whichever comes first) it is a condition of approval that the applicant must;</p> <ul style="list-style-type: none"> • Within 24 hours removal of all property of the promoter (or its invitee) from the area and restore the area to the same condition as before the event; • Within two working days make good any damage caused to any 3rd party property • The area is to be left in a clean and tidy condition and any structures (if approved) are to be removed immediately after the event. Applicants must ensure that any rubbish from your activity is removed and any temporary set up of equipment does not damage Council property.
<p>Relocation or Rescheduling</p> <p>If the area is or includes a park or reserve, Council may require the event to relocate to an alternate venue or be rescheduled if Council believes it is necessary due to inclement weather, fire risk, vandalism or for any other reasons at Council absolute discretion acting reasonably.</p>
<p>Site Safety</p> <p>The applicant must supply, erect, maintain and when no longer required remove from the area all barricades, guards, fencing, signs, lights, temporary roadways and footpaths needed to protect property or for the safety and convenience of the public, Limitations on the event's trading hours do not relieve the applicant from responsibility to maintain any lights, signs or barricades outside of trading hours, nor the promoters responsibility to correct any hazardous conditions that may develop outside of trading hours. If Council believes the area is in unsafe condition, Council may take steps to rectify the problem and recover the costs from the applicant as a debt.</p>
<p>Suspension of Work</p> <p>If Council has reason to believe practices upon the area do not comply with these conditions, an Authorised Officer of Council may require work or the event to be interrupted or suspended. In case of a serious breach of these conditions or any other emergency situation an Authorised Officer of Council may require the event to vacate the area immediately.</p>
<p>Reports</p> <p>At any time, Council may require the applicant to provide promptly any reasonable information as relates to the event. On the same day as occurs (or, if that is not practicable, on the next working day), the applicant must notify council (via its contact person):</p> <ul style="list-style-type: none"> • Any injury to an individual upon the area requiring off-site medical treatment; • Any material loss/damage to property upon the area; • Any Police attendance during the event in response to a complaint; • Any environment harm required to be reported to the EPA; • A Material variation, suspension, revocation or expiry of insurance or a 3rd party consent, licence, permit or approval the event requires.
<p>Special Conditions</p> <p>The applicant must comply with all special conditions contained in the Permit Schedule (if attached) which special conditions prevail in the extent of any inconsistency with the Permit Conditions above.</p>

100 Mile	As above	Slips / Trips / Falls (including falling from bike)	2	2	4	1	1	1	<ul style="list-style-type: none"> Route checked prior to event and any obstacles removed or defects identified and made safe All Relevant authorities informed & approval in place local councils, SAPOL All event personnel on course aware of emergency procedures & contact numbers provided First aid officers appointed & contact numbers provided to all race officials Commissaire on race course for duration of the race Site managed safely so that all equipment and materials are suitably stored away from main event area Any cables covered Guy ropes of any marquees / promotional signage clearly marked Signage erected where appropriate Emergency services notified of event SES, SA Ambulance, SAPOL Cycling SA OH&S Policy Cycling SA Technical Regulations Helmets, Equipment (red flashing tail light) Signage erected prior to event to forewarn people of date and time Event planned so that it does not coincide with other big events Route planned appropriately for numbers expected Participants briefed of presence of other road users and the need for consideration Marshalling of points where sightlines are poor
100 Mile	As above	Collisions / altercations with other road users eg dogs, cyclists, members of the public	3	3	9	2	2	4	

Physical activity and exertion weather	As above	Dehydration / illness / accident / extreme weather	3	3	9	<ul style="list-style-type: none"> Road closures approved Residents along course notified of race and road closures Cycling SA OH&S Policy Support cars clearly identified with lights and signage Lead and rear support cars and police motor bikes Ensure first aid provision available local emergency services informed SA Ambulance, SES, SAPOL Ensure drinking water available Cycling SA OH&S Policy Racing may be modified by the Chief Commissaire where forecast temperature between 32-37 degrees It is the riders responsibility to ensure use of sunscreen & carry enough water for the duration of the race, feeding station incorporated into race course & riders are aware through race briefing 	2	2	4				
Managing the 100 Mile area	Members of the public	Trips / slips / falls	2	2	4	<ul style="list-style-type: none"> Site managed safely so that all equipment and materials are suitably stored away from main event area Any cables covered Guy ropes of any marquees / pop ups clearly marked Signage erected where appropriate Site to be left clean and tidy during and following event 	1	1	1				
Managing the 100 Mile area	As above	Collisions / altercations with event participants	3	3	9	<ul style="list-style-type: none"> Signage erected prior to event to forewarn people of date and time Support cars clearly identified with lights and signage Event planned so that it does not coincide with other big events Route planned appropriately for numbers expected 	2	2	4				

Managing the 100 Mile area	As above	Bringing equipment onto site and erecting temporary structures	4	5	20	<ul style="list-style-type: none"> Participants briefed of presence of other road users and the need for consideration SAPOL in attendance Marshalling of points where sightlines are poor. Marshalls to wear Hi-Viz and briefed by SAPOL and chief Commissaire Road closures in place All vehicles driving off road to be kept to no more than 5mph and hazard lights must be turned on Vehicles must be walked on by steward in Hi-Viz to identify hazards Ensure equipment is in good working order Ensure good manual handling practice is adhered to Ensure bad weather policy in place 	1	5	5

RISK RATING

	SEVERITY		LIKELIHOOD	
5 Major	Death to one or more people.	5	Almost Certain/ Frequent	Absence of any management controls. Almost 100% certainty that an accident will happen.
4 High	Causing permanent disability (e.g. loss of limb, sight or hearing).	4	High/ Probable	Serious failures in management controls.
3 Medium	Causing temporary disability (e.g. fractures)	3	Medium/ Occasional	Insufficient or substandard controls.
2 Low	Causing significant injuries (e.g. sprains, bruises, lacerations)	2	Low/ Improbable	Situation generally well managed but occasional lapses could occur.

1	Minor	Causing minor injuries (e.g. cuts, scratches) first aid treatment)	1	Unlikely/ Remote	Situation is well managed, and all reasonable precautions have been taken.
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RISK RATING = LIKELIHOOD X SEVERITY





June 3, 2023

Marsh Pty Ltd
ABN 86 004 651 512
727 Collins Street
MELBOURNE VIC 3008

GPO Box 1229
MELBOURNE VIC 3001
Tel 1300 130 373
Email sport@marsh.com

CERTIFICATE OF CURRENCY

INSURED	AusCycling Limited and all affiliated Clubs, Including Mt Gambier Cycling Club
INSURANCE CLASS	General & Products Liability and Umbrella Liability
GEOGRAPHICAL SCOPE	Worldwide excluding USA, Canada and their protectorates
PERIOD OF INSURANCE	From: 28 February 2024 at 4pm Local Time (VIC) To: 28 February 2025 at 4pm Local Time (VIC)
INTEREST INSURED	Legal liability to third parties for bodily injury and property damage arising out of the activities of the Insured
LIMITS OF LIABILITY	General Liability \$20,000,000 each and every occurrence Products Liability \$20,000,000 in the aggregate Errors & Omissions \$20,000,000 in the aggregate
DEDUCTIBLE/EXCESS	\$1000 each and every occurrence
INSURER	POLICY NUMBERS
Sompo Japan Australia HDI Global Convex	B0509BOWCI2350436 01816888-14000 B0509BOWCI2450711

Katie Sherwood
Account Manager

This certificate of currency provides a summary of the policy cover and is current on the date of issue.
It is not intended to amend, extend, replace or override the policy terms and conditions contained in the actual policy document.
This certificate of currency is issued as a matter of information only and confers no rights upon the certificate holder. We accept no responsibility whatsoever for any inadvertent or negligent act, error or omission on our part in preparing these statements or in transmitting this certificate by email or for any loss, damage or expense thereby occasioned to any recipient of this letter.



QUOTE

John Cranwell

Date
20 Jan 2025

Expiry
14 Feb 2025

Quote Number
QU-1347

Reference
Traffic Management - 100
Mile Classic

ABN
48 639 087 373

I&D Vegetation
Management Trust
PO BOX 272
MOUNT GAMBIER SA
5290
AUSTRALIA

Traffic Management - 100 Mile

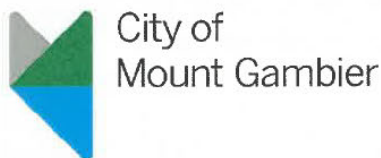
1. Provide labour for Sign preparation and to place required road closure signage 2 x Pax for 6hrs = 12hrs
2. Erect Road closure signage prior to event, provide 17 qualified Workzone Traffic Management personnel over Saturday starting at 0700 until approx. 1600 (staggered starts throughout the day) and Sunday starting 0700 until approx. 1400 and pack up all control signage, load on to trailer and return signage to depot.
3. Please note WZTM Award requires a minimum of 4 hours per shift.
4. Obtain the relevant Council/DIT permits required for the installation of the WZTM if required.
5. Prepare and Provide Traffic Guidance Scheme.
6. We have reviewed quoted prices and invoices from previous events to ensure we are supporting this fantastic community event. Last year we invoiced a total of \$16700.92 This year we have quoted for \$15574.17 with allowing for our Traffic Controllers to be able to perform their works to our standard. We therefore feel we have quoted as reasonably practicable as possible, however we are always open for discussion.

Description	Quantity	Unit Price	GST	Amount AUD
Administration	1.00	108.50	10%	108.50
Administration- Prepare and provide Traffic Guidance Scheme *Already completed as per John Cranwell instructions	17.00	108.50	10%	1,844.50
DIT/Council Permits Applications and Submission / SAPOL events notice *Already instructed to obtain	3.00	108.50	10%	325.50
1 Traffic Controller & 1 Vehicle - Monday-Friday (First 8hrs) Friday 2 Traffic controllers - Sign set up 6 hours each	12.00	84.97	10%	1,019.64
1 Traffic Controller & 1 Vehicle - Saturday (First 2 hrs) 1 TC + 1 Ute LV1 x 9 hours	2.00	109.86	10%	219.72

Description	Quantity	Unit Price	GST	Amount AUD
1 Traffic Controller & 1 Vehicle - Saturday (After 2 hrs) Saturday 1 TC + 1 Ute LV1 x 9 hours	7.00	134.31	10%	940.17
1 Traffic Controller & 1 Vehicle - Saturday (First 2 hrs) 4 TC + 4 Utes LV3, LV4, LV5, LV7 x 6 hours	8.00	109.86	10%	878.88
1 Traffic Controller & 1 Vehicle - Saturday (After 2hrs) 4 TC + 4 Utes LV3, LV4, LV5, LV7 x 6 hours	16.00	134.31	10%	2,148.96
1 Traffic Controller & 1 Vehicle - Saturday (First 2 hrs) 2 TC + 2 Utes LV8, LV9 x 5.5 Hours	4.00	109.86	10%	439.44
1 Traffic Controller & 1 Vehicle - Saturday (After 2hrs) 2 TC + 2 Utes LV8, LV9 x 5.5 Hours	7.00	134.31	10%	940.17
1 Traffic Controller & 1 Vehicle - Saturday (First 2 hrs) 1 TC + 1 Ute LV10 4 hours	2.00	109.86	10%	219.72
1 Traffic Controller & 1 Vehicle - Saturday (After 2hrs) 1 TC + 1 Ute LV10 4 hours	2.00	134.31	10%	268.62
1 Traffic Controller & 1 Vehicle - Saturday (First 2 hrs) 3 TC + 3 Utes LV11, LV12, LV13 4.5 Hours	2.00	109.86	10%	219.72
1 Traffic Controller & 1 Vehicle - Saturday (After 2hrs) 3 TC + 3 Utes LV11, LV12, LV13 4.5 Hours	2.50	134.31	10%	335.78
1 Traffic Controller & 1 Vehicle - Saturday (First 2 hrs) 2 TC + 2 Utes LV14, LV15 4 Hours	2.00	109.86	10%	219.72
1 Traffic Controller & 1 Vehicle - Saturday (After 2hrs) 2 TC + 2 Utes LV14, LV15 4 Hours	2.00	134.31	10%	268.62
1 Traffic Controller & 1 Vehicle - Sunday 4 TC + 4 Utes LV1, LV3, LV4, LV5 7 hours	28.00	134.31	10%	3,760.68
Subtotal				14,158.34
TOTAL GST 10%				1,415.83
TOTAL AUD				15,574.17

Terms

1. We have provide this quote entirely on the basis on your terms that you have described in your booking sheet, however we should point out that there was a debrief after last year's event and it was recommended by SAPOL that barrier fencing be erected for the length of the downhill section of Bay road down to Sturt Street, including barrier fencing around the pedestrian crossing island at the rail way crossing section and that the bikes should be corralled for the turn around adjacent to Nourish Nook. The purpose of this is to protect the public and the cyclists themselves, if you intend to implement these recommendations that will change this quote. It would be remiss to not implement these recommendations as you could jeopardies any insurance policy.
2. In an attempt to manage our cashflow more efficiently, our payment terms are strictly 14 days after the issue of the invoice unless agreed to under contract conditions.
3. Any loss or damage to any equipment is the responsibility of the Hirer with replacements being charged accordingly at replacement cost.
4. Hourly rate is inclusive of travel time and charged depot to depot.



City of Mount Gambier
PO Box 56
MOUNT GAMBIER SOUTH AUSTRALIA 5290
P: 08 8721 2555
W: <https://www.mountgambier.sa.gov.au/>
ABN: 17 330 264 425

TAX INVOICE & RECEIPT - Tentative

Reference	Booking ID
INV-6329	2064
Customer ID	Date
900157	25/11/2024

Customer Details

On behalf of: Mount Gambier Cycling Club
Lee Cranwell
PO Box 1341
MOUNT GAMBIER SA 5290 AUSTRALIA
P: [REDACTED]
E: [REDACTED]
ABN: 94966390468

Purchase Order:

Venue Address: 1 Bay Road Mount Gambier South Australia 5290 Australia
Booking Name: Mount Gambier Cycling Club 100 Mile Presentation Night
Booking Status: Tentative

Details	GST Amt	Total (Incl. GST)	Due Date	Outstanding
Riddoch Arts & Cultural Centre Lectern 17/05/2025 17:00 to 17/05/2025 20:00	\$0.00	\$0.00		\$0.00
Riddoch Arts & Cultural Centre City Hall + Reception 17/05/2025 17:00 to 17/05/2025 20:00	\$28.45	\$313.00		\$313.00
Total	\$28.45	\$313.00		\$313.00

Bonds

Details	GST Amt	Total (Incl. GST)	Due Date	Outstanding
Riddoch Arts & Cultural Centre Standard Bond	\$0.00	\$1,000.00		\$1,000.00

Payments/Refunds

Reference	Receipt Type	Surcharge (Incl. GST)	Date	Amount
	-			

Payments Due Schedule

Due Date	Total (Incl. GST)	Outstanding Amt	Applied Amt
	\$1,313.00	\$1,313.00	\$0.00

Outstanding Balance: \$1,313.00

Payable Now: \$0.00

Payable Later: \$1,313.00

Office Use Only:

Mnemonic: **BookableReceipts**

PAYMENT ADVICE

TO: City of Mount Gambier
PO Box 56
MOUNT GAMBIER SOUTH AUSTRALIA 5290

Customer Details	Lee Cranwell
Booking ID	2064
Invoice Number	INV-6329
Amount Due	\$1,313.00
Office Use ONLY	Mnemonic: BookableReceipts

METHODS OF PAYMENT

Payment should only be made once the Booking has been Confirmed.



CREDIT CARD – Online or in person.

Online by visiting <http://mountgambier.bookable.net.au/#!/myaccount/home> and follow the links to pay with either Mastercard or Visa.

CONTACT US



THE RIDDOCH ARTS & CULTURAL CENTRE

1 Bay Road, Mount Gambier, South Australia
(Corner of Bay Road (Riddoch Highway) and Commercial Street East)

Opening Hours:

Monday to Friday: 10am – 5pm
Saturday & Sunday: 10am – 2pm

PHONE

Call **08 8721 2563** during the centre Opening Hours.

Application

Organisation/applicant name	Backstage Incorporated
Postal address	1 Elder Street, Mount Gambier
Application prepared by	Natalia Chalinor
Position	President
Phone	[REDACTED]
Email	[REDACTED]

Is your organisation registered for GST? YES NO

Please provide your organisation's Australian Business Number (ABN) **13125469812**

Are you being auspiced by another organisation? YES NO

If YES please provide details and attach evidence

Organisation name

Incorporation number

Event/project details

Event/project name	Mount Gambier Eisteddfod
Event/project date(s)	Approximately 7th July - 9th August
Event/project venue	Sir Robert Helpmann Theatre and Wehl Street Theatre

Event/project summary *250 word description*

The eisteddfod offers a unique opportunity for interested persons to compete in dance, calisthenics, choral and vocal, speech and drama, music and highland dancing in a Mount Gambier setting. The competition is open to all ages but has an emphasis on younger people and promoting their artistic development. Competitors are able to receive feedback from professional adjudicators which assist them in improving the standard of their performance. It also gives them stage experience, in front of an audience to help gain self esteem, confidence and prepares them should they wish to perform professionally. It also gives local residents the opportunity to view performances and enjoy a mixture of performing arts.

City of Mount Gambier Strategic Plan 2020-2024

Tick the relevant pillars that your event/project will support

Please identify the area/s in which your event supports the City of Mount Gambier Strategic Plan



Our People

A safe inclusive City where access to quality services & facilities supports a socially connected, vibrant & healthy community



Our Location

A perfectly centered place where people aspire to live, work, visit & invest



Our Diverse Economy

A diversified, innovative & resilient economy that generates jobs & services



Our Climate, Natural Resources, Arts, Culture & Heritage

A culturally-inspired City that strives to minimise its ecological footprint

To download a copy of the Strategic Plan, please visit:
www.mountgambier.sa.gov.au

Please explain how you will support these pillars *Maximum 250 words*

The eisteddfod is a family friendly activity, which encourages the arts within the region in a safe and amicable atmosphere. We have a zero tolerance policy of unfriendly attitudes and have in the past banned schools from entering who have not followed our friendly policy. Both our venues are close to local shops, visitors can wander during breaks into shopping areas and hopefully in bigger breaks will explore Mount Gambier fully. Many visitors from away come as a family with some family members choosing not to watch, and instead explore the local area. We also have entries from local people from lower socio-economic demographics who would otherwise not have this kind of opportunity - to perform in front of an audience and experience performing arts. Both venues are in the CBD, giving participants - locally and from away- easy access to the main shopping district.

Which grant are you applying for?	Please tick and follow direction
Minor/Major/Corporate Event Grants	<input checked="" type="checkbox"/> Pages 12 to 17
Minor/Major Community Strengthening Grants	<input type="checkbox"/> Pages 18 to 20
Creative Arts Fund	<input type="checkbox"/> Pages 21 to 24
Sports and Recreation Capital Works	<input type="checkbox"/> Pages 25 to 30
Quick Response	<input type="checkbox"/> Page 31 to 33
Venue Sponsorship	<input type="checkbox"/> Page 34

Application

Are you considering applying for use of a Council venue?
 If yes, please attach completed Venue Hire Form

YES NO

Are you considering using Council land?
 If yes, please attach completed Special Event Permit Application

YES NO

Please note – if you are in the process of negotiating access to a Council venue, you will need to complete the Venue Hire Form or/and the Special Event Permit Application before we can consider this application.

Anticipated event attendance

Number of anticipated attendees per day 215

Please provide a percentage breakdown of the anticipated attendees

Local	% 60	Region	% 5
Interstate	% 15	Intrastate	% 20
International	%	Total must equal 100%	

Provide an indication of the percentage of non-local participants and spectators expected to stay in paid accommodation within the region and how many nights. 40 % 2 Nights

Event budget

Estimated total budget for event: \$ 56,350

Please attach itemised budget showing all income, expenditure, profit and loss.

Sponsorship request

Minor Event Grant (up to \$2,000) / Major Event Grant (\$2,001 - \$15,000) / Corporate Event Grant (over \$15,000)

Cash amount: \$ 5,000 ex GST

Describe below how your funds will be spent:

Venue hire and adjudicator costs. Please note venue hire increases regularly.

In-kind amount:

(Refer to Schedule of Fees and Charges Event Support for an estimated cost.)

\$

Please detail any other assistance you are requesting (e.g. supply of rubbish bins, hire of bollards, bunting, witches hats, tiered seating, road closures, road signage etc.).

Please note - Any additional requests for support not included in this application will incur a cost as determined by the current Schedule of Fees and Charges Event Support.

Local Government account for all costs to the organisation whether they be direct or in-direct.

Complete the A to J if applying for a Major/Corporate Event Grant

A. Event description and program outline

Please attach detailed program.

Please include activities, entertainment, catering and other relevant information.

The eisteddfod is a performing arts competition and begins with Dance followed by Calisthenics in the Sir Robert Helpmann theatre. Then in Wehl Street Theatre it continues with Choral and Vocal, Speech and Drama, Music and Highland Dance, which is a new division. Event Outline or schedule changes every year and is dependent on entries.

B. Event history

Please provide a brief history of the event, including the number of times the event has been held in the past, including number of participants, spectators and key event outcomes.

The eisteddfod commenced in 1982 with dance and calisthenics and over the years grew to six division competition. It attracts good community support - trophies and awards are sponsored by the local community, some having been sponsored since the competition began in 1982. We receive very good support from local schools and Portland, Warrnambool, Hamilton and beyond. We are proud that many of our competitors have gone on to brilliant careers of their own.

C. Event objectives

Please list the aims and objectives of the proposed event.

Aims of the eisteddfod are to provide expert adjudication to those who aspire to make their chosen art form a profession and to give those who do it for fun and to keep fit, the opportunity to have safe space where they can practice their art form in front of an audience, in a theatre, to develop friendships and gain the confidence that they can take with them into the workplace and wider community.

D. Event sustainability

What strategies do you have in place to ensure the event is sustainable?

As the producers of the eisteddfod we budget carefully. We print our own programmes, requiring the purchase of an expensive copier and the upkeep of computer equipment, but budgeting has found this a cheaper option than professional printing. We approach sponsors to cover the expenses of awards and volunteers to supply the workforce, meaning that the only people we pay are the adjudicators.

E. Economic impact

Provide detailed examples of the economic impacts that are likely to result from the event. Include estimations ie. increase in tourism./retail/hospitality/business trade, new economic opportunities. tourism growth etc

The competitors and their families from outside of Mount Gambier will use accommodation locally, purchase meals and fuel and we know that many from smaller towns will use the opportunity to shop while here. Because of the support from local business houses we do promote them heavily during the competition and encourage people to shop with them to show their appreciation.

F. Sponsorship Acknowledgement

Outline how you intend to recognise the support provided by City of Mount Gambier

When using the City of Mount Gambier logo please provide a proof for approval prior to printing.

The City of Mount Gambier logo is the exclusive advertisement on the back cover of the programme, the city is recognised at the beginning of each session as the major sponsor of the eisteddfod. Council logo is also used as a filler throughout the programme. Council banners are displayed at both theatre.

G. Community involvement and consultation

*How will your event involve local business, artists, volunteers and community groups?
e.g. markets, entertainment, food, security etc.*

By purchasing goods that are acquired locally. Local service clubs also supply volunteers for areas of the eisteddfod. The canteen at the Sir Robert Helpmann theatre will be run by a local charity.

H. Accessibility and inclusion

How will you address accessibility and inclusivity for people with disabilities?

Both venues have wheelchair access. All divisions, that are not specialised, have sections specifically for disabled people or special conditions for disabled people, allowing them a fair playing field.

I. Environmental impact

Briefly outline how you intend to manage the environmental impact of your event. This may include elements from your Traffic Management Plan, Occupational Health and Safety Plan, Waste Management Plan and Risk Assessment. Factors to consider include waste management, noise levels, pollution/rubbish, impact on community infrastructure etc. Also identify any environmental benefits arising from the event.

The eisteddfod has little impact on the areas mentioned. We have a strict Child Protection and Safety policy that we discuss with all volunteers and follow the SA government WPS guidelines. We have a code of conduct policy for volunteers and members. We use the sorting bins for waste and ensure everything that can be recycled is.

J. Event evaluation

How will you know if you have achieved the aims and the objectives of the event?

General feedback by word of mouth and Facebook and the by the number of people who attend the event.

Declaration

In submitting this application, I certify that, to the best of my knowledge, the statements in this application are true and I have read and I understand the City of Mount Gambier Grants and Sponsorships Guidelines and Events Guidelines.

I acknowledge that the City of Mount Gambier cannot guarantee funding approval for any application. If the grant is successful, I agree to acknowledge the contribution and support of the City of Mount Gambier within publicity, including all media, literature and promotional activities relating to the project, as well as in speeches during the course of any event.

I also agree to submit the required acquittal form with relevant supporting documentation, as well as at least two high resolution digital photographs and video footage (if available) relating to my event, within two months of the completed event. I understand the information, photos, video footage and other forms of media submitted as part of the acquittal requirements may be used by, or on behalf of, the City of Mount Gambier for promotional purposes and publications.

Name Natalia Chalinor

Signature



Date 30/1/2025

Before submitting your application, please ensure you have attached the following:

- Full Event Budget showing all income, expenditure, profit and loss.
- Copy of Event Equipment Form (in-kind) – if applicable.
- List of all funding partners for event.
- Copy of Hire Permit/Special Event Permit – if applicable.
- Completed Risk Assessment for your event.
- Proof of Public Liability Insurance to the value of at least \$20 million with a location of Australia and/or world-wide.

If your application is successful, please email the following documentation to city@mountgambier.sa.gov.au

- Your business plan and/or marketing plan.
- Copy of your organisation's most recent audited annual financial statement (Major/Corporate Grants only).

Budget Eisteddfod 2025

Income

Entry Fees	15,500
Door Takings	22,000
Sponsorship	16,650
Programmes	1,000
Cash Awards	800
Other	<u>400</u>
Total	56,350

Expenditure

Cash Awards	2,800
Trophies	3,000
Adjudicator	8,700
Adj travel	2,000
Adj Accommodation	3,700
Theatre Hire	22,000
WST East Wing Hire	750
Medallions etc	1,000
Copyright License	1,400
Stardom Fees	2,700
Licenses	3,600
Misc	<u>700</u>
Total	52,350

Surplus 4000

Please note above figures do not include ribbons, stationary, insurance and club rooms expenses, electricity, rent, insurance to Reidy Park Centre, and approx. cost of \$4500 per annum.

Estimated Sponsorship

Private Sponsorships	\$7000
City of Mount Gambier	\$5000
Kimberley-Clark Australia	\$500
Lions Club of Mount Gambier	\$550
Lakes Rotary Club	\$2000
You Podiatrist	\$600
District Council of Grant	\$500
Video Live	<u>\$500</u>
	\$16,650



Ceneta Insurance Services

ABN 78 133 436 254 AR 332815

PO Box 178, Altona North VIC 3025

Phone: 1300 158 911

Email: info@ceneta.com.au

Authorised Representative of PSC Connect Pty Ltd

ABN 23 141 574 914 AFS Lic No: 344648

**CERTIFICATE OF
INSURANCE**

From: Alex Kypros

We hereby confirm that we have arranged the insurance cover mentioned below:

Backstage Incorporated
Backstage Incorporated
24 O Halloran Terrace
Mount Gambier SA 5290

Date: 14/11/2024

Our Reference: EISTBACK

RENEWAL

Page 1 of 4

Class of Policy: Public &/or Products Liability Insurance
Insurer: Berkley Insurance Australia Level 23, 31 Market St, Sydney NSW 2000 ABN: 53 126 559 706
The Insured: Backstage Incorporated

Policy No: CENETA000049
Invoice No: 211627
Period of Cover: From 1/05/2024 to 1/05/2025 at 4:00 pm

Details:

See attached schedule for a description of the risk insured

IMPORTANT INFORMATION

The Proposal/Declaration:

- is to be received and accepted by the Insurer
- has been received and accepted by the Insurer

The total premium as at the above date is:

- to be paid by the Insured
- part paid by the Insured
- paid in full by the Insured
- paid by monthly direct debit

Premium Funding

- This policy is premium funded

Please note that the policy defined above is subject to the receipt of the Proposal Declaration and acceptance by the Insurer (if not already completed and accepted) and subject to the full receipt and clearance of the total premium payable by the insured.

Schedule of Insurance

Page 2 of 4

Class of Policy: Public &/or Products Liability Insurance	Policy No: CENETA000049
The Insured: Backstage Incorporated	Invoice No: 211627
	Our Ref: EISTBACK

This policy has been placed through

Community Underwriting
ABN 60 166 234 715
P.O. Box 173, BALMAIN EAST NSW 2041

Community Underwriting is an underwriting agency who has placed the policy with

Berkley Insurance Australia
ABN 53 126 559 706
Level 23, 31 Market St, Sydney NSW 2000

GENERAL LIABILITY INSURANCE POLICY

Policy number	CENETA000049 (Master Policy)
Policy Period:	From 4:00pm on 1st May 2024 to 4:00pm 1st May 2025 (Australian Eastern Standard Time)
Name of Insured:	Backstage Incorporated Association of Eisteddfod Societies of Australia and all nominated member organisations in Australia that have elected to arrange insurance under the Association of Eisteddfod Societies of Australia group insurance program including members, management committees, employees and voluntary workers and/or financiers for their respective rights, interests and liabilities. (Please note that the Master Policy includes cover for other insured organisations of the Program and some aggregate limits are shared by all insured organisations).
Business Description:	Peak body and member organisations that organise and run performances and competitions in one or more of the arts disciplines (singing, choirs, music, debating, drama, speech, dance).
Interested Parties:	Local government authorities and/or councils as required
Number of Performances:	Number of prior year's performances as per declaration to the Copyright Agency, plus any non-musical performances: Total Performances (prior year): Between 501- 1,500
Covering:	All sums which you become legally liable to pay as compensation in respect of: (a) Personal injury. (b) Property damage. (c) Advertising Liability happening during the Period Of Insurance within the Territorial Limits as a result of an occurrence in connection with your business subject to the

Schedule of Insurance

Page 3 of 4

Class of Policy:	Public &/or Products Liability Insurance	Policy No:	CENETA000049
The Insured:	Backstage Incorporated	Invoice No:	211627
		Our Ref:	EISTBACK

	terms and conditions of the policy wording.	
Territorial Limits:	Anywhere in the World excluding North America (other than in respect of travelling directors, executives, volunteers, employees and products exported without your knowledge)	
Limits of Liability	Public Liability	\$20,000,000
	In respect of any one occurrence during the period of insurance.	
	Products Liability	\$20,000,000
	In respect of all claims during the period of insurance in the aggregate.	
	(This aggregate limit is shared by all insured organisations under the Master Policy.)	
Sub Limit:	Property in your Physical or Legal Control	\$250,000
	Any one occurrence and in the aggregate.	
Excess	Each and every occurrence	\$500
	Except Optional Extension 1. Molestation	NOT INSURED
Additional Benefits:	(refer to policy wording for details and limits):	
	Occurrence based coverage for medical care or treatment not provided by a Medical Professional or in connection with Medical Services, Good Samaritan Act, Claims preparation costs, clients in care, cross liabilities.	
	Including member to member liability and waiver of subrogation rights for members who are also the property owners	
Optional Extension:	1. Molestation	NOT INSURED
	2. Prior Acts Claims Made Coverage (based on expiring limits)	NOT INSURED
Additional Exclusions:	29. Sale or Supply of Goods	
	arising from the sale, supply or distribution of any second hand electrical or mechanical equipment; hazardous, flammable or dangerous goods; fireworks, chemicals, weapons, firearms or ammunition; products intended to be used in connection with the navigation, safety or control of vehicles, aircraft or watercraft; products sold in containers exceeding 5 litres or 5kg; power tools, second hand toys, model aircraft or drones; helmets, baby capsules, booster seats or strollers; medicines, potions, oils, fragrances or beauty products; medical equipment; animal feed intended for animals other than domestic pets; uncooked seafood; bicycles, motorised vehicles or motor vehicle parts, self-balancing motorised boards and scooters; cigarettes or cigars of any kind including electronic cigarettes, electronic vaping devices, personal vaporizer, or electronic nicotine delivery system. All donated products must be inspected to ensure that they comply with all relevant regulations and safety standards and/or recall notices.	
Special Notes	Your General Liability policy with Community Underwriting	

Schedule of Insurance

Page 4 of 4

Class of Policy: Public &/or Products Liability Insurance	Policy No: CENETA000049
The Insured: Backstage Incorporated	Invoice No: 211627
	Our Ref: EISTBACK

Regarding Events automatically covers small / low risk activities and events that an Insured may organise or participate in as part of client engagement, fund raising, education or raising the profile of the organisation. These may include daily outings, organised games and non-contact sports, market stalls, picnics, dinners, social functions with less than 100 people held at your place of occupancy or up to 500 attendees at a third party commercial premises.
Where Your premises are hired out to third parties for a fee a written hire agreement must be in place for each hire and evidence of separate liability insurance obtained with a minimum limit of indemnity of \$5,000,000 any one occurrence.

Insurer: Community Underwriting Agency Pty Ltd on behalf of Berkley Insurance Australia

Policy Wording Community Underwriting General Liability Insurance Policy
CUW GL 0922

Event Risk Management Plan

The City of Mount Gambier requires a Risk Assessment to be completed and submitted prior to the commencement of an event. The Risk Management Plan guides the safety of the event and will need to be available onsite during the event and provided to Council immediately upon request.

To ensure the highest level of safety at your event please use the tables and template provided to complete a Risk Management Plan.

Further information can be found at the SafeWork SA website

Event Safety - <https://www.safework.sa.gov.au/industry/recreation-and-events/event-safety>

Event Name	Mount Gambier Eisteddfod
Date of Event (including bump in / out)	7 th July – 9 th August
Location of Event	Sir Robert Helpmann Theatre, Wehl Street Theatre
Event Description	Performing Arts Competition
Event Organiser & Contact Details	Backstage Incorporated, Natalia Chalinor (President)
Public Liability Insurance	Ceneta
Site Plan	
Number of Volunteers	600 Approx
Number of Third Party Providers	
Risk Management Plan Created By	Maxine Chalinor, Secretary
Date Created	30/1/2025

Risk Description Task or Issue/Hazard (What can go wrong)	Risk Control Measures (What can you do to prevent and / or manage it?)	Person affected / location (Who or what may be affected)	Likelihood	Consequence	Rating
Accident on stage (Dance or Calisthenics)	Can't prevent ourselves. Usually due to dehydration or choreography which are organised by competitor of teacher/coach.	Performers	C	As per rules and ambulance will be called	M
Tripping on theatre stairs	Speak to anyone running on stairs	Performers	D	First aid if required	L

--	--	--	--	--	--

Risk assessment tables

Likelihood

How likely is it to occur?

Level	Descriptor	Example Detail Description
A	Almost certain	is expected to occur in most circumstances
B	Likely	will probably occur in most circumstances
C	Possible	might occur at some time
D	Unlikely	could occur at some time
E	Rare	may occur but only in exceptional circumstances

Consequence

What is likely to be the impact?

Level	Descriptor	Example Detail Description
1	Insignificant	<ul style="list-style-type: none"> no injuries low financial loss
2	Minor	<ul style="list-style-type: none"> first aid treatment on-site release of chemical immediately contained temporary halt of event medium financial loss
3	Moderate	<ul style="list-style-type: none"> medical treatment required on-site release of chemical contained with outside assistance temporary halt of event requiring outside assistance (eg specialised maintenance, fire, police) high financial loss
4	Major	<ul style="list-style-type: none"> extensive injuries loss of production capability off-site release of chemical with no detrimental effects halt of event requiring investigation and outside assistance (eg fire, police, ambulance, SafeWork SA) major financial loss
5	Catastrophic	<ul style="list-style-type: none"> death toxic release off-site with detrimental effect halt of production with investigation and potential prosecution (eg fire, police, ambulance, SafeWork SA) catastrophic financial loss

Risk assessment matrix

Risk rating

The risk matrix determines a 'risk rating', based on the likelihood and consequence of risk.

LIKELIHOOD*	CONSEQUENCE				
	Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
A (Almost certain)	H	H	E	E	E
B (Likely)	M	H	H	E	E
C (Possible)	L	M	H	E	S
D (Unlikely)	L	L	M	H	E
E (Rare)	L	L	M	H	H

Ratings

- E** = Extreme risk: immediate action required
- H** = High risk: senior management attention needed
- M** = Moderate risk: management responsibility must be specified
- L** = Low risk: manage by routine procedures

GENERAL RULES AND CONDITIONS

CONDITIONS

- 1.1 Special Conditions are listed in appropriate Sections of the schedule and all reference to rules shall include these Special Conditions.
- 1.2 This Eisteddfod is open to all persons. Special Conditions may apply in some sections.
- 1.3 Entry to the Mount Gambier Eisteddfod is conditional of acceptance of the laid down General Rules and Conditions and Sectional Special Conditions. Entrants in all Sections must adhere to these conditions and any infringement will be considered a disqualification.
- 1.4 The decision of the Committee in all questions and disputes arising out of, or not provided for, by these conditions shall be final. All entries received are subject to this proviso and shall not be subject to any appeal by law. No correspondence shall be entered into.
- 1.5 No food, is permitted in the auditorium, drinks must be a covered container.. No responsibility will be taken for damage to costume through food and drink being taken into dressing rooms.

ENTRIES– (Information disclosed on the entry form is for competition use only and will not be divulged to any one else).

- 2.1.1 All entries must be lodged on or before the closing date. **No late entry will be accepted under any circumstances.** In all age limited sections, entrant must state age, date and year of birth. Entries are via the Stardom Online Entry system
- 2.2 **The entry can only be withdrawn by the person who made the entry. Calisthenics at the discretion of the coach.**
- 2.3 No entry will be recorded unless accompanied by full entry fees. No entry fees will be refunded.
- 2.4 The committee reserves the right to refuse any entry.
- 2.5 **In all sections that are subject to age limit, the age on the 1st January in the year of competition shall be deemed to be the age of the entrant and proof of age may be required. (Calisthenics 31st of December)**
- 2.6 Entrants must enter their name and address when entering and no person will be allowed to compete under any names other than that on the entry.

COMPETITION

- 3.1 The committee reserves the right to Combine any Section with the next age group if less than three entries are received.
- 3.1.2 Backstage Incorporated reserves the right to withdraw any aggregate prize advertised if significant entries are not received over a significant number of sections within the said aggregate.
- 3.2 In the case of prolonged mechanical or technical failure the committee reserves the right to cancel sessions, otherwise all sessions will continue until completed.
- 3.3 Order for competing shall be drawn after the closing of entries and **any entrant failing to appear when called upon may be disqualified from competing in that section.**
- 3.4 Entrants will not be permitted to enter any Section other than the one specified on the entry form,
- 3.5 No entrant may perform the same item twice during the competitions. (Zelda Parker Scholarships excepted)
- 3.6.1 Entrants in duos, trios, teams and groups may appear only once in any section unless special conditions apply. Partners must be named on the entry form and age (where stipulated) stated.
- 3.6.2 In the case of illness or accident, one person in a duo may be replaced with another contestant, providing the registration desk is notified of the change prior to the start of the session.
- 3.7 Entrants are required to supply own accompanist, where necessary, or a backing track (conditions apply).
- 3.8 **Time limits, where mentioned, will be strictly adhered to. Any item over time limit will be adjudicated for crit only.**
- 3.9 Order of appearance on the programme may be changed, at the discretion of the Director or Representative.
- 3.10 **No prompting or assistance of any kind may be given.**
- 3.11 A copy of music or literature must be provided for the adjudicator, where specified in Divisional rule, which **must reach the official table 30 minutes prior to the commencement of that Session**, otherwise, the competitor is liable to be disqualified. All music must have bars numbered.
- 3.12 The Eisteddfod is a public Performance. Competitors in non-costume items are required to be suitably attired. Some Adjudicators will, at their discretion, **deduct points for inappropriate dress.**
- 3.13 **The backstage area is out of bounds to members of the public except for the delivery and collection of sets and props. The stage wings are out of bounds for all persons except teachers, competitors and accompanists who may enter at the direction of the Official on duty and must leave at the direction of the Official. Officials must be wearing identifying badges and have the appropriate DHS Clearance.**
- 3.14 All entrants must register at the registration desk on arrival. Failure to do so, will mean the announcer and runners do not know you have arrived and you will not be called to compete.
- 3.15 Entrants into sections for people with Special Needs may have a carer on stage while competing providing they hold the appropriate DHS Working With Children clearance...

- 3.16 Each school or club may provide two persons only to assist in the dressing rooms providing they have the appropriate DHS Clearance. These persons must sign in at the registration desk and get the appropriate identification. Failure to do will result in eviction from dressing rooms.

ADJUDICATION

- 4.1 The Adjudicators decision shall in all cases be final and no correspondence shall be entered into.
- 4.2 The Adjudicators decision as to whether or not an item presented or proposed by an entrant complies with the conditions of a particular item shall be final. Items containing sordid or objectionable material shall be Adjudicated for crit only
- 4.3 The Adjudicator has the right to withhold any prize or award where insufficient merit has been displayed, under 12 year sections excepted.
- 4.4 The Committee and or Adjudicator reserve the right to appoint a substitute Adjudicator.
- 4.5 **Communication with the Adjudicator** either by entrants, teachers or other interested parties during the Eisteddfod is strictly prohibited, and the **committee reserves the right to disqualify any entrant for breach of this rule.**

GENERAL

- 5.1 Entrants who do not intend to compete in an item in which they have entered must notify the Director to that effect before the time appointed for that particular section. Entry fees for withdrawals are not refundable.
- 5.2 Protests must be notified immediately at the official table but to be considered must be lodged in writing at the official table within 30 minutes of the Adjudicator's decision and accompanied by a fee of \$40 which will be forfeited if the protest is deemed unwarranted. All complaints must be in writing and presented to the Registration desk. No complaint will be considered unless in writing.
- 5.3 **No rehearsal or practice is permitted on the stage to be used for the competition within four weeks prior to the commencement of the Eisteddfod. No rehearsal is permitted in the foyers, corridors, courtyard or any other area of the building, including all public areas for the duration of that discipline. Practice area is supplied in the Varcoe's Building at SRHT and may be used by competitors providing 1 adult is present for every 10 children and the building is not being used for other purposes.. Ask at front desk for further details. Warm up area in the East Wing at WST for bands and choral/vocal work.**
- 5.4 Music, equipment or personal property left by the competitors will not be the responsibility of the Committee. Lost property will be held for six months and then donated to charity.
- 5.5 **A critique will be provided for the entrants** in each item, where applicable, which may be obtained at the Official Table **15 minutes after the Adjudication of that section.** If a protest has been notified, all critiques and prizes will be withheld until the protest has been decided.
- 5.6 The Committee reserves the right to record, broadcast, telecast or videotape for TV or radio purposes any item or section of the Eisteddfod.
- 5.7.1 The Committee reserves the right to have present, from time to time, Media Photographers, or Official Photographers, and to photograph items for the purpose of publicity and use such for promotional purposes at any time. Winners names may be made public to the local media. The Director to be notified of children known to be under suppression orders prior to the competition.
- 5.7.2 Authorized Videographers or Photographers may be present recording or photographing the performance for sale to the parents or contestants. Entry to this Eisteddfod is subject to the approval of this happening. DVDs and photos are for archival use only, and cannot be used at this competition for Right of Review.
- 5.8 **Tape Recorders, Video Cameras, Cameras, Mobile Phones or Pagers. The use of these by members of the audience during competition is strictly prohibited. Offenders will be removed from the Theatre. Performances are copyright and venue hire prohibits the use of the aforementioned items during performance. See Rules for videography**
- 5.9 Medic alert bracelets may be worn but where necessary the bands must be taped (covered) but the disc must be showing.
- 5.9.1 In the case of any competitor collapsing on stage, an ambulance **will be called** and the costs incurred by the parent of the competitor if under age or the competitor themselves.
- 5.9.2 **All competitors including pregnant women, injured persons or persons with medical conditions shall enter any section at their own risk. Contestants with Medical conditions must take to side stage their emergency medication.**
- 5.10 The Sir Robert Helpmann Theatre incurs over time charges after certain hours. The programme has been timed to avoid these charges. Any school, team, club or individual that takes undue time in vacating the dressing rooms and theatre foyers, causing overtime to be incurred, will have the overtime charged to them.
- 5.11 All dressing rooms are to be left in a clean and tidy state. Should this not be adhered to a cleaning fee will be charged to offending school or club
- 5.12 Winners of perpetual trophies shall be permitted to have a photo taken with the trophy for 30 minutes after completion of a section. All perpetual trophies shall remain with Backstage Incorporated,
- 5.13 No person will be permitted to enter or leave the auditorium during an item.
- 5.14 **All competition venues are Smoke and Alcohol Free Zones.**
- 5.15 Competitors complementary passes will be issued to competitors **for the section in which they are competing.** These passes may be used to enter the Auditorium and be seated in the designated areas **providing** such seating is not required by the paying audience.

- 5.16 All props to comply with the SA WPS laws and any damage to props shall not be the responsibility of Backstage Incorporated
- 5.17 Teachers/Coaches are responsible for their competitors behaviour in all backstage areas and in public areas of the buildings.
- 5.18.1 Disrespectful behaviour towards any of the volunteer or theatre staff by a competitor/s can result in disqualification.
- 5.18.2 Disrespectful behaviour by teachers, coaches, parents or other assistance shall result in that person/s being barred from all backstage areas.

*Letter to Dance
entries*

Welcome to the 2025 Mount Gambier Eisteddfod Dance division hosted at the Sir Robert Helpmann Theatre (SRHT) Watson Tce, Mount Gambier to be held..... The Committee sincerely thank you for the time to participate and trust that you will have a very successful and rewarding competition.

Please read the following information to ensure that all teachers, parents and members of your school are aware of their responsibilities in participating.

Can you please ensure that you are aware of the commencement times for each of your relevant sections.

All solo competitors and schools troupes **must be** checked in at the registration desk located in the top foyer of the theatre at least 30 mins prior to their section commencement. Failure to do so may result in forfeiture of performance.

Any person side stage or in the backstage areas is required to have a current DHS clearance to work with children.

Rules as per Backstage Incorporated general rules and Divisional rules. Please ensure that you have read all the rules and adhere to them accordingly.

Registration desk is located in the foyer of the theatre to the right after ascending the main stairs. Crit sheets for all section will be available from the desk 15 mins after the completion of the section and must be signed for by the teacher, contestant or parent.

Each school will receive badges for the teachers when reporting in which must be worn to enter the auditorium, side stage and dressing rooms.

Dressing rooms Access

Access to the dressing rooms in through the front doors of the SRHT, through the foyer and then down the stairs next to the registration desk. Theatre doors open 45mins prior to the commencement of the first section of the day.

Due to a large number of entries in some sections and SA Child Protection and Safety Laws we have restrictions on how many people we can allow backstage and in dressing rooms. Once checked in, teachers, and designated parents will be issued with identification badges to allow them to gain access to the backstage area and dressing rooms.

Designated Parents

Before each section, parents will be permitted in the dressing rooms to help carry costumes, they will then be asked to leave the dressing rooms prior to the section commencing. This included all parents, designated parent assistance excepted, siblings and noncompetitive students.

Each school is permitted to have two only designated parents in the dressing rooms to assist all students with costume change, hair and make-up. These parents must be named prior to the competition, must have a current DHS clearance and must report in to the registration desk for the badge that allows then into the dressing rooms areas. This badge is applicable for one session only and a new badge must be collected for each session the parent is the designated parent for.

Dressing rooms must be vacated and left in a clean and tidy condition within 15 minutes of the completion of that age group.

No warm up or practice to be in the dressing rooms, scene dock, or passageways.

The Theatre courtyard and foyers are also no practice areas. These are areas of right of way for the general public to the Theatre, the Council areas and the lift and must be kept clear. The Varco's building may be open for practice, see general rule 5.3.

Props

All props for solo work must be able to be carried on stage by the contestant, in the case of troupes, by several members of the troupe. See Dance rules #19.

Music.

Music can be uploaded via Stardom for all items once advised via Facebook. A backup of all music should be available on USB. (MP3 recommended)

Admission to the Auditorium

Admission is available to the Auditorium via the main entrance from Watson Terrace. Tickets will be sold by Backstage Officials in the foyer, to the right of foyer entrance, at the ticket box. It is recommended that tickets are purchased early to avoid the disappointment of missing items.

Upstairs will be only opened up in the case of a full house in the stalls. In compliance with Work Place Safety concerns, the upstairs area is out of bounds for competitors competing in that session. Also, due to the steepness of the area, no children will be permitted without being accompanied by an adult.

Competitors Passes

Each competitor is issued with a complimentary pass for the session they are competing in. If competitors wish to be part of the audience during other sessions, they must have the appropriate paid ticket. This can be a ticket purchased from our ticket seller, or the paid competitor pass that is purchased at a heavily discounted price from the registration desk.

During the 2024 competition, we had a large number of competitors abusing the system, many arguing with ushers resulting in some ushers not being able to continue. If this behaviour continues, the complimentary competitors pass will be withdrawn from use for all competitors.

It is appreciated that no squealing within the auditorium is prevalent as it is disturbing to other patrons, by all means "hearty cheering" is encouraged.

Photography and DVD

Full professional photography and DVD will be available during the Dance division and can be ordered directly with Videolive. A reminder to parents that filming a public performance without the appropriate licences and checks can be a breach of the SA Child Protection Act and of Copyright. This includes by mobile phone.

Risk Assessment

A standard risk assessment has been compiled from previous years to encompass basically all at risk situation and this has been lodged with the SRHT. However, if you have anything 'unusual' can you please advise by return email so we can advise the SRHT accordingly. Also, see dance rule 24.

We would also, appreciate it if you could tutor "new" dance parents to the etiquette of attending a dance competition, e.g. no leaving the auditorium during an item, when they can and cannot go to dressing rooms etc.

Any queries and be directed to our Dance Director on.....
or..... this can include withdrawals. Withdrawals can also be notified at the registration desk if not done so beforehand.

The Mount Gambier Eisteddfod is staffed by 100% volunteer persons. These volunteers are becoming harder to find and without them we would not be able to operate. We have lost several volunteers over the past few years due to inappropriate behaviour of contestants or teachers or parents. To this end we have put in place a new general rule. 5.18.1 and 5.18.2 Please read this rule and ensure all attending from your school are familiar with it.

May we wish you all the best for a happy and successful 2025 competition

Backstage Incorporated, The Mount Gambier Eisteddfod

18.3 GRANTS AND SPONSORSHIP PROGRAM - FRINGE BERRIN INC

Author: Biddie Shearing, Manager Economy, Strategy and Engagement

Authoriser: Chris White, General Manager People Place and Liveability

RECOMMENDATION

1. That Council report titled 'Grants and Sponsorship Program - Fringe Berrin Inc' as presented on Tuesday 18 February 2025 be noted.
2. That Council note the significant contribution to the local economy of Fringe Berrin Inc. of approx. \$1.5m per year.
3. That Council authorises the Chief Executive Officer to enter into a multi-year partnership agreement with Fringe Berrin Inc. of:
 - 2025/2026, \$51,500 and (up to) \$7,000 in-kind
 - 2026/2027, \$53,045 and (up to) \$7,500 in-kind
 - 2027/2028, \$56,000 and (up to) \$8,000 in-kind

PURPOSE

The purpose of this report is to recommend an allocation of funding via the Grants and Sponsorships Program to Fringe Berrin Inc (referred to in earlier Council reporting and elsewhere as 'Fringe Mount Gambier').

BACKGROUND / OPTIONS

Council has received a three-year partnership proposal from Fringe Berrin Inc. The proposal presents Council with an opportunity to build on previous years sponsorships and evolve the long-term arrangements into a formal partnership. This will support community capacity building and develop cultural pathways while positioning Mount Gambier on a global platform amongst the Fringe movement.

The Council resolution on 17 September 2024 is as follows, noting (5) is relevant to this report:

1. *That Council report titled 'Grants and Sponsorship Program 2024/2025 - Round 1' as presented on Tuesday 17 September 2024 be noted.*
2. *That \$239,805 cash plus \$40,328 in kind be endorsed for distribution for round one of the 2024/2025 Grants and Sponsorship program.*
3. *All applicants be notified accordingly, advising that the provision and acquittal of these grant funds will be subject to:*
 - (a) all necessary land holder and development approvals being obtained; and*
 - (b) all works being completed in accordance with all relevant legislative and compliance standards.*
4. *That Council invite the Generations in Jazz committee to present a three to five year business plan and funding model at an Elected Member briefing to be held before the end of the current calendar year.*
5. *That Council invite the Fringe Mount Gambier committee to present a three to five year business plan and funding model at an Elected Member briefing to be held before the end of the current calendar year.*

6. *That Council seeks further information from Mount Gambier Community Management Inc. and Mount Gambier Swimming Club regarding their applications to be presented to the assessment panel for recommendation.*

Fringe Berrin Inc. presented their multi-year proposal to Elected Members on Tuesday 28 January and explained that their request was for a 3-year funding agreement due to the changing landscape and nature of the event.

Investment Background:

The City of Mount Gambier and Fringe Berrin Inc. have been in partnership since the event inception in 2017. Fringe Mount Gambier became the incorporated body Fringe Berrin Inc. in 2023. The table below outlines the City of Mount Gambier’s investment in Fringe Berrin Inc. over the past three years.

Year	City of Mount Gambier investment
2022/2023	\$35,000 cash and \$10,000 in-kind
2023/2024	\$35,000 cash and \$5,000 in-kind
2024/2025	\$5,000 cash

While Council is supporting the Fringe Berrin Inc. Outreach program in 2025 with \$5,000 cash, it is also supporting a touring Fringe-related act (direct to the artist) with \$2,000 via the Quick Response Funding Stream as part of the Grants & Sponsorships Program. This demonstrates commitment to the sector and acknowledges the strategic links to supporting creative and cultural activation across the city.

The Community Partnership Request:

Fringe Berrin Inc. seeks cash plus in-kind for three years commencing 2025/2026 Financial Year.

Year	City of Mount Gambier investment
2025/2026	\$51,500 and (up to) \$13,000 in-kind
2026/2027	\$53,045 and (up to) \$13,390 in-kind
2027/2028	\$56,000 and (up to) \$13,791 in-kind

The in-kind amount requested assumes Council delivering road-closure and traffic management, however this component of the event is required to be delivered by the event proponent. This explains the variation between the in-kind amounts sought and those stated in the report recommendation.

Community Benefit and Return:

Fringe Berrin Inc. brings a unique blend of community benefit across cultural, economic, social and personal outcomes, including:

- Culturally creating a vibrant atmosphere and bringing excitement to the City, through activation of public spaces and venues.
- Generating \$1.5m in economic activity in the city through inter & intrastate visitors, ticket sales and associated activity (meals, retail and accommodation).



- Promoting social inclusion by engaging large sections of the community across ages, gender, families, culturally and ability diverse groups.
- Fostering new and emerging cultural experiences by broadening artistic horizons.

IMPLICATIONS TO CONSIDER

Legal	Successful applicants are required to obtain all necessary land use, landholder and development approvals and complete works in accordance with relevant legislative and compliance standards. Applicants must sign an Acceptance of Grant Conditions agreement, with terms set out by Council, prior to commencing project/event.																
Financial and Budget	<p>Council has already allocated funding via the Grants and Sponsorship Program for 2024/25 financial year for Fringe Berrin Inc.</p> <p>This report recommends a three-year financial commitment for Fringe Berrin Inc. This will require pre-allocations of Grants and Sponsorship Program funds for the Financial Years of 2025/2026, 2026/2027 and 2027/2028, outlined below as per the final proposal from the proponent.</p> <p>Noting that Council has previously endorsed pre-allocations for Pioneers Basketball & Generations in Jazz as part of multi-year Community Partnership Agreements, these amounts have been factored into the table below.</p> <table border="1" data-bbox="624 1010 1430 1397"> <thead> <tr> <th data-bbox="624 1010 815 1066">Financial Year</th> <th data-bbox="815 1010 1015 1066">2025/2026</th> <th data-bbox="1015 1010 1214 1066">2026/2027</th> <th data-bbox="1214 1010 1430 1066">2027/2028</th> </tr> </thead> <tbody> <tr> <td data-bbox="624 1066 815 1205">Pioneers basketball & Generations in Jazz pre-allocation</td> <td data-bbox="815 1066 1015 1205">\$85,000 + CPI</td> <td data-bbox="1015 1066 1214 1205">\$85,000 + CPI</td> <td data-bbox="1214 1066 1430 1205">\$85,000 + CPI</td> </tr> <tr> <td data-bbox="624 1205 815 1317">Fringe Berrin Inc.</td> <td data-bbox="815 1205 1015 1317">\$51,500 Up to \$7,000 in-kind</td> <td data-bbox="1015 1205 1214 1317">\$53,045 Up to \$7,500 in-kind</td> <td data-bbox="1214 1205 1430 1317">\$56,000 Up to \$8,000 in-kind</td> </tr> <tr> <td data-bbox="624 1317 815 1397">Total pre-allocations to date</td> <td data-bbox="815 1317 1015 1397">\$136,500 +CPI</td> <td data-bbox="1015 1317 1214 1397">\$138,045 +CPI</td> <td data-bbox="1214 1317 1430 1397">Circa \$141,000 +CPI</td> </tr> </tbody> </table> <p>It is noted that future funding proposals from the proponent would need to be presented in time to inform Council's consideration of the 2028/2029 annual budget (and subsequent years).</p> <p>Council has also discussed at workshops whether allocations for the longer-term partnerships, such as the one proposed by this report, should be separated out in future budgets. This will be explored during the budget process for next financial year, and in a forthcoming review of the Grants and Sponsorship Program.</p>	Financial Year	2025/2026	2026/2027	2027/2028	Pioneers basketball & Generations in Jazz pre-allocation	\$85,000 + CPI	\$85,000 + CPI	\$85,000 + CPI	Fringe Berrin Inc.	\$51,500 Up to \$7,000 in-kind	\$53,045 Up to \$7,500 in-kind	\$56,000 Up to \$8,000 in-kind	Total pre-allocations to date	\$136,500 +CPI	\$138,045 +CPI	Circa \$141,000 +CPI
Financial Year	2025/2026	2026/2027	2027/2028														
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Total pre-allocations to date	\$136,500 +CPI	\$138,045 +CPI	Circa \$141,000 +CPI														
Community Consultation and Engagement	<p>Fringe Berrin Inc. made a deputation to Council at an Ordinary Council Meeting on 19 November 2024.</p> <p>An Elected Member briefing was held on 28 January 2025, which was open to the public to attend, where Fringe Berrin Inc. presented a three-year business plan and funding model.</p>																



Other Resources	In addition to the financial commitments through the Grants and Sponsorship Program, the proposal seeks in-kind support which is offered as part of Business as Usual for Council.
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RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance - Council experiences financial loss as a result of inappropriate allocation of funds.	Minor (2)	Possible (3)	Moderate	Applicants must sign an Acceptance of Grant Conditions Agreement, with terms set out by Council, prior to commencing project/event.
Reputation - Council experiences negative news profile, public agitation and loss of trust as a result of inadequate allocation of funds.	Moderate (3)	Possible (3)	Moderate	Applications assessed against predetermined criteria and considered by panel as part of Grants and Sponsorship Program.
Legal / Regulatory / Policy - Failing to adhere to Council's Grants and Sponsorship policy.	Minor (2)	Possible (3)	Moderate	Adherence to Council policies. Applications assessed against predetermined criteria and considered by panel as part of Grants and Sponsorship Program.
Service Delivery – Funded event/projects are not delivered in accordance with grant conditions. Precedence now exists for allocating multi-year partnership agreements	Minor (2)	Possible (3)	Moderate	Applicants must sign an Acceptance of Grant Conditions Agreement, with terms set out by Council, prior to commencing project/event. Explore criteria for multi-year approvals as part of the policy & procedure
People - Negative impact to	Minor (2)	Unlikely (2)	Low	Ongoing and regular contact



community engagement and satisfaction as a result of the new Grants and Sponsorship process and administrative requirements.				between applicants and key council personnel. Feedback collated to review process and refine.
Environmental - Environmental damage to community land caused by inadequate land use planning and management.	Moderate (3)	Possible (3)	Moderate	Applications, including event location, considered by panel as part of Grants and Sponsorship Program. Community Land Use Permit requirements. Ongoing and regular contact between applicants and key council personnel.

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 4: Economic and Business Growth

4.10 Enhance Mount Gambier’s appeal as a year-round destination through marketing, events and infrastructure.

Priority 5: A Vibrant Community

5.7 Support and foster a program of festivals, events and arts initiatives that celebrate and promote diversity, accessibility and inclusivity, ensuring that everyone can fully participate in the cultural and social life of the city.

5.8 Cultivate community led festivals, events and collaboration.

5.11 Position Mount Gambier as a regional centre for live performance.

5.12 Recognise, encourage and support artists, emerging artists, writers and performers through promotion of the arts and supporting opportunities to exhibit and perform.

5.13 Foster creative expression and enhance public spaces by supporting artists to produce public art that engages the community and travellers in meaningful artistic experiences.

This report contributes to delivery of the following key strategic project(s):

Priority 5: A Vibrant Community

Pursue programs and opportunities that enhance the live entertainment in our city.

RELEVANT COUNCIL POLICY

[Grants and Sponsorship](#)



IMPLEMENTATION AND NEXT STEPS

Pending the Council resolution on 18 February 2025, Council administration will follow the notification process to advise the proponents.

It is proposed Council administration continues to meet regularly with Fringe Berrin Inc. to ensure all opportunities are explored, monitored and measured, with a report provided by the proponents to Elected Members by 31 December annually.

CONCLUSION

This report recommends endorsing a pre-allocation of:

Year	City of Mount Gambier investment
2025/2026	\$51,500 and (up to) \$7,000 in-kind
2026/2027	\$53,045 and (up to) \$7,500 in-kind
2027/2028	\$56,000 and (up to) \$8,000 in-kind

It is suggested that council enter into a multi-year Community Partnership Funding Agreement with Fringe Berrin Inc. which specify details pertaining to each partnership.

ATTACHMENTS

1. Fringe Berrin Inc. 3-year Business Plan (2026-2028) [**18.3.1** - 16 pages]
2. 3-year projected budget - V 2 [**18.3.2** - 1 page]
3. Fringe Berrin Inc. 26 Marketing Plan. V 2 [**18.3.3** - 3 pages]



FRINGE MOUNT GAMBIER

Fringe Mount Gambier

3-Year Business Plan (2026 - 2028)

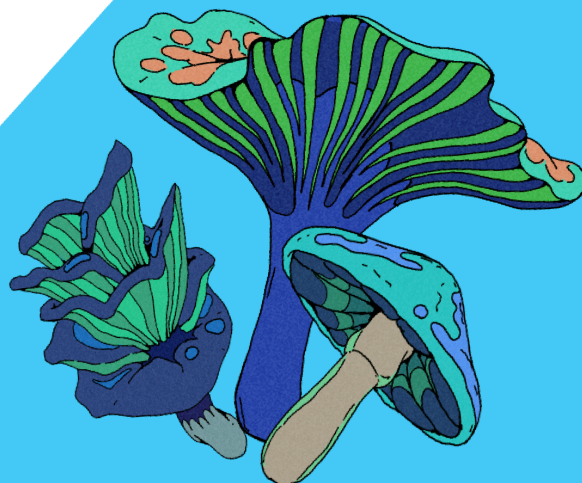
Fringe Berrin Inc.

2/26 Doughty Street

Mount Gambier SA 5290

www.fringemountgambier.com.au

(February 2025)



Acknowledgement

martu kakayi / welcome

“Nhu wulnuwitjara wurtati-wa martu kakayi kalayi winggara ba kanapinan kakayi miya ba miya Fringe-u Berrin-a Bunganditj-u (Boandik-u) mraat-u.”

“The traditional custodians of South East Country welcome many friends and children (to) come together side by side for Fringe in Mount Gambier on Bunganditj (Boandik) country.”

Yawuri / Aunty Penny Bonney
Moandik, Meintangk and Narrungga Elder

miya ba miya berrin

Together, side by side, Mount Gambier

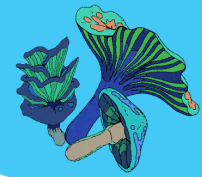
Fringe Berrin putama nhu mraat, mraat Boandik-at wulnuwitjara Berrinat ba mraatat mingru Berrin.

Fringe Berrin recognises this country (is) the country of the Boandik, the traditional custodians of Mount Gambier and the country around Mount Gambier.

We acknowledge that the oldest living culture in the world has been kept alive by a rich and continuing history of storytelling, music, dance, art and language.

We pay our respects to all Aboriginal and Torres Strait Islander Elders past and present, who maintain an enduring spiritual and cultural connection to the land. Sovereignty was never ceded.





Executive Summary

After 7 years, Fringe Mount Gambier has established itself as the largest regional arts festival in South Australia. Held in Mount Gambier in late March each year, the festival (presented by the community-led not-for-profit Fringe Berrin Incorporated) boasts a unique format of 4 interrelated elements:

- Free curated major community event – such as the renowned FRINGELAND and in 2024, ‘The Laneways’ series
- Open-access event program – a diverse program of ticketed and non-ticketed events presented across the city, throughout the 16-days of the festival
- Fringe Outreach – bringing Fringe arts experiences directly to vulnerable groups in the community
- FringeUP! and the festival theme – engaging local businesses, organisations and schools to participate in the festival theme and ‘Fringe up’ their premises

Each of the 4 festival elements work together to provide a broad range of cultural, economic, social, personal and professional benefits in the community. The unique model works to maximise arts participation in the community and reduce barriers to the arts, such as financial costs and accessibility. It provides professional development opportunities for artists and arts workers through the high-quality curated event and open-access program, as well as unique and rewarding professional experiences in Fringe Outreach. The combination of the major community event, the open access events spread across the city and FringeUP! work to create a vibrant atmosphere, promote Mount Gambier as a cultural destination and increase tourism and visitation – with flow-on effects beyond the festival.

Since its inception in 2017, Fringe Mount Gambier has had significant engagement and impact across the community and region:

- Engaging large audiences, over 11,000 attending across the festival in 2023
- Involved more than 1,600 artists, a total of 241 events, in 46 distinct venues across the city
- Worked with 125 local businesses in 2023/2024 as venues, service providers, sponsors, vendors, traders and arts workers
- Engaged over 2,000 attendees from vulnerable community groups and regional schools in the Fringe Outreach program

In 2023, the success of the festival that year resulted in it being shortlisted as a finalist for SA’s *Ruby Awards* in the category of ‘Best Regional Event or Project’.

This 3-year business plan outlines how Fringe Mount Gambier will continue to build on the success of previous years and work towards its 5 aims:

1. Delivering quality arts, sustainably, and of national recognition
2. Delivering new arts, to new audiences
3. Promoting diversity and inclusion, and increasing arts participation
4. Ensuring community engagement and leadership
5. Building cultural capacity in the community

Objectives and key performance indicators (KPIs) for each of the aims have been set for the 2026-2028 period and will be reported against annually, along with more regular progress reports.

A SWOT analysis highlights the many strengths of the festival, from its strong partnerships (with local First Nations elders, the business community and regional arts sector), to its broad community support and appeal, its skilled governance team, and ongoing commitment to delivering an inclusive and accessible arts festival for all. The greatest threats to the festival in recent years (since the pandemic) have been largely financial – with the heavy workload of securing grants, the reduced and short-term nature of the funding, against a backdrop of ever-increasing festival and events costs.

Fringe Berrin Inc. has introduced 4 key strategies to help ensure the financial and governance sustainability of the Fringe Mount Gambier festival:

1. Secure funding with sufficient lead-in time and multi-year funding.
2. Develop and support a skilled governance team and festival workforce.
3. Implement evaluation for continuous improvement and demonstrating impact.
4. Increase the festival's profile in SA, interstate and nationally.

The festival's objectives and KPIs for 2026-2028 align with these sustainability strategies.





Festival Overview

Fringe Mount Gambier is the largest regional arts festival in South Australia held in Mount Gambier in late March each year.

Launched initially as a collaboration with Adelaide Fringe in 2017, the festival has continued independently from 2018 through the strong ongoing support of the regional community, City Mount Gambier Council, businesses, and artists - establishing itself as an important and unique festival in its own right.

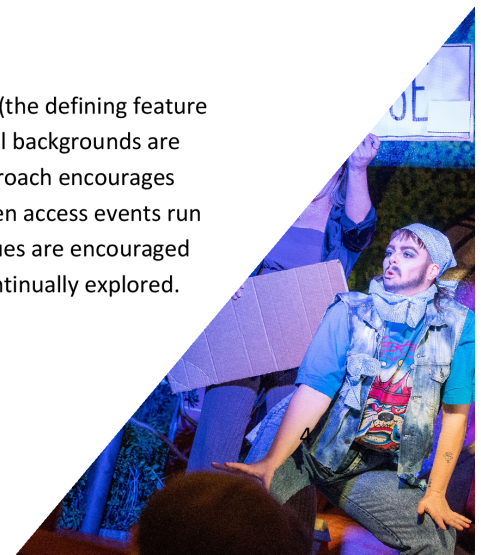
Fringe Mount Gambier 2024 marked the 7th year of the festival. After recovery from the pandemic years, the festival has continued to re-grow and develop. Fringe Mount Gambier is managed and presented by a community-led Committee, originally auspiced by City Mount Gambier until 2022 when it became an incorporated body, **Fringe Berrin Incorporated**, for the 2023 festival.

The success of Fringe Mount Gambier lies in its unique format and commitment to its regional community. The key elements of the festival are:



- **Free curated major community event:** The major 2-day event **FRINGELAND** is held in the CBD's Cave Garden / Thugi, presenting a free-entry high-quality curated program of internationally and nationally acclaimed artists, alongside emerging artists from the region. The event attracts large audiences (most recently approximately 8000 in 2023) from the region, and visitors from elsewhere in SA and interstate. Roving and street artists turn nearby streets and parklands into vibrant art spaces, and draw audiences into the central FRINGELAND site. Accompanying the art is a showcase of regional produce (food, wine, and craft beer) from the Limestone Coast. In 2024, Fringe presented an alternative series of free major community events with **FRINGE LANEWAYS**).

- **Open-access event program:** Fringe Mount Gambier is an open access festival (the defining feature of any Fringe festival) – where artists of any stage of career, any artform and all backgrounds are welcomed, and a wide variety of venues and spaces utilised. This inclusive approach encourages creativity, experimentation, and builds cultural capacity in the community. Open access events run for the 16 days of the festival (providing 3 weekends for events). Previous venues are encouraged and supported to participate again each year, and new venues/settings are continually explored.





- **Fringe Outreach:** The Fringe Outreach program aims to reduce physical and social barriers to arts engagement, by bringing Fringe arts experiences directly to vulnerable groups in the community and those less likely to engage. To date, Fringe Outreach has been delivered to community members living with disability, positive-aged, those experiencing homelessness or on low incomes, foster families and carers, and students at our small regional schools or alternative education settings.

- **FringeUP! and the Festival Theme:** Businesses, organisations and schools are invited to 'Fringe UP' their premises in the lead up to and during the festival. A festival theme is chosen, of relevance to the region's iconic attractions, natural environment and history. The community is encouraged to embrace the theme and incorporate the festival colour, creating a wave of BLUE across the city.



The festival's format, location and timing make it stand out from other arts events:

- As a free-entry curated event, FRINGELAND provides unparalleled access to high quality art, free to the general public. Other festivals (including other Fringe festivals) rarely provide such opportunities, with ticket costs a major barrier for many - particularly families and those in regional areas.
- Mount Gambier's location between Adelaide and Melbourne, so close to the SA/VIC border, provides a valuable opportunity for increased interstate visitation.
- Its location en route and running in the period between Adelaide Fringe and Melbourne Comedy Festival, provides opportunity to attract artists (and tourists) travelling between the two major metropolitan festivals.
- Artists benefit from the unique mix of festival components: secure income from the curated major event (reducing financial risk); creative freedom to present in the open-access program, earning additional income and gaining new audiences; and rewarding experiences (and secure income) participating in Fringe Outreach.

Benefits to Community

Evaluation of the festival to date has begun to uncover and measure the broad-ranging benefits and impact of Fringe Mount Gambier on the community:

Cultural

- Creates a vibrant atmosphere and brings excitement to the city
- Diverse and high-quality programming
- Promotes Mount Gambier as a cultural destination
- Activation of public spaces and venues across the city
- Increased sense of civic pride
- Positive media coverage, promotes positive images of the city in other regions
- Increased creativity and arts activity in the community
- Fosters positive attitudes towards the arts and how they are valued

Economic

- Increased tourism to Mount Gambier from intrastate and interstate
- Increased visitation to the CBD, with increased trade
- Additional employment for artists, venue staff, arts workers and those in other sectors such as retail, hospitality, transport and accommodation
- Increased exposure and sales for local producers
- Increased revenue and income through ticket sales
- Flow-on effect of new arts projects or events beyond the festival period, creating further employment and economic activity in the city
- Career and skill development for arts workers and artists, increasing their earning potential

Social

- Promotes social inclusion. Engages large sections of the community – across ages, genders, families, young people, culturally diverse and ability diverse groups.
- Brings people together, increasing connection and sense of community
- Provides opportunity to give back to the community (volunteers, artists)
- Challenges perspectives, creating a more inclusive and progressive community
- Community ownership – Fringe Berrin is community-led, for the community

Personal

- Provides new arts and cultural experiences – ‘broadening artistic horizons’
- Increases arts participation and reduces barriers
- Provides fun, enjoyment, and positive experiences
- Inspires and motivates individuals to participate in the arts beyond the festival
- Improved well-being (in the short-term), particularly among Outreach participants



Professional

- Opportunities for artists, arts workers, volunteers and others to develop skills and gain experience
- Support for early career artists and arts workers
- Increased exposure and valuable platform for artists and local businesses
- Diverse performance opportunities and rewarding experiences for artists (especially in Outreach)
- Opportunities for networking and new collaborations for artists, venues and businesses
- Increased confidence among artists and venues to present shows beyond the festival, and visiting artists to return to Mount Gambier
- Encourages artists to participate in other festivals, and further develop their career



Key Achievements and Outcomes to date

Since its inception in 2017, the Fringe Mount Gambier festival has:

- Engaged large audiences, including a total attendance of 11,450 across the festival in 2023, when FRiNGELAND was last held.
- Involved more than 1600 artists (including emerging, professional, regionally based and touring artists), in 241 events and 46 distinct venues across the city and region.
- Activated public spaces and facilities across the city, including Cave Garden / Thugi, Wulanda, Umpherston Cave / Balumbal, the Library, Helpmann Theatre, Wehl St Theatre, the Old Laundry, the Rail Lands, the Showgrounds, our city-centre streets and laneways.
- Engaged a total of 125 local businesses in 2023 and 2024 as venues, sponsors, service providers, vendors, market traders and arts workers.
- Provided employment and career development opportunities for those in the region seeking to work in events and the arts.
- Significantly increased the number of locally produced events in the open-access program, from just one event in 2017, to 23 local productions in 2024.
- Engaged over 60 community groups and organisations in the Fringe UP! Campaign.
- Between 2022 and 2024, the Fringe OUTreach program engaged over 2000 attendees from vulnerable community groups and regional schools, and worked with 15 organisations.
- In 2024, Fringe Mount Gambier presented the inaugural FRiNGE LANEWAYS series of free public events, successfully demonstrating the festival's ability to deliver diverse and exciting arts and cultural experiences in under-utilised community spaces.

In 2023, Fringe Mount Gambier was delivered in its fullest format since the pandemic, with the return of FRiNGELAND in the CBD, together with a full Open Access program and Fringe Outreach. The success of the 2023 event, confirmed Fringe Mount Gambier as a major festival event in South Australia, receiving national (ABC TV National) and statewide attention and recognition - shortlisted as a finalist for SA's *Ruby Awards* in the category of *'Best Regional Event or Project'*.





Organisational Structure

Fringe Mount Gambier is a community-led festival, delivered by **Fringe Berrin Incorporated – a non-profit incorporated association.**

The Fringe Berrin Committee is a team of diversely skilled and experienced members - consisting of arts and events workers, artists, local business owners, administrative staff and with the guidance of highly-valued community and cultural advisors. The majority of work around the delivery of the festival is provided without remuneration.

Fringe Berrin Inc. Committee Members

[REDACTED] – Chairperson, Artistic Director

Inaugural member of FMG planning team and Artistic Program Manager since 2019. Established relationships with key festival stakeholders. Professional musician with broad festival / performance experience, including 11 years Adelaide Fringe. Experienced event coordinator in the region.

[REDACTED] – Public Officer, Administration & Finance

Expertise in Business Operations, HR, OH&S and Finance. Background in not-for-profit community organisations in New Zealand.

[REDACTED] Secretary, Logistics

Events and logistics experience with Fringe Mount Gambier since 2018. Her experience spans across major events, weddings and festivals and includes bar management, site decor and lighting, logistics and administration.

[REDACTED] Community Engagement and Programs

Fringe Parade coordinator 2018-2020. Theatre-maker, professional dancer, performer, composer, producer, musician, curator and events. FMG artist since 2017.

[REDACTED] Projects and Evaluation

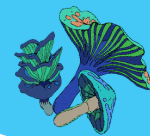
Experienced evaluator, in the arts, education, youth justice and rural health. Relevant skills in project design, survey design, interviewing, focus groups, data analysis, reporting and grant writing.

[REDACTED] Production Manager

Production at FMG events since 2019. Broad experience in production across the region's music and major events. Production at Helpmann Theatre, Fringe venues, across artforms.

Community Advisors

- **[REDACTED] – First Nations Cultural Advisor [REDACTED]**
[REDACTED] Has conducted Welcome to Country at FMG since 2017. Provided cultural advice to FMG programming since 2021. Co-curator of FMG Welcome Ceremony in 2021 and 2022.



[REDACTED] Producer, Events, and Grants

[REDACTED] has a unique skill set in the regional arts community and with Fringe Mount Gambier. An inaugural member of the festival planning committee, and [REDACTED] is also an accomplished producer, stage manager, and grants guru! An invaluable consultant and resource to the Fringe Berrin committee and festival.

[REDACTED] - Venue Presenter and business

[REDACTED]. Long term participant in Fringe Mount Gambier since 2018 as artists, event presenter and Fringe venue. Interested in role of Volunteer coordinator.

[REDACTED] Hospitality and business

[REDACTED] and [REDACTED] Key hospitality business involved with Fringe Mount Gambier since 2018. Business, events, logistics and hospitality expertise.

Outsourced roles

- Marketing
- Social Media and content
- Volunteer Coordinator (*to be assigned*)
- Graphic Design / Visual Artist

Who we work with - Our Key Stakeholders

The festival has a broad range of key stakeholders who we consult both in the planning stages and following the festival during evaluation:

- Local arts and cultural venues/organisations
- Local and regional businesses (sponsors, hospitality, accommodation, service providers, traders)
- Local/state government (City Mount Gambier, other services/organisations)
- Local community groups /Volunteers
- Local First Nations elders and community
- Artists and Arts workers
- Audiences

In 2023 and 2024, there were 125 local businesses involved in the festival, demonstrating the significant community involvement in the festival, not only with artists and community, but with the vibrant and diverse business community in Mount Gambier.





Fringe Mount Gambier (2026 to 2028) - Aims, Objectives & KPIs

Mission Statement

To provide opportunities and support for artists and our regional community to engage together in diverse artistic experiences and enrich the cultural landscape of the Mount Gambier region.

Our Aims

- 1: Sustainably deliver a high-quality arts and cultural festival of national recognition, increasing visitation to Mount Gambier.*
- 2: Bring arts and cultural experiences to new audiences and broaden perspectives.*
- 3: Promote diversity and social inclusion, and address barriers to arts participation.*
- 4: Ensure Fringe Mount Gambier is community-led, with strong community support, and reflects diverse community interests and needs.*
- 5: Build arts and cultural capacity in our community, through new opportunities and support for regional artists, arts workers and venues.*

Objectives and Key Performance Indicators (2026-2028)

Objectives and key performance indicators for each of the aims have been set for the 2026-2028 period and are given below. The KPIs will be reported against annually, with progress reports also available.

Deliver quality arts, sustainably, of national recognition

1. Secure internationally/nationally renowned headline act for the FRINGELAND event.
2. Grow the profile of Fringe Mount Gambier intrastate and interstate.
3. Assess outcomes and impact of the festival and areas for continuous improvement.
4. Establish new income streams such as through new sponsorships, new grant funding, Fringe Bar.
5. New recruitment and mentoring for future governing committee.
6. Improve environmental sustainability by reducing festival waste.

KPI 1 - Increase engagement on social media platforms by 20% by 2028.

KPI 2 - State/National media coverage in each year Fringeland is presented.

KPI 3 - Increase engagement with Fringe Attendees Survey to 300 respondents by 2028.

KPI 4 - At least 75% of attendees 'very satisfied' with 'Overall event' and 'Entertainment' by 2028.

KPI 5 - At least 75% of artists 'very satisfied' with 'Overall event experience' by 2028.

KPI 6 - Increase proportion of returning attendees by 20% from 2026 to 2028.

KPI 7 - Increase grant funding and sponsorship by 10% from 2026 to 2028.

KPI 8 - Recruit at least one new committee member or mentee each year from 2026 to 2028.



New Arts, New Audiences

7. Deliver a range of artforms in the festival programming, across a variety of locations and settings.
8. Increase overall attendance at Saturday FRiNGELAND and the proportion from intrastate (overnight stay) and interstate.
9. Increase attendance at registered open access events, including those locally produced.

KPI 9 - Deliver events across at least 25 distinct venues/locations in each year 2026-2028.
KPI 10 - Increase attendance at Saturday FRiNGELAND to 5000, and proportion from intrastate (overnight) and interstate to be at least 20%.
KPI 11 - Increase attendance at open access events to 4000 by 2028.
KPI 12 - Increase attendance at locally produced events by 20% by 2028.

Diversity and inclusion, increased participation

10. FRiNGELAND program to include opportunities for First Nations, CALD, age diverse and ability diverse artists and community performance groups.
11. Deliver Fringe OUTreach project to increase arts participation among these target groups.
12. Improve accessibility of Fringe Mount Gambier events and online resources (including website, forms and ticketing, height of service areas, disabled toilets, wheelchair space in audiences, low sensory spaces). Encourage venues and artists to consider accessibility with their events.

KPI 13 - 1 in 3 FRiNGELAND artists to be from culturally or linguistically diverse backgrounds, including First Nations artists by 2028.
KPI 14 - Increase proportion of Fringe Survey respondents who identify as having First Nations, CALD, or ability diverse backgrounds, and the proportion aged 16-24, by 20% from 2026 to 2028.
KPI 15 - Expand Outreach project to include one new community service/organisation or school each year from 2026 to 2028.

Community Engagement and Leadership

13. Broad representation of community voices within the Fringe Mount Gambier planning process.
14. First Nations consultation and input throughout festival planning, delivery and evaluation.
15. Increase engagement of businesses and schools in the FringeUP! project.
16. Increase engagement of volunteers and local volunteer groups in the festival.

KPI 16 - Maintain at least one Committee member (or Advisor) from each key stakeholder group - regional arts and events workers, regional artists, local business owners, and our First Nations community, over 2026 to 2028.
KPI 17 - Engage at least 3 schools and 20 businesses/local services in FringeUP! in 2026. Increase this by 30% by 2028.
KPI 18 - Engage at least 5 volunteers to assist at FRiNGELAND each year from 2026 to 2028.



Building Cultural Capacity

17. Facilitate opportunities for those in the arts and cultural sector to gain new experience or employment, develop skills, and collaborate.

KPI 19 - At least 40% of FRINGELAND acts to be early career (emerging) artists each year.
KPI 20 - Increase the number of Open Access events by early career artists by 20% from 2026 to 2028.
KPI 21 - Increase the number of new collaborations and new shows/events resulting from the festival, by 20% from 2026 to 2028.

Event Evaluation

An evaluation framework implemented in 2023 improved the accuracy and scope of data monitoring on the festival's activity and outcomes. The mixed-methods approach includes analysis of:

- Programming and registrations data (to report on artforms, number and profile of artists, events delivered, venues used)
- Ticket sales data will be captured via the Humanitix ticketing platform and attendance data directly from venues. Attendance for all OUTreach events will be recorded. Where available, demographic and other data on attendees will be analysed.
- Engagement measures on social media platforms (and website)
- Number and reach of press coverage (print, radio, etc), distribution of posters and programs
- Financial data
- Data on increased tourism and visitation before, during, and after the festival weeks (working with Regional Development Australia Limestone Coast, Limestone Coast Local Government Association, and the Mount Gambier Visitor Centre)
- Data on economic impact of the festival for food and licensed vendors involved in FRINGELAND, and other hospitality/retail business stakeholders.
- Measures for the Fringe Up! project (registrations, competition entries)
- Brief online survey of attendees (including continued use of the SATC evaluation tool) with incentive. Providing data on attendees profile, expenditure, and attitudinal measures.
- Qualitative data: In 2026, the focus will be on exploring the experiences of artists, arts workers and venues - regarding the economic impact of the festival, its impact on career opportunities, support during and beyond the festival, and their involvement in the OUTreach program. A mix of online surveys and in-depth interviews will be used to capture this rich evaluative data.

SWOT Analysis

Analysis of the festival’s Strengths, Weaknesses, Opportunities and Threats (SWOT analysis) is summarised in the table below. It highlights Fringe Mount Gambier’s many strengths, particularly those which relate to the festival’s social, community and professional objectives. In contrast, the greatest threat to the festival in recent years, following the uncertain years of the pandemic, has been financial insecurity, with reduced and short-term grant funding, sponsorship challenges and increasing festival and events costs (such as insurance and security).

<p>Strengths</p> <ul style="list-style-type: none"> • Increased First Nations involvement and attendance. • Strong working relationship with local elders. • Established festival, known in the region with strong community investment • Unique festival model with 4 key elements • Engaging audiences across all age groups. • Experienced and skilled committee members • Growth of Fringe Outreach program. • Unique and rewarding experiences for artists via the Outreach program. • High number of returning professional Fringe artists • Common ticketing platform for Fringe events via Humanitix. • Positive and widespread media coverage. • Established evaluation framework. 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Heavy workload securing grants annually and tight timelines from funding acquisition to festival start • Lack of budget to engage additional skilled personnel. Reliance on local businesses sponsorship and goodwill. • Lack of resources to maintain and update online presence all year round
<p>Opportunities</p> <ul style="list-style-type: none"> • Inclusive festival - diverse ability artists. • Strong support and interest from local organisations/services for the Fringe Outreach program – addressing needs in the community • Providing alternative for regional audiences to travelling to Adelaide / Melbourne for Fringe or Womadelaide 	<p>Threats</p> <ul style="list-style-type: none"> • Reduced or short-term (single-year) funding • Limited financial resources to secure/retain skilled committee members • Sponsorship fatigue • Increasing festival and events costs





Event Sustainability

Fringe Mount Gambier is committed to ensuring sustainability for the festival - both financially and its governance. A number of strategies are being implemented to help achieve this:

Strategy 1 - Secure funding with sufficient lead-in time.

A significant risk to the sustainability of Fringe Mount Gambier has been the timing of annual key funding rounds being too close to the delivery of the festival. The short lead-in times, along with a lack of consistent funding, has placed increasing pressures on the festival's planning and limits its development and pathway to sustainability. Fringe Mount Gambier took action to reset its funding cycles, pausing the large resource-intensive community event, FRINGELAND, in 2024. Applications for significant and multi-year grants will continue throughout 2025 and the following 3-year period.

Strategy 2 - Develop and support a skilled governance team and festival workforce (including community volunteers)


Retaining our skilled governance team, external contractors, and recruiting and training committed volunteers is crucial for the sustainability of the festival. Since the pandemic, the pressures from the short lead-in time of grants and reduced funding has put retention of personnel at risk and made it difficult to adequately recruit and support external contractors and volunteers. With increased and longer-term funding, a greater focus can be placed on capacity building for the festival and its governance committee. Improved policies and procedures, knowledge transfer and organisational documentation will be a key focus. A new Strategic plan will be developed for 2026-2028.

Strategy 3 - Evaluation for continuous improvement and demonstrating impact of the festival.

Fringe Mount Gambier implemented an improved evaluation strategy in 2023. Data monitoring systems have improved records of festival activity and outcomes. The data has provided greater clarity of success indicators, progress towards targets and areas which require greater focus. The evaluation has also begun to measure the social impact of the festival, firstly of the Fringe Outreach program, and in 2026 examining the impact on local artists, arts workers and venues, and improving measures of economic impact. The evaluation process is key to improving efficiencies, securing funding, and ensuring quality - which in turn will work towards our goal of sustainability.

Strategy 4 - Increase the festival's profile in SA, interstate and nationally

Increasing the festival's profile will assist in securing future funding and sponsorship, and increase visitation and economic impact. 2023 saw a significant increase in the festival's profile. This was largely the result of available funding to engage a dedicated social media manager that year and valuable national media coverage. Fringe Mount Gambier will secure funding for this again in 2026 and utilise other resources such as the Australian Tourism Data Warehouse (ATDW) Support and Marketing hub; Regional Development Australia - Limestone Coast; and tourism publications. The festival plans to continue a strong print media presence, printed program and poster, and extend distribution and reach to regional publications in Victoria. High quality production and artistic programming are also crucial to achieving a high profile event and maintaining its reputation.

		FRINGE MOUNT GAMBIER - 3 Year Financial		
<i>ex GST</i>	BUDGET 2026	BUDGET 2027	BUDGET 2028	
INCOME				
Grant Funding				
Local Government (City of Mount Gambier)	\$51,150.00	\$53,045.00	\$56,000.00	<i>*see notes and suggested payment schedule</i>
SATC	\$10,000.00	\$25,000.00	\$25,000.00	
Other State	\$5,000.00	\$10,000.00	\$10,000.00	
Federal (Festivals Australia)	\$30,664.00	\$15,000.00	\$30,000.00	
Other Grants	\$5,000.00	\$8,000.00	\$11,000.00	
Sponsorship	\$28,000.00	\$31,000.00	\$35,000.00	
Fringeland Trade Site Fees	\$15,000.00	\$15,500.00	\$16,500.00	
Fringe Sales	\$4,000.00	\$6,000.00	\$8,000.00	
Event Registrations	\$1,500.00	\$1,700.00	\$2,000.00	
Fundraising	\$3,000.00	\$3,500.00	\$4,000.00	
Sub TOTAL CASH	\$153,314.00	\$168,745.00	\$197,500.00	
IN-KIND SPONSORSHIP				
Local Government (*up to proposed value)	\$13,000.00	\$13,390.00	\$13,791.00	
Business Sponsorship (Accommodation partners, Media Partners, Hospitality, Hire)	\$15,000.00	\$14,000.00	\$13,000.00	
Festival honorariums - in kind	\$25,000.00	\$23,000.00	\$21,000.00	
TOTAL INCOME	\$206,314.00	\$219,135.00	\$245,291.00	
EXPENDITURE				
Producer fee	\$10,000.00	\$11,000.00	\$12,000.00	
Honorariums, Wages & Super	\$12,544.00	\$14,400.00	\$15,136.00	
Festival honorariums - in kind costs	\$25,000.00	\$23,000.00	\$21,000.00	<i>in-kind</i>
Administration costs	\$1,050.00	\$1,110.00	\$1,190.00	
Marketing & Media				
Graphic design, artwork & marketing	\$4,045.00	\$4,165.00	\$4,290.00	<i>plus in-kind</i>
Photography, Videography, Socials	\$4,300.00	\$4,445.00	\$4,602.00	<i>**super requirements advice required</i>
Regional and Interstate Media and Publications	\$9,115.00	\$9,410.00	\$9,721.00	
Print - Program, Posters, Corflutes, Venue decals, signage	\$4,890.00	\$5,280.00	\$5,680.00	
Sundry	\$210.00	\$220.00	\$230.00	
Prizes	\$500.00	\$500.00	\$500.00	
Artistic Program				
Artist Fees (including Outreach)	\$39,000.00	\$43,000.00	\$45,100.00	
Artist Super contribution (12%)	\$4,080.00	\$4,320.00	\$4,452.00	
Travel & per diems	\$3,000.00	\$3,500.00	\$4,000.00	
Art Installations	\$5,000.00	\$5,500.00	\$6,000.00	
Site Decor and Amusements	\$3,500.00	\$3,800.00	\$4,200.00	
Logistics				
CMG (road closures, depot staff, city hall, equipment)	\$13,000.00	\$13,390.00	\$13,791.00	<i>in kind</i>
Infrastructure hire (industry standard stage & cover)	\$10,000.00	\$15,000.00	\$15,450.00	
Performance tent(s), freight & labour			\$20,120.00	
Production & Equip Hire costs	\$13,935.60	\$14,388.90	\$14,820.00	
Security & Boundary Fencing	\$8,550.00	\$8,810.00	\$9,080.00	
Logistics	\$2,110.00	\$2,250.00	\$2,395.00	
Fees, Consumables and Fringe Bar	\$4,646.00	\$4,816.00	\$5,008.00	<i>plus in-kind</i>
Event Insurance - Public Liability and Volunteer policies	\$8,861.23	\$9,525.80	\$10,240.25	<i>**Insurance increase at 7.5% per annum</i>
In kind Costs - Sponsored Accommodation, Hire, Goods and Media	\$15,000.00	\$14,000.00	\$13,000.00	
TOTAL EXPENDITURE	\$202,336.83	\$215,830.70	\$242,005.25	
NET SURPLUS / LOSS	\$3,977.17	\$3,304.30	\$3,285.75	
KEY AREAS OF INCREASE		SUGGESTED PAYMENT SCHEDULE		
Event Insurance costs, was not paying until 2023. Advised to expect a 7.5% annual increase		Pre Festival	Payment 1 - 25%	
Super contributions - need to be applied to eligible artists, eligible contractors, 12% as of July 2025.			payment 2 - 25%	
Logistics & Security. Clear boundary required for Fringeland. Cost of services and equipment			Payment 3 - 40%	
Festival infrastructure, industry standard staging etc		Post annual acquittal	Payment 4 - 10%	



MARKETING PLAN 2026

Project name: Fringe Mount Gambier 2026
Theme: Underground Unleashed - volcanic, sink holes etc
Dates: TBC - 20 March to 5 April, 2026
Key events: FRiNGELAND – 27 & 28 March 2026 TBC

Overview:

The marketing plan for 2026 will build on the strong and consistent regional support and attendance for the Ruby Award nominated Fringe Mount Gambier, with an increased focus on growing interstate and intrastate audience attraction to the Festival, particularly with the return of much loved key event, FRiNGELAND.

Advertising will be across various platforms including the festival's growing social media assets; Facebook (5k followers), Instagram (1.7k followers) and TikTok (1.7 followers, 60.3k likes, with up to 378k views on some posts); TVC advertising via WinTV.

Print production will include the Festival Posters and the Printed Program (inclusive of introducing tourism destination cross-promotion within program) to be distributed by volunteers across the city and towns across the Limestone Coast and Victoria region, also via Mount Gambier's Visitor Centre, and other visitor centres across the region, including Victorian locations.

Local, intrastate and cross-border communities will be targeted with advertising / editorial in print media publications, in addition to ATDW, with the festival's inclusion into travel and arts publications to be pursued. The Festival will continue to build on cross-promotion with our accommodation partners and venues, for example the 'Weekend Snapshot' fliers trialed with accommodation providers in 2024, in addition to full Festival Program.

Utilise resources via the Mount Gambier Visitor Centre, and the LCLGA, and further partnership and cross-promotion opportunities with regional producers (wine, breweries, food), venues and accommodation partners, and explore strategic cross-promotion with tourism operators. Creative methods to cross promote and extend marketing into Adelaide and Melbourne.

Funding Acknowledgements: (confirmed) South Australian Tourism Commission, Festivals Australia; and (unconfirmed) - City of Mount Gambier, Other Grant Funding, Major partners and general sponsors.

Copy: **Fringe Mount Gambier is South Australia's largest regional open access arts festival, occurring 20 March to 5 April 2026, with this years theme 'Underground Unleashed'! Major free event FRiNGELAND returns and in 2026 will take over Cave Gardens / Thugi. A swarm of Fringe artists (regional, interstate and international) will take over the city with comedy, circus, aerial, kids shows, theatre, music, visual art, cabaret, drag and more! A community-led Festival for a vibrant city and it's visitors to experience and enjoy art that thrills, challenges and provokes curiosity.*

Campaign period: November 2025 to April 2026

Objectives and KPI's:

- increase attendances at Fringeland to 10,000
- Attendances at registered open access events 3500
- achieve attendance rate of 25% visiting attendees at FRiNGELAND major event
- grow engagement on social media by 20%
- increase traffic to Fringe website by 15%
- increase attendance at tourism locations during Fringe Mount Gambier by 10%

Target audience: People looking for alternative, high-quality, or experimental entertainment. Fans of music, comedy, dance, circus, theatre, visual art, drag, performance art, Fringe entertainment for families. Families, Young Adults. students, tourists, visiting friends and family of residents ("*planning a trip? make it during Fringe Mount Gambier!*"), vulnerable community groups and the elderly (outreach programs)

Key selling points: *Fringe Mount Gambier presents left-of-centre arts activities across all genres. A festival that can feature both internationally acclaimed artists, emerging and experimental all side by side. A counterbalance to the traditional. Something for everyone. Family friendly events. A welcoming place for art and cultural exploration and enjoyment. Victoria school holidays, Easter long weekend linger!*

Marketing & Media Budget: \$22,820

Please see the FMG26 Projected Income and Expenditure for all budget areas

MARKETING BUDGET			
MEDIA AND PUBLICATIONS			
Festival artwork	\$1,545.00		
Graphic Design, marketing and Media	\$2,500.00		
website design and content		\$1,000.00	
Social Media	\$1,200.00		
Photography and Videography	\$2,500.00		
Advertising +Promotion			
Regional print media (matched sponsorship)	\$2,000.00	\$2,000.00	
Interstate media and publications, and EDMs	\$ 1,545.00		
Printed Program x 2500 copies	\$2,200.00		
Posters, Fringe UP, additional fliers and other	\$1,400.00		
Festival and Sponsor corflute for FRINGELAND	\$630.00		
Social Media boosts	\$300.00		
Fringe Venue vinyl Decals 400x400mm	\$360.00		
Roadside Festival signage –all year round –dates decal	\$300.00		
Radio	\$1,070.00	\$600.00	
TVC	\$2000.00	\$1,700.00	
Sundry	\$210.00		
LED screen for marketing & accessibility –2 days FRINGELAND	\$2,500.00	\$500.00	
FringeUP prizes	\$500.00	\$500.00	
TOTAL			\$22,820.00

Other Activity or Dates in the Region: *a number of events / dates are not yet announced or confirmed*

30 -31 January	SCCA Australian Sprintcar Championships
mid-Feb	Coonawarra Fringe; weekend event held at the beginning of Adelaide Fringe
7-8 March (long wknd)	Beer & BBQ Festival (Mount Gambier)
Fri 20 & Sat 21 March	South East Field Days
mid to late March	Mount Gambier Gold Cup Races
mid-April	Fantasy Medieval Fair

****Easter weekend** falls early in 2026 on **3rd to 6th April 2026**

School holidays; SA Term 1 holidays begin 11th April, VIC Term 1 holidays begin **3 April 2026**

Fringe Mount Gambier dates are proposed 27 March to 5 April, with key major 2-day event FRINGELAND to occur on Fri 27 and Sat 28 March.

****TBC - Open access artist and venue presenters will be invited to register Fringe events from 20 March - 6 April to provide opportunity of 3 weekends for event presenters**

Advertising Schedule

DATE	MEDIA	ACTIVITY
Nov to April 2026	Regional news publication (matched sponsorship)	7 x half page ads
		Event SPOTLIGHT column(s) across 8 dates
		6 x editorial + 3 x Front page
Oct to end April 2026	Social Media 2026 campaign	Social media campaign and content across Facebook, Instagram and TikTok
Jan - 8 April 2026	ABC South East radio	Interviews with FMG team + interview schedule with artists
July 2025 - April 2026	SATC - ATDW Platform	Listing for Fringe Mount Gambier festival and key event features
all-year round	Roadside Fringe ad	Roadside Advert signage
Jan - March 2026	SW VIC print media, publications	Advertisement and editorial
Dec - 5 April 2026	Fringe Festival Posters	300 x A3, 100 x A4 - distributed in city, region and cross-border communities
Dec - 5 April 2026	Fringe Venue Decals	Designed Vinyl Decals 400mm x 400mm
Jan - 5 April 2026	Fringe printed Programs	2500 x programs, distributed in city, region and cross border communities
March - 5 April 2026	Triple M / SAFM	interviews leading up to and during the festival
Mid-March 2026	Mount Gambier Magazine	1 x Front Cover and article (SA and Vic) + ad
Early Feb - 5 April	Southern Cross Radio	on-air commercial spot campaign
early March 2026	WIN TVC	34 x 15 sec spots over 3 channels, 2 weeks

18.4 BUDGET FRAMEWORK POLICY B300

Author: Kahli Rolton, Manager Financial Services
Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That the Council report titled 'Budget Framework Policy B300' as presented on Tuesday 18 February 2025 be noted.
2. That having been reviewed by the Audit and Risk Committee on 5 February 2025, the reviewed and amended Budget Policy be adopted.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the Budget Policy arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

PURPOSE

To present the Budget Policy which was reviewed and endorsed by the Audit and Risk Committee at their meeting held, 5 February 2025 for adoption by Council.

AUDIT AND RISK COMMITTEE

Part 1.3 of the Audit and Risk Committee's Terms of Reference sets out the functions of the Committee, in particular:

"The functions of the Audit and Risk Committee include, per the Local Government Act 1999, Division 2, Section 126 (4):

(h) reviewing and evaluating the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis."

Any policies or procedures falling within the ambit of the above provision, or as otherwise required, are presented to the Committee for endorsement and information prior to being presented to Council for adoption.

For noting by Council, The Budget Policy (refer attachment 1 to this report) has been amended in line with comments/suggestions made by the Audit and Risk Committee. It was the Committee's view that their suggestions were not material in nature and did not change the intent of the Policy.

Amendments as follows:

- Inclusion of definitions for: Annual Business Plan and Budget; Long Term Financial Plan
- Expansion of the roles and responsibilities of the Manager Financial Services to better articulate conduit role between Local Government sector, Elected Members, Executive and Management
- Wording clarification in relation to carry forwards.

RELEVANT LEGISLATION

Section 126 (1a) of the Local Government Act 1999 (the Act) states that the purpose of an audit and risk committee established by a council (the Committee) is to provide independent



assurance and advice to the council on accounting, financial management, internal controls, risk management and governance matters.

BACKGROUND / OPTIONS

Council periodically reviews its policies and procedures during each Council term, unless legislative provisions require otherwise, to ensure they remain up to date with legislative, administrative or civic requirements, Council and community expectation and emerging practices in the sector.

Amendments made to the proposed draft Budget Policy include:

- **Title:** Removing “Framework” from the title. Council staff have started drafting a high-level administrative document, Integrated Reporting and Budget Framework. To avoid confusion, removal of framework is recommended.
- **Carry forwards:** To increase the robustness of the Policy, a section on when carry forwards will be allowed and when they will not have been included.
- **Roles and Responsibilities:** To ensure that Council receives the best input of significant stakeholders, roles and responsibilities have been expanded which will assist with accountability.

Further amendments have been made to assist simplification for readers and those with specific roles and responsibilities.

DETAILED IMPLICATIONS

Legal	The Local Government Act 1999 and other Acts require Council to adopt certain ‘mandatory’ policies. Except where prescribed there is no legislative requirement to review policies with any particular frequency or time period, however it is practically necessary and a common sector practice. Council has resolved to review each policy at least once during the Council term (i.e. during the period November 2022 to November 2026). Noting policies should be reviewed prior to the election caretaker period commencing in August / September 2026.
Financial and Budget	Whilst this policy review is about the budget, there are no immediate financial implications arising from the amendments.
Community Consultation and Engagement	N/A
Other Resources	N/A

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance – Policies are not reviewed on regularly and result in increased financial impact.	Insignificant (1)	Rare (1)	Low	Audit & Risk Committee oversight of policies / procedures relating to governance, finance and risk.
Reputation – Loss in trust and transparency from Community if good	Minor (2)	Unlikely (2)	Low	Regular reporting on Policy review schedule to maintain



governance over Policies is not prioritised and maintained.				accountability and transparency for the community.
Legal / Regulatory / Policy - Policies are not reviewed regularly and do not reflect changes in legislations or organisational practices	Major (4)	Rare (1)	Moderate	Audit & Risk Committee oversight of policies / procedures relating to governance, finance and risk.

RELEVANT COUNCIL POLICY

[Budget Framework - B300](#)

IMPLEMENTATION, COMMUNICATION AND ENGAGEMENT

The updated Budget Policy is intended to be managed in accordance with the review schedule framework already in place / operation.

Further, its review is timely as Council staff embark on the preparation of the FY2025/2026 budget preparation

CONCLUSION

That having been reviewed by the Audit and Risk Committee on 5 February 2025, the reviewed and amended Budget Policy be adopted by Council.

ATTACHMENTS

1. DRAFT Council Policy B300 - Budget Policy - Tracked Changes [18.4.1 - 9 pages]
2. DRAFT Council Policy B300 - Budget Policy - Clean Version [18.4.2 - 8 pages]



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		Issued:	November 2024 February 2025
		Next Review:	November 2025 February 2026

1. INTRODUCTION

This policy outlines the procedures, responsibilities, and principles for the preparation, review, and management of the City of Mount Gambier’s annual budget. It aims to ensure that the budget aligns with the Council’s strategic objectives, provides financial sustainability, and adheres to the statutory requirements outlined in the **Local Government Act 1999**.

~~This document sets out the policy of the City of Mount Gambier (“Council”) for the preparation, review and report on its budget every financial year.~~

2. SCOPE:

This policy applies to all Council Members and employees involved in the budgeting process for the City of Mount Gambier. It covers both operating and capital budgets and applies to the preparation, approval, execution of the budget and subsequent reviews.

~~This Policy is applicable to all employees and Council Members and covers the annual budget requirements for City of Mount Gambier Council.~~

3. PURPOSE:

The purpose of this policy is to:

- Ensure compliance with the **Local Government Act 1999**.
- Provide a structure for the annual business plan and budget preparation, adoption and review(s).
- Ensure financial sustainability and transparency in budget decisions/adoptions including alignment to asset management plans and long term financial plans.

~~—
The Local Government Act 1999 prescribes that a council must adopt for each financial year. An annual business plan; and
A budget.~~

~~This policy endorses these requirements to ensure compliance with the Act.~~

~~The purpose of this policy is to provide a framework for Council and Management in relation to the preparation, consideration, adoption and review of the Annual Budget / Business Plan in compliance with the Local Government Act.~~

4. DEFINITIONS:

Key Term – Acronym	Definition
<u>‘Approved Budget’</u>	<u>Adopted capital budget adjusted for year-end carry forwards.</u>

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Key Term – Acronym	Definition
<u>Annual Business Plan and Budget</u>	<u>Key operational and financial planning document required under s123 of the Local Government Act 1999 to be prepared each financial year. The Annual Business Plan and Budget sets proposed operational programs, services and projects for the relevant financial year and how Council will allocate the budget to deliver these.</u>
<u>Asset Renewal Funding Ratio</u>	<u>This ratio indicates whether council's capital expenditure on asset renewal/replacement of existing assets is what is needed to cost effectively maintain service levels as prescribed in Council's adopted Asset Management Plans.</u>
<u>Asset Renewals</u>	<u>Is the amount of money Council will invest in Capital maintenance programs for renewal and replacement to prevent costly deterioration of infrastructure and maintaining an adequate level of investment on existing assets to maintain satisfactory levels of service on an annual average basis. Aligned with asset management plans.</u>
<u>Capital Budget</u>	<u>Is the amount of money Council will invest in the creation of new assets or renewal/upgrade of existing assets.</u>
<u>Executive Leadership Team (ELT)</u>	<u>The Executive group of Council including the Chief Executive Officer, and General Managers.</u>
<u>Key Financial Indicators (KFIs)</u>	<u>Financial ratios used to assess financial performance and include: <u>Operating Surplus Ratio</u> <u>Asset Renewal Funding Ratio</u> <u>Net Financial Liabilities Ratio</u></u>
<u>Long Term Financial Plan</u> <u>Model Financial Statements</u>	<u>Guides the future direction of Council in a financially sustainable manner. A high-level summary of proposed operating and capital investment activities presented in a manner consistent with the <u>Model Financial Statements Prescription</u> endorsed in the Local Government Act regarding presentation of the annual financial statements, budget and long term financial plan.</u> This ratio expresses the operating
<u>Model Financial Statements</u> <u>Operating surplus ratio</u>	This ratio expresses the operating
<u>Asset renewal funding ratio</u>	This ratio indicates whether council's capital expenditure on asset renewal/replacement of existing assets is what is needed to cost effectively maintain service levels as prescribed in Council's adopted Asset Management Plans.
<u>Net Financial Liabilities Ratio</u>	<u>This ratio indicates the extent to which the net financial liabilities or council's indebtedness can be met by councils total operating revenues.</u>

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Key Term – Acronym	Definition
<u>New & Upgraded Capital</u>	<u>Assets that are added to Council's existing complement or where an existing asset is replaced with an asset that provides additional capabilities or services. Expected funding source is capital grants and contributions, sale of surplus assets, rates and/or borrowings.</u>
<u>'Approved Budget'</u>	<u>Adopted capital budget adjusted for year-end carry forwards.</u>
Operating Budget	Identifies the amount of money Council will receive in income and spend on expenses in the course of its normal operating (non-capital) activities. The operating budget includes items such as rates, user charges, specific operating grant revenue, salaries and wages, utility and administrative costs.
<u>Operating Surplus Ratio</u>	<u>This ratio expresses the operating surplus (operating revenues less operating expenses) as a percentage of operating revenue.</u>
<u>Capital Budget</u>	<u>Is the amount of money Council will invest in the creation of new assets or renewal/upgrade of our current assets. Associated revenue can include grant revenue supporting the delivery of capital projects or developer contributions.</u>
<u>Asset Renewals</u>	<u>Is the amount of money Council will invest in Capital maintenance programs for renewal and replacement to prevent costly deterioration of infrastructure and maintaining an adequate level of investment on existing assets to maintain satisfactory levels of service on an annual average basis. Aligned with asset management plans.</u>
<u>New & Upgraded Capital</u>	<u>Assets that are added to Council's existing complement or where an existing asset is replaced with an asset that provides additional capabilities or services. Expected funding source is capital grants and contributions, sale of surplus assets and or borrowings.</u>
<u>Executive Management Team (EMT)</u>	<u>The Executive group of Council including the Chief Executive Officer, and General Managers.</u>

5. ROLES & RESPONSIBILITIES

Council:

Council's role in the budget process is strategic and focuses on high-level financial performance and the achievement of the Council's strategic objectives.

- Approval of this Policy
- Is responsible for approving the policy and for eEnsuring that a budget is adopted that achieves the key budget principles.

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- Monitor the overall budget performance and approve targets for key financial indicators (KFIs)

Audit & Risk Committee:

The Committee shall review and provide advice on Council's Annual Business Plan and Budget (at the time of their preparation and scheduled review).

Chief Executive Officer (CEO):

~~Is responsible for the following:—~~

~~The CEO's is responsible for the operational management of budgets, ensuring agreed service levels are maintained and that there is direct alignment to strategic outcomes whilst also ensuring Council remains financially sustainable.~~

- ~~Recommendation~~ **Recommend** the proposed budget to Council and ensure that it is consistent with the Council's strategic priorities and operational requirements. ~~Recommend the budget position to be presented to Council for adoption and~~ further revisions as part of the Budget Review process to Council in accordance with the Local Government Act.
- ~~Provision of Information~~ **Provide information** to Council to support Council decision making.

General Managers:

~~Are responsible for the following:~~

- ~~Executive (EMT)~~ **Recommend** a budget position and subsequent budget review positions to the Chief Executive Officer.
- **Ensure alignment** to the overarching Strategic Plans of Council including direct alignment to their department's operational plans and goals.
- Oversee progress of specific projects or program, including service levels.

Manager Financial Services:

~~Is responsible for the following:—~~

- Lead the preparation of the budget, manage the budget review process, and provides regular updates to the ELT and Council.
- ~~Leadership Of Budget & Budget Review Process~~ **Designing the process, setting of key financial deadlines, inputs and reporting to the CEO and Executive on progress.**
- ~~Provision of Information~~ **Provide information** to the ~~Executive~~ ELT and Council to support evidence based decision making with regard to the budget and budget reviews throughout the year. This includes tracking, reporting and analysis of actual income and expenditure against budget.
- **Expert advice** and conduit between Local Government Sector, Elected Members, Executive and Management.

Budget Manager Officers:

~~Budget Delivery~~ **Budget Officers are responsible for the following:**

- ~~Preparation of budget inputs;~~ Develop detailed budget inputs, participate in budget workshops, and ensure timely submission of budget documents to meet required deadlines.
- ~~Attendance at budget workshops;~~
- ~~Presentation of budget; and~~

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- ~~Achievement of deadlines as agreed and quality of inputs for the budget and subsequent budget reviews in alignment with budget guidelines. Variance tracking and reporting progress against budget.~~
- ~~Manage delivery of specific projects or programs of work.~~
- ~~_____~~

6. POLICY STATEMENTS:

- 6.1 **Timing** – The budget must be considered in conjunction with the Council’s Annual Business Plan and be adopted after 31 May and before 31 August for the ensuing financial year. The budget must comply with the standards and principles prescribed by the regulations under the Local Government Act 1999. The budget shall include budgeted financial statements, which must be presented, other than notes and other explanatory documentation, in a manner consistent with the Model Financial Statements.
- 6.2 **Revenue & Expenditure** - The budget must also state whether the projected operating income is sufficient to meet projected operating expenses for the relevant financial year and include a summary of operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances.
- 6.3 **Annual Business Plan** - As part of the budget process Council will prepare an Annual Business Plan which will address the activities the Council intends to undertake in the ensuing year to achieve its objectives and the key performance indicators that Council will use to assess its performance against its objectives.
- 6.4 **Carry Forwards** – Budget allocations for capital projects not commenced prior to the end of the financial year will not automatically be carried forward to the next financial year. Capital projects not commenced or identified as not being able to commence and complete within a financial year, will not be automatically carried forward and where practical will be removed, re-prioritised and costed and included in relevant asset management plans and forward works programming for future years.
- Capital projects commenced and reasonably estimated to be completed before the end of the financial year, but due to reasons outside of the control of Management were not able to be finished are eligible to be carried forward to the following financial year.
- No carryforwards will be allowed for operational items excluding where they are tied to grant funding, all must be re-evaluated as part of the budget revision process and where relevant requested for input to future years budgets.
- 6.54 **Key Financial Indicators (KFIs)** - Council's key financial indicators will include as a minimum a forecast with respect to the councils operating surplus ratio, asset renewal funding ratio and net financial liabilities presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators.
- 6.65 **Budget Development** - The basis for Council’s budget each year will, in its initial stages of development, be based upon budget guidelines issued to staff prior to the start of each year’s process. The result will be evaluated and refined in terms of the Council’s Long Term Financial Plan, annual objectives, KPIs and within the framework of Council budget assumptions and Strategic Plan Outcomes.
- 6.76 **Budget Reviews** - In accordance with the Local Government (Financial Management) Regulations 2011, Regulation 9 requires Council to

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- prepare and consider the uniform presentation of finances relating to the review of budgets at least twice, between 30 September and 31 May, and
- between 30 November and 15 March (dates inclusive) prepare and consider a report that compares the revised forecast for each item of the financial statements to the adopted budget in a manner consistent with the Model Financial Statements.
- ~~A report must also~~ include a report that ~~includes presents~~ the key financial ~~ratios indicators (operating surplus ratio, net financial liabilities ratio and asset sustainability ratio)~~ in a manner consistent with the Model Financial Statements.

Budget reviews should be undertaken by Budget Managers, Finance ~~with the Chief Executive Officer and Executive Management Team and ELT~~ during the year in accordance with Table 1 (below) as ~~at the following dates~~ and ~~taken recommended to~~ Council at the appropriate time immediately following:

Table 1: Budget Review Schedule

Budget Review	Inclusive Dates
Budget Review 1 (BR1)	1 July to 30 September
Budget Review 2 (BR2)	1 October to 31 December
Budget Review 3 (BR3)	1 January to 31 March

7. POLICY PRINCIPLES

A number of principles are to be taken into consideration when preparing the annual budget, including:

- 7.1 **Service Levels** - Recurrent income and expenses should ensure maintenance of agreed service levels for all existing services to the community.
- 7.2 **Robust and Rigorous Processes** - Are undertaken to establish the budget and ensure that it is consistent with the initiatives and objectives of the following strategic management documents including accountability and transparency in the decision-making process:
 - ~~Futures Paper; Mount Gambier 2035~~
 - Strategic Plan;
 - Long Term Financial Plan;
 - Asset Management Plan; and
 - Annual Business Plan.

For full detail of Council's document hierarchy including strategies and plans, refer to the Strategic Document Hierarchy listed under the related documents section of this Policy.

- 7.3 **Realistic Assumptions** - All budget figures will be based on the best available information and the provision of value for money for the services provided.
- 7.4 **Asset Management Plans** - Will inform budget capital maintenance programs for renewal and replacement to prevent costly deterioration of infrastructure and maintain

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an adequate level of investment on existing assets to ensure satisfactory levels of service on an annual average basis.

- 7.5 **Asset Renewals** – Expenditure on the renewal of assets will be informed by asset management plans taking into consideration the strategic and community importance of the asset (criticality), results of condition audits and other information to ensure that assets are maintained at an appropriate standard.
- 7.6 **New Assets/Major Upgrades** - Expenditure on new assets and/or major upgrades to the service levels of existing infrastructure assets will be the result of strategic planning decisions and generally funded from capital grants and contributions, sale of surplus assets, rates, and/or borrowings. New sources of ongoing revenue will be identified for additional maintenance and annual operating costs resulting from new or upgraded assets.
- 7.7 **Financial Sustainability** - The budget will be developed in accordance with the key financial targets included in Council's Long Term Financial Plan (LTFP), and Council's Treasury Management Policy.
- 7.8 **Key Financial Indicators (KFIs)** - The budget and subsequent budget reviews will be developed and have regard to Council's key financial indicator targets.
- 7.9 **Legislative Obligations** - The Annual Budget and Budget Reviews will comply with the relevant requirements of the Local Government Act (1999) and associated Financial Management Regulations.
- 7.10 **Financial Control** – Council is committed to ensuring that financial and other resources under Council's control will be used only for approved purposes and within Council's strategic framework and that all risks to Council's finances are properly managed.

8. TRAINING / EDUCATION:

Training is provided to key members of staff, the Executive Management Team and Elected Members when communicating the details of the Long Term Financial Plan and annual budget process.

9. REVIEW & EVALUATION

This Policy is scheduled for review by Council ~~in November 2025~~ at least once throughout a designated Council term; however, it will be reviewed as required. This Policy will be reviewed:

- every four years; or
- the frequency dictated in legislation; or
- earlier in the event of changes to legislation or related Policies and Procedures; or
- if deemed necessary by the Manager ~~Financial~~ Services or ELT.

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. 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:	November 2021 February 2025 February 2025

File Reference:	AF11/893
Applicable Legislation:	Local Government Act 1999 Section 123. Local Government (Financial Management) Regulations 2011 Regulations 7 and 9.
Reference: Strategic Plan – Beyond 2015	Goal 3, Our Diverse Economy.
Related Policies:	A900 Asset Management Policy T150 Treasury Management Policy P420 Procurement and Disposal of Land and Assets R105 Rating Policy
Related Procedures:	Operating Budget, Budget Review and Adjustment Procedure Capital Budget, Budget Review and Adjustment Procedure Budget Ranking Procedure
Related Documents:	LGA Financial Sustainability Information Paper 25: Monitoring Council Budget Performance Long Term Financial Plan (latest version) Annual Business Plan and Budget (latest version) Annual Business Plan Guidelines (Rolled out to staff annually). Strategic Document Hierarchy Integrated Planning and Budgeting Framework (in progress)


DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	7 6.0
Last revised date:	16 November 2021 , 18 February 2020
Effective date:	16 November 2021 18 February 2025
Minute reference:	16 November 2021 – Item Resolution 19.4 2021/353
Next review date:	November 2025 January 2029

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<u>Document History</u>	
First Adopted By Council:	21 August 2012
Reviewed/Amended:	March 2014, April 2015, 16 January 2018, 18 February 2020, 16 November 2021.

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		Issued:	February 2025
		Next Review:	February 2029

1. INTRODUCTION

This policy outlines the procedures, responsibilities, and principles for the preparation, review, and management of the City of Mount Gambier's annual budget. It aims to ensure that the budget aligns with the Council's strategic objectives, provides financial sustainability, and adheres to the statutory requirements outlined in the **Local Government Act 1999**.

2. SCOPE:

This policy applies to all Council Members and employees involved in the budgeting process for the City of Mount Gambier. It covers both operating and capital budgets and applies to the preparation, approval, execution of the budget and subsequent reviews.


3. PURPOSE:

The purpose of this policy is to:

- Ensure compliance with the **Local Government Act 1999**.
- Provide a structure for the annual business plan and budget preparation, adoption and review(s).
- Ensure financial sustainability and transparency in budget decisions/adoption including alignment to asset management plans and long term financial plans.

4. DEFINITIONS:

Key Term – Acronym	Definition
'Approved Budget'	Adopted capital budget adjusted for year-end carry forwards.
Annual Business Plan and Budget	Key operational and financial planning document required under s123 of the Local Government Act 1999 to be prepared each financial year. The Annual Business Plan and Budget sets proposed operational programs, services and projects for the relevant financial year and how Council will allocate the budget to deliver these.
Asset Renewal Funding Ratio	This ratio indicates whether council's capital expenditure on asset renewal/replacement of existing assets is what is needed to cost effectively maintain service levels as prescribed in Council's adopted Asset Management Plans.
Asset Renewals	Is the amount of money Council will invest in Capital maintenance programs for renewal and replacement to prevent costly deterioration of infrastructure and maintaining an adequate level of investment on existing assets to maintain satisfactory levels of service on an annual average basis. Aligned with asset management plans.
Capital Budget	Is the amount of money Council will invest in the creation of new assets or renewal/upgrade of existing assets.

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Key Term – Acronym	Definition
Executive Leadership Team (ELT)	The Executive group of Council including the Chief Executive Officer, and General Managers.
Key Financial Indicators (KFIs)	Financial ratios used to assess financial performance and include: Operating Surplus Ratio Asset Renewal Funding Ratio Net Financial Liabilities Ratio
Long Term Financial Plan	Guides the future direction of Council in a financially sustainable manner. A high-level summary of proposed operating and capital investment activities presented in a manner consistent with the Model Financial Statements
Model Financial Statements	Prescription endorsed in the Local Government Act regarding presentation of the annual financial statements, budget and long term financial plan.
Net Financial Liabilities Ratio	This ratio indicates the extent to which the net financial liabilities or council's indebtedness can be met by councils total operating revenues.
New & Upgraded Capital	Assets that are added to Council's existing complement or where an existing asset is replaced with an asset that provides additional capabilities or services. Expected funding source is capital grants and contributions, sale of surplus assets, rates and/or borrowings.
Operating Budget	Identifies the amount of money Council will receive in income and spend on expenses in the course of its normal operating (non-capital) activities. The operating budget includes items such as rates, user charges, specific operating grant revenue, salaries and wages, utility and administrative costs.
Operating Surplus Ratio	This ratio expresses the operating surplus (operating revenues less operating expenses) as a percentage of operating revenue.


5. ROLES & RESPONSIBILITIES

Council:

Council's role in the budget process is strategic and focuses on high-level financial performance and the achievement of the Council's strategic objectives.

- Approval of this Policy
- Ensuring that a budget is adopted that achieves the key budget principles.
- Monitor the overall budget performance and approve targets for key financial indicators (KFIs)

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Audit & Risk Committee:

The Committee shall review and provide advice on Council's Annual Business Plan and Budget (at the time of their preparation and scheduled review).

Chief Executive Officer (CEO):

The CEO's is responsible for the operational management of budgets, ensuring agreed service levels are maintained and that there is direct alignment to strategic outcomes whilst also ensuring Council remains financially sustainable.

- **Recommend** the proposed budget to Council and ensure that it is consistent with the Council's strategic priorities and operational requirements. Recommend further revisions as part of the Budget Review process to Council in accordance with the Local Government Act.
- **Provide information** to Council to support Council decision making.

General Managers:

- **Recommend** a budget position and subsequent budget review positions to the Chief Executive Officer.
- **Ensure alignment** to the overarching Strategic Plans of Council including direct alignment to their department's operational plans and goals.
- Oversee progress of specific projects or program, including service levels.

Manager Financial Services:

- **Lead** the preparation of the budget, manage the budget review process, and provides regular updates to the ELT and Council.
- **Provide information** to the ELT and Council to support evidence based decision making with regard to the budget and budget reviews throughout the year. This includes tracking, reporting and analysis of actual income and expenditure against budget.
- **Expert advice** and conduit between Local Government Sector, Elected Members, Executive and Management.


Budget Manager:

- Develop detailed budget inputs, participate in budget workshops, and ensure timely submission of budget documents to meet required deadlines.
- Variance tracking and reporting progress against budget.
- Manage delivery of specific projects or programs of work.

6. POLICY STATEMENTS:

- 6.1 **Timing** – The budget must be considered in conjunction with the Council's Annual Business Plan and be adopted after 31 May and before 31 August for the ensuing financial year. The budget must comply with the standards and principles prescribed by the regulations under the Local Government Act 1999. The budget shall include budgeted financial statements, which must be presented, other than notes and other explanatory documentation, in a manner consistent with the Model Financial Statements.
- 6.2 **Revenue & Expenditure** - The budget must also state whether the projected operating income is sufficient to meet projected operating expenses for the relevant financial year and include a summary of operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances.

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- 6.3 **Annual Business Plan** - As part of the budget process Council will prepare an Annual Business Plan which will address the activities the Council intends to undertake in the ensuing year to achieve its objectives and the key performance indicators that Council will use to assess its performance against its objectives.
- 6.4 **Carry Forwards** – Budget allocations for capital projects not commenced prior to the end of the financial year will not automatically be carried forward to the next financial year. Capital projects not commenced or identified as not being able to commence and complete within a financial year, will not be automatically carried forward and where practical will be removed, re-prioritised and costed and included in relevant asset management plans and forward works programming for future years.
- Capital projects commenced and reasonably estimated to be completed before the end of the financial year, but due to reasons outside of the control of Management were not able to be finished are eligible to be carried forward to the following financial year.
- No carryforwards will be allowed for operational items excluding where they are tied to grant funding, all must be re-evaluated as part of the budget revision process and where relevant requested for input to future years budgets.
- 6.5 **Key Financial Indicators (KFIs)** - Council's key financial indicators will include as a minimum a forecast with respect to the councils operating surplus ratio, asset renewal funding ratio and net financial liabilities presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators.
- 6.6 **Budget Development** - The basis for Council's budget each year will, in its initial stages of development, be based upon budget guidelines issued to staff prior to the start of each year's process. The result will be evaluated and refined in terms of the Council's Long Term Financial Plan, annual objectives, KPIs and within the framework of Council budget assumptions and Strategic Plan Outcomes.
- 6.7 **Budget Reviews** - In accordance with the Local Government (Financial Management) Regulations 2011, Regulation 9 requires Council to
- prepare and consider the uniform presentation of finances relating to the review of budgets at least twice, between 30 September and 31 May, and
 - between 30 November and 15 March (dates inclusive) prepare and consider a report that compares the revised forecast for each item of the financial statements to the adopted budget in a manner consistent with the Model Financial Statements.
 - include a report that presents the key financial indicators in a manner consistent with the Model Financial Statements.

Budget reviews should be undertaken by Budget Managers, Finance and ELT during the year in accordance with Table 1 (below) and recommended to Council at the appropriate time immediately following:

Table 1: Budget Review Schedule

Budget Review	Inclusive Dates
Budget Review 1 (BR1)	1 July to 30 September
Budget Review 2 (BR2)	1 October to 31 December
Budget Review 3 (BR3)	1 January to 31 March

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7. POLICY PRINCIPLES

A number of principles are to be taken into consideration when preparing the annual budget, including:


- 7.1 **Service Levels** - Recurrent income and expenses should ensure maintenance of agreed service levels for all existing services to the community.
- 7.2 **Robust and Rigorous Processes** - Are undertaken to establish the budget and ensure that it is consistent with the initiatives and objectives of the following strategic management documents including accountability and transparency in the decision-making process:
 - Mount Gambier 2035
 - Strategic Plan;
 - Long Term Financial Plan;
 - Asset Management Plan; and
 - Annual Business Plan.

For full detail of Council's document hierarchy including strategies and plans, refer to the Strategic Document Hierarchy listed under the related documents section of this Policy.
- 7.3 **Realistic Assumptions** - All budget figures will be based on the best available information and the provision of value for money for the services provided.
- 7.4 **Asset Management Plans** - Will inform budget capital maintenance programs for renewal and replacement to prevent costly deterioration of infrastructure and maintain an adequate level of investment on existing assets to ensure satisfactory levels of service on an annual average basis.
- 7.5 **Asset Renewals** – Expenditure on the renewal of assets will be informed by asset management plans taking into consideration the strategic and community importance of the asset (criticality), results of condition audits and other information to ensure that assets are maintained at an appropriate standard.
- 7.6 **New Assets/Major Upgrades** - Expenditure on new assets and/or major upgrades to the service levels of existing infrastructure assets will be the result of strategic planning decisions and generally funded from capital grants and contributions, sale of surplus assets, rates and/or borrowings. New sources of ongoing revenue will be identified for additional maintenance and annual operating costs resulting from new or upgraded assets.
- 7.7 **Financial Sustainability** - The budget will be developed in accordance with the key financial targets included in Council's Long Term Financial Plan (LTFP), and Council's Treasury Management Policy.
- 7.8 **Key Financial Indicators (KFIs)** - The budget and subsequent budget reviews will be developed and have regard to Council's key financial indicator targets.
- 7.9 **Legislative Obligations** - The Annual Budget and Budget Reviews will comply with the relevant requirements of the Local Government Act (1999) and associated Financial Management Regulations.

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7.10 **Financial Control** – Council is committed to ensuring that financial and other resources under Council’s control will be used only for approved purposes and within Council’s strategic framework and that all risks to Council’s finances are properly managed.

8. TRAINING / EDUCATION:

Training is provided to key members of staff, the Executive Management Team and Elected Members when communicating the details of the Long Term Financial Plan and annual budget process.


9. REVIEW & EVALUATION

This Policy is scheduled for review by Council at least once throughout a designated Council term; however, it will be reviewed as required. This Policy will be reviewed:

- every four years; or
- the frequency dictated in legislation; or
- earlier in the event of changes to legislation or related Policies and Procedures; or
- if deemed necessary by the Manager Financial Services or ELT.

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. 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:	AF11/893
Applicable Legislation:	Local Government Act 1999 Section 123. Local Government (Financial Management) Regulations 2011 Regulations 7 and 9.
Reference: Strategic Plan – Beyond 2015	Goal 3, Our Diverse Economy.
Related Policies:	A900 Asset Management Policy T150 Treasury Management Policy P420 Procurement and Disposal of Land and Assets R105 Rating Policy
Related Procedures:	Operating Budget, Budget Review and Adjustment Procedure Capital Budget, Budget Review and Adjustment Procedure Budget Ranking Procedure
Related Documents:	LGA Financial Sustainability Information Paper 25: Monitoring Council Budget Performance Long Term Financial Plan (latest version) Annual Business Plan and Budget (latest version) Annual Business Plan Guidelines (Rolled out to staff annually). Strategic Document Hierarchy Integrated Planning and Budgeting Framework (in progress)

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	7.0
Last revised date:	16 November 2021, 18 February 2020
Effective date:	18 February 2025
Minute reference:	
Next review date:	January 2029

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<u>Document History</u>	
First Adopted By Council:	21 August 2012
Reviewed/Amended:	March 2014, April 2015, 16 January 2018, 18 February 2020, 16 November 2021.

18.5 AUDIT AND RISK COMMITTEE - REVIEW OF TERMS OF REFERENCE

Author: Kahli Rolton, Manager Financial Services
Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Audit and Risk Committee - Review of Terms of Reference' as presented on Tuesday 18 February 2025 be noted.
2. That the updated Audit and Risk Committee Terms of Reference having been reviewed by the Audit and Risk Committee at its meeting on 5 February 2025, be adopted.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the Terms of Reference arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

PURPOSE

This report presents the Audit and Risk Committee Terms of Reference, having been reviewed by the Committee on 5 February 2025 for adoption by Council.

AUDIT AND RISK COMMITTEE

It is a requirement of the Audit and Risk Committee's Terms of Reference that:

14. **Terms of Reference** – The Committee shall at least once every two years review its terms of reference.
15. **Council Review** - Council may review and amend the Committee Terms of Reference at any time, providing that the Committee has an opportunity to provide Council with any concerns that arise.

RELEVANT LEGISLATION

Pursuant to Sections 41 and 126 of the Local Government Act 1999 the Council has established a Committee to be known as the City of Mount Gambier Audit & Risk Committee ("the Committee").

Section 126 (1a) The purpose of an audit and risk committee established by a council is to provide independent assurance and advice to the council on accounting, financial management, internal controls, risk management and governance matters.

The functions of the Audit and Risk Committee include, per the Local Government Act 1999, Division 2, Section 126 (4):

- (a) reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and
- (b) proposing and providing information relevant to, a review of the council's strategic management plans or annual business plan; and



- (c) monitoring the responsiveness of the council to recommendations for improvement based on previous audits and risk assessments, including those raised by a council's auditor; and
- (d) proposing and reviewing, the exercise of powers under section 130A; and
- (e) liaising with the council's auditor in accordance with any requirements prescribed by the regulations; and
- (f) reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis; and
- (g) —
 - (i) if the council has an internal audit function—
 - (A) providing oversight of planning and scoping of the internal audit work plan; and
 - (B) reviewing and commenting on reports provided by the person primarily responsible for the internal audit function at least on a quarterly basis; or
 - (ii) if the council does not have an internal audit function, reviewing and commenting on an annual report provided by the chief executive officer in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures; and
- (h) reviewing and evaluating the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis; and
- (i) reviewing any report obtained by the council under section 48(1); and
- (j) performing any other function determined by the council or prescribed by the regulations.

BACKGROUND / OPTIONS

The draft Terms of Reference for the Audit and Risk Committee have been updated to reflect minor modifications, such as adjustments for legislative compliance and wording improvements for better clarity. The Terms of Reference have also been updated to align with Council's recently amended meeting procedures.

The Terms of Reference once adopted will be uploaded onto Council's website. Audit and Risk Committee reports will continue to include details of their alignment to the Terms of Reference.

CONCLUSION

This report recommends that the updated Audit and Risk Committee Terms of Reference having been reviewed by the Audit and Risk Committee at its meeting on 5 February 2025, be adopted.

ATTACHMENTS

1. DRAFT - Terms of Reference Audit and Risk Committee [18.5.1 - 15 pages]





Audit and Risk Committee

TERMS OF REFERENCE

A Committee of Council
established pursuant to the provisions of
Sections 41 and 126
of the Local Government Act 1999

Terms of Reference for the conduct of the business of the Audit and Risk Committee were approved and adopted by the City of Mount Gambier at its meeting held on ~~16 April 2024~~ ~~XX XXXX 2025~~

Commented [KR1]: 18 February 2025 anticipated date

Audit and Risk Committee

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1. ESTABLISHMENT:

- 1.1 **Legislation** - Pursuant to Sections 41 and 126 of the Local Government Act 1999 the Council has established a Committee to be known as the City of Mount Gambier Audit **&and** Risk Committee ("the Committee").
- 1.2 **Purpose** – According to Section 126 (1a) The purpose of an audit and risk committee established by a council is to provide independent assurance and advice to the council on accounting, financial management, internal controls, risk management and governance matters.
- 1.3 **Functions** - The functions of the Audit and Risk Committee include, per the Local Government Act 1999, Division 2, Section 126 (4):
 - (a) reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and
 - (b) proposing and providing information relevant to, a review of the council's strategic management plans or annual business plan; and
 - (c) monitoring the responsiveness of the council to recommendations for improvement based on previous audits and risk assessments, including those raised by a council's auditor; and
 - (d) proposing and reviewing, the exercise of powers under section 130A; and
 - (e) liaising with the council's auditor in accordance with any requirements prescribed by the regulations; and
 - (f) reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis; and
 - (g) —
 - (i) if the council has an internal audit function—
 - (A) providing oversight of planning and scoping of the internal audit work plan; and
 - (B) reviewing and commenting on reports provided by the person primarily responsible for the internal audit function at least on a quarterly basis; or
 - (ii) if the council does not have an internal audit function, reviewing and commenting on an annual report provided by the chief executive officer in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures; and
 - (h) reviewing and evaluating the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis; and
 - (i) reviewing any report obtained by the council under section 48(1); and
 - (j) performing any other function determined by the council or prescribed by the regulations [or in accordance with its Terms of Reference](#).

1.4 **Delegation** - The Committee has no delegation to act, with all recommendations of the Committee (and of any Sub-Committees established by the Committee) to be endorsed by considered by full Council for final decision and resolution in alignment with Council's decision making and meeting procedures and policies.

2. **INTERPRETATION:**

2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context:

Term	Interpretation
Act	The Local Government Act 1999 and includes all Regulations and Schedules.
Committee	The Committee of Council established pursuant to clause 3.
Committee Member	The persons appointed by the Council to the Committee pursuant to clause 4.
Commencement Date	The date on which the Committee is established and becomes operative pursuant to clause 3.
Council	The City of Mount Gambier that established the Committee and to which the Committee reports.
CEO	<u>Refers to the Chief Executive Officer of the City of Mount Gambier.</u>
Ex-Officio	<u>By virtue of the Mayor's position, the Mayor has the right but not the obligation to participate in proceedings of the Committee and when present at meetings, has voting rights.</u>
Internal Auditor	<u>The person appointed as being primarily responsible for the internal audit function of Council in accordance with section 125A of the Act.</u>
Presiding Member	The person appointed to that position pursuant to clause 5.
Observers	Those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.
Sub-Committee	A sub-committee <u>of the Audit and Risk Committee</u> established in accordance with the Act.

Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.

- 2.3 A reference in these Terms of Reference to a "singular" includes a reference to the "plural" and a reference to a "plural" includes a reference to the "singular".
- 2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.
- 2.5 **Notices** – All communications to be given to the Committee shall be addressed to: City of Mount Gambier Audit and Risk Committee

Commented [KR2]: I am not sure the name of policy/procedure that covers this. What does "full Council" mean and where is this referenced in other Council Policies?

Commented [BS3R2]: Hi KR, this one wasn't made by me, so not entirely sure - but full Council means at a Council meeting (rather than Committee with only a few Councillors) and there is a Code of Practice for Meeting Procedures (that would be my best guess, but perhaps ask Ash her thinking on this one, as I assume she was the one to recommend this change).

Commented [KR4]: This is currently the Manager of Financial Services and is referenced in the internal audit plan document.

Commented [BS5R4]: Yep, that is good - I think we leave the language high level in the TOR and then whoever is appointed is done so via the Work Plan (that way we don't need to be reviewing multiple documents in the event of a change).

Commented [KR6]: Can this table please be put in alphabetical order. Easier to read and reference that way

Commented [BS7R6]: Sounds good!

PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au

3. **AUTHORITY:**

- 3.1 **Overall Objective** – The Committee is created with the express objective of providing considered advice to Council within the scope of its purpose and reasons for establishment.
- 3.2 **Delegation Status** – The Committee does not have delegated powers or delegated financial responsibilities or authority to implement actions in areas over which management has responsibility.
- 3.3 **Management Function** – Therefore, the Committee does not have any management function and is independent to management.
- 3.4 **Council Authorisation** – Within its scope of responsibility, Council ~~authorises~~authorizes the Committee to:
- (a) perform activities within the scope of this Terms of Reference;
 - (b) require the attendance of Senior Council Officers at meetings as required;
 - (c) have access to members of Executive Leadership Team, Management, employees and relevant information;
 - (d) oversee the performance and meet with both the external auditor and the internal auditor;
 - (e) request necessary financial resources to be provided to enable the Committee to receive any necessary legal, accounting or other professional advice.

4. **MEMBERSHIP / COMPOSITION:**

- 4.1 **Membership** – Members of the Audit & Risk Committee are appointed by Council. The size of the Committee be between three (3) and five (5) members (inclusive) consistent with any Regulations and shall consist of:
- At least one (1) Councillor;
 - At least two (2) Independent members,
and shall be compliant with the requirements under section 126(2)© of the Local Government Act 1999.;
- 4.2 **Appointment to Committee** – Independent member
Aappointments to the Committee shall be for a period of at least two years, reviewed at a common appointment date every two years, aligned to the Council term.~~The common appointment date for existing appointees is 31 December.~~ Appointees may be reappointed by Council. Refer section 6 for Council Member appointment.
- 4.3 **Resignation** – ~~Of the appointment must be~~Committee Members must resign in writing, addressed to the Committee, Mayor and CEO. Resignations should provide flexibility and consideration of the time required to recruit a suitable replacement.;
- 4.4 **Confidentiality** – Committee members shall not directly or indirectly

release or make available to any person any information relating to the work or discussions of the Committee of which he or she is a member or was in his or her possession except in accordance with such terms and in such a manner as stipulated by City of Mount Gambier Council.

4.5 **Vacancies** — A vacancy in the membership of the committee will not invalidate any decisions of the committee, provided a quorum is maintained during meetings.

4.6 **Advisors** — The Chief Executive Officer (CEO) and delegates are not members of the Committee, but should attend meetings in an advisory capacity.

4.7 **Role of Mayor** — Is an ex officio member of the Committee.

~~4.8 **Council Members** — The Council members of the Committee shall be appointed by Council at its Statutory Meeting, unless otherwise determined by the Presiding Member of the Committee.~~

4.94.8 **External Auditors** - Council's external auditors shall be invited to attend a minimum of two (2) meetings of the Committee each financial year. Attendance is at the external auditor's discretion.

~~4.104.9~~ **Voting Rights** - Only members of the Committee are entitled to vote (move and second) in Committee meetings.

4.10 Role of Council Staff - Members of Council's staff:

- ~~—~~ may attend any meeting as observers
- ~~and be~~ responsible for preparing reports and papers for the Committee.
- ~~are responsible for preparing and publishing agenda's and minutes in accordance with the Act.~~

4.11

~~4.12 **Committee Meeting Location** — In accordance with the principles of open, transparent and informed decision making, Committee meetings must be conducted in a place open to the public.~~

5 INDEPENDENT MEMBERS

Independent Members are external members who are neither Councillors or a member of Council staff, as outlined in section 126(2) of the Act.

5.1 **Required Skills & Experience** - Independent Members shall have senior business or financial management/reporting knowledge and expertise, and be conversant with the financial, risk management and governance issues, and have extensive accounting, auditing or legal skills and other reporting requirements of Local Government.

5.2 **Appointment** - The appointment of external independent members shall be made by Council resolution following public advertisement in the local newspaper or appropriate website/online platform and Council website.

5.3 **Tenure** - Independent members shall be appointed for a term of two years, after which time Council can choose to exercise an option to renew the

Commented [KR8]: Is this just a normal meeting of Council?

Commented [BS9R8]: No, this is the first Council meeting following a Periodic election (the first meeting of the incoming Council). We probably need to change slightly, as I can see that the term is for at least 2 years (but not necessarily 4).

Commented [KR10]: I feel this is contradictory to clause 1.4 which states the Committee has no authority/power. I don't feel the presiding member should be able to determine who the Council Member (by virtue of it being Council's appointed member) unless it is a proxy which is temporary in nature and not permanent.

Commented [BS11R10]: Agree with this.

appointment for another term. Independent members can only serve for two consecutive terms without public advertisement, however, members may re-apply at the end of their term(s) and be re-appointed for further terms through the public advertisement process.

- 5.4 **Remuneration** - Remuneration paid to independent members will be a set fee per meeting ~~as resolved by Council~~ with an additional amount paid to the Presiding Member. Travelling costs will also be reimbursed.
- 5.5 **Resignation** - In the event of a resignation of an external independent member or statutory change, the Committee has the option to review unsuccessful applicants from the initial recruitment process and recommend to Council to appoint an applicant, if this occurs within the previous 12 month period.

6. COUNCIL MEMBERS

6.1 **Appointment** - ~~The Council members of the Committee shall be appointed by Council at its Statutory Meeting and upon the expiry of any initial term, or as otherwise required to maintain membership of the Committee.~~

~~The Council member(s) of the Committee shall be appointed by Council at its Statutory Meeting, unless otherwise determined by the Presiding Member of the Committee.~~

6.2 **Proxy Member** - May be appointed by ~~the Presiding Member or~~ Council. Only members of the Committee are entitled to vote in Committee meetings. If the member of Council who is a Committee member is unable to participate in a Committee meeting ~~and a proxy is appointed~~, then the ~~appointed~~ proxy member is able to participate in the Committee meeting and is entitled to vote. ~~A Proxy appointment must not be made for exceed 2 meetings held in succession. Committee members must be notified in advance of a meeting where a proxy has been appointed. All information made available to Committee members must be made available to Proxy Member.~~

6.3 **Tenure** - The tenure of the Council member on the Committee will be for the term of Council unless otherwise determined.

6.4 **Remuneration** - ~~Council members appointed to the Committee shall not receive any additional remuneration.~~

7. COMMITTEE PRESIDING MEMBER:

7.1 **Role** - The role of the Presiding Member is to:

- **Meeting Conduct** - Oversee the orderly conduct of meetings in accordance with the *Local Government Act 1999*, the *Local Government (Procedures at Meetings) Regulations 2013* and the Council's Code of Conduct for Meeting Procedures;
- **Guiding Principles** - Ensure that the Guiding Principles in Regulation 4 are observed and that all Committee Members have an opportunity to participate in discussions in an open and responsible manner.

Commented [KR12]: Can we just insert the remuneration payable table here for easy reference?

Commented [KR13R12]: I am thinking \$500 Presiding Member \$300 independent Member per information sent through from Brittany's network.

Commented [BS14R12]: My preference would be not to include directly into the TOR, as it will need to be done via Council resolution in any event, and then you would be required to review/update the TOR every time you changed the sitting fee - but ultimately your decision how you would like to do it.

Commented [BS15R12]: Those values seem to be well placed based on current practice.

Commented [KR16]: Is this just a normal meeting of Council?

Commented [BS17R16]: No, this is the first Council meeting following a Periodic election (the first meeting of the incoming Council). We probably need to change slightly, as I can see that the term is for at least 2 years (but not necessarily 4).

Commented [KR18]: I feel this is contradictory to clause 1.4 which states the Committee has no authority/power. I don't feel the presiding member should be able to determine who the Council Member (by virtue of it being Council's appointed member) unless it is a proxy which is temporary in nature and not permanent.

Commented [BS19R18]: Agree with this.

Commented [KR20]: Same as previous comment. Presiding member ability to approve a proxy appointment, but not a permanent position.

Commented [BS21R20]: I have actually deleted the earlier provision, as this is a repeat of the same information (and changed this one in accordance with the above comment).

Commented [KR22]: Trying to say should not be for more than 2 meetings in a row.

Commented [BS23R22]: I have just tweaked slightly for clarity.

7.2 **Appointment** — The Presiding Member of the Committee must be appointed by Council resolution and be an independent member. The Presiding Member will be appointed for two years [and reviewed in alignment with item 4.2.](#)

7.3 **Tenure** — After serving two years, the Committee may choose to appoint the Presiding Member for a period of up to 2 years or the Committee may choose to nominate another Presiding Member from the independent membership. The process will be dependent on the Committee seeking nominations from the current independent membership and providing a report to Council for endorsement.

7.4 **Acting Presiding Member** — In the absence of the appointed Presiding Member from a meeting, the meeting will **appoint an acting Presiding Member from the Independent members present at the meeting.**

8. **NOTICE OF MEETINGS:**

8.1 The Committee shall conduct its meetings at the Council building, 10 Watson Terrace, Mount Gambier. [Committee Members may attend via electronic means in accordance with item 9.7.](#)

8.2 In accordance with Section 87 of the Act a notice of each meeting confirming the venue, date and time, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee and observers, no later than three (3) clear days before the date of the meeting. Supporting papers shall be sent to Committee Members (and to other attendees as appropriate) at the same time.

9. **MEETINGS AND DOCUMENTATION:**

~~9.1~~ **9.1** — **Number of Meetings** — Aligned with legislation there must be at least 1 meeting of an audit and risk committee in each quarter at appropriate times in the reporting and audit cycle and otherwise as required.

~~9.19.2~~ **Additional Meetings** – Shall be convened at the discretion of the Presiding Member or at the written request of a Committee member, the CEO or the internal or external auditors.

~~9.29.3~~ **Quorum** — At all meetings of the Committee a quorum must be present, noting the following:

- No business shall be transacted at any meeting of the Committee unless a quorum of Members is present.
- A quorum will be determined by dividing by 2 the number of Members formally appointed to the Committee ignoring any fraction and adding 1. A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any authorities, powers and discretions vested in or exercisable by the Committee.

~~9.39.4~~ **Role of Presiding Member** — The Presiding Member, when [physically present in person or via electronic means](#), shall preside at all meetings of the Committee and at any other time the Committee shall appoint an Acting Presiding Member who shall preside at that meeting.

~~9.49.5~~ **Voting Rights** — Each Member of the Committee including the Presiding

Commented [KR24]: How does this practically work, considering someone has to start the meeting? Brittany, hopefully I am just overthinking this. But I would expand this to state: Council Staff will call for nominations prior to the meeting commencement. A vote will be held with majority vote ruling. The nominated member will commence meeting procedures and ratify the decision as the first point of order.

Commented [BS25R24]: Yes, generally the staff member would open the meeting and call for nominations exactly as you have stated, I think it would be beneficial to add, for the sake of clarity.

Member present at any meeting of the Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.

9-59.6 Deliberate Vote — Each Member of the Committee including the Presiding Member present at any meeting of the Committee shall have one deliberate vote only.

9-69.7 Meeting Access — In accordance with the principles of open, transparent and informed decision making, Committee meetings must be conducted in a place open to the public. The agenda and minutes of the Committee meetings, subject to any items that are discussed in confidence under Section 90 of the Local Government Act 1999 and subsequently retained as confidential under Section 91 of the Act, are also required to be made available to the public.

9.8 Participation via electronic means — A Committee Member may participate, and is considered as being present at a meeting if the Member:

- can hear all other members present at the meeting;
- can be seen and heard by all other members present at the meeting;
- can be seen and heard by the person recording the minutes of the meeting; and
- can express their vote on each and every question in a manner that can be identified by all other persons present at the meeting (whether all other persons at the meeting are physically present or present by electronic means).

Where a Committee Member attends via electronically means and is unable to meet the above requirements, be been seen, they will not be considered present for a Quorum, but may still participate in discussion and listen to proceedings.

~~9.7 In an online/virtual capacity. When attendance is via electronic means, Committee members must be visible. Where a Committee attends electronically and is unable to be seen, they will not be considered present for quorum, but may still participate in discussion and listen to proceedings. Using telephone or other electronic means as long as the Committee Member has advised the Chief Executive Officer a minimum of 24 hours prior to the commencement of the meeting.~~

9-89.9 Documents - Members of the public shall have access to all documents related to the Committee unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 and 91 of the Local Government Act 1999.

10. MINUTES OF MEETINGS:

10.1 Role of The CEO - The CEO shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present are minuted and that the minutes otherwise comply with the requirements of the *Local Government (Procedure at Meetings) Regulations 2013*.

10.2 Minutes Review - The Presiding Member will review the minutes within one

Commented [KR26]: Brittany may have better wording for this to align with changes to Council meeting procedures or needing to be visible (hope I didn't just make that up).

Commented [BS27R26]: I have just changed this up slightly to align with the Code of Practice for Meeting Procedures.

Commented [KR28]: Brittany may have better wording for this to align with changes to Council meeting procedures or needing to be visible (hope I didn't just make that up).

Commented [BS29R28]: As above.

week of the meeting and these will be presented to the next practicable Council meeting. The minutes will then be formally approved at the subsequent meeting of the Committee.

- 10.3 **Minutes Availability** – Minutes shall be made available to all Members of the Committee, Council and the public unless section 90 of the Local Government Act applies.
- 10.4 **Minutes Confirmation** - Minutes of the Committee Meeting shall be submitted for confirmation at the next meeting of the Committee and if confirmed, shall be signed by the Presiding Member or other person presiding at the subsequent meeting.
- 10.5 **Submission ~~To~~ Council** - Minutes of the Committee Meeting and any recommendations (including the minutes and recommendations of any Sub-Committee established by the Committee) shall be submitted to Council and shall be of no effect until endorsed as a resolution of Council.

11. MEETING PROCEDURES:

- 11.1 **Legislation** - The Committee shall conduct meetings in accordance with the *Local Government Act 1999, Local Government (Procedures at Meetings) Regulations 2013* and Council Determined Meeting Procedures Policy.
- 11.2 **Conflict of Interest** - Conflict of Interest declarations pursuant to s73 - ~~75B~~ 75C of the Local Government Act 1999.

12. **ROLE OF THE AUDIT AND RISK COMMITTEE:**

12.1 **Financial Reporting:** The Committee shall:

- 12.1.1 **Financial Statements** - Monitor the integrity of the financial statements of the Council, including in its annual report, reviewing significant financial reporting issues and judgements which they contain.
- 12.1.2 **Review and challenge** - where necessary:
- The consistency of, and/or any changes to accounting policies.
 - The methods used to account for significant or unusual transactions where different approaches are possible.
 - The compliance with appropriate accounting standards and use of appropriate estimates and judgements, taking into account the views of the external auditor.
 - The clarity of disclosure in the Council's financial reports and the context in which statements are made; and
 - All material information presented with the financial statements, such as the operating and financial review and the corporate governance statement (insofar as it relates to the audit and risk management).

12.2 **Internal Controls and Risk Management Systems**

The Committee shall:

- 12.2.1 **Effectiveness** - Monitor the effectiveness of the Council's internal controls and risk management systems; and

Commented [KR30]: Should there be a separate reference to ESCOSA?

Commented [BS31R30]: We may need to discuss this one - do we know whether ESCOSA is going to be something that Council's will have to comply with on an ongoing basis now, or was it a one-off project to inform future legislative reform?

- 12.2.2 **Review and recommend the approval** - Where appropriate, of statements to be included in the annual report concerning internal controls and risk management.
 - 12.2.3 **Risk Profile** - Keep under review Council's overall risk profile and monitor risk exposure.
 - 12.2.4 **Risk Management** - Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.
 - 12.2.5 **Risk Management Framework** - Review Council's Risk Management Policy and Framework and risk profile. Monitor the process of review of Council's risk profile to ensure that material risks are dealt with appropriately.
 - 12.2.6 **Risk Register** - Receive status reports on a regular basis of the risk register and actions being taken to manage identified risks.
- 12.3 **Public Interest Disclosure Act**
The Committee shall:
- 12.3.1 **Council's Arrangements** - Review the Council's arrangements for its employees to raise concerns, in confidence, about possible wrongdoing in financial reporting or other matters.
 - 12.3.2 The Committee shall ensure these arrangements allow independent investigation of such matters and appropriate follow-up action.
- 12.4 **Internal Audit** (where Council has a separate internal audit function) The Committee shall:
- 12.4.1 **Monitor and Review** - The effectiveness of the Council's internal audit function in the context of the Council's overall risk management system.
 - 12.4.2 **Program** - Consider and make recommendation on the program of the internal audit function and the adequacy of its resources and access to information to enable it to perform its function effectively and in accordance with the relevant professional standards.
 - 12.4.3 **Reports** - Review all reports on the Council's operations from the internal auditors.

Aligned with **Section 126(4)** of the Local Government Act one of the functions of the Audit and Risk Committee will be as follows:

(i) if the council has an internal audit function—

(A) providing oversight of planning and scoping of the internal audit work plan; and

(B) reviewing and commenting on reports provided by the person primarily responsible for the internal audit function at least on a quarterly basis;

Aligned with **Section 125A** of the Local Government Act as follows:

(1) *Despite any other law or instrument to the contrary, the person primarily responsible for the internal audit function –*

(a) must ensure that any reports they prepare relating to the internal audit function are provided directly to the audit and risk committee; and

(b) may report any matters relating to the internal audit function directly to the audit and risk committee.

As such quarterly reporting will be provided to the Council Executive and the Audit and Risk Committee.

Aligned with **Section 99** of the Local Government Act the CEO will:

(ib) to report annually to the relevant audit and risk committee on the council's internal audit processes.

12.4.4 **Findings and Recommendations** - Review and monitor management's responsiveness to the findings and recommendations of the Internal Auditor; and

12.4.5 Direct Access - Provide the internal Auditor with the right of direct access to the Mayor of the Council and to the Presiding Member of the Committee.

12.4.512.4.6 Consult – Consult with the CEO prior to appointing a person primarily responsible for the internal audit functions in accordance with section 125A (**Internal Auditor**).

12.5 **External Audit:**

The Committee shall:

12.5.1 Consider and make recommendations to the Council, in relation to the appointment, re-appointment and removal of the Council's external auditor.

12.5.2 **Selection/Resignation Process** - The Committee shall oversee the selection process for a new external auditor and if an auditor resigns the Committee shall investigate the issues leading to this and decide whether any action is required.

12.5.3 **Relationship** - Oversee Council's relationship with the external auditors including, but not limited to:

- **Remuneration** - Recommending the approval of the external auditor's remuneration, whether fees for audit or non-audit services, and recommending whether the level of fees is appropriate to enable an adequate audit to be conducted.
- **Terms of Engagement** - Recommending the approval of the external auditor's terms of engagement, including any engagement letter issued at the commencement of each audit and the scope of the audit.
- **Independence & Objectivity** - Assessing the external auditor's independence and objectivity taking into account relevant

professional and regulatory requirements and the extent of Council's relationship with the external auditors, including the provision of any non-audit services.

- **Relationships** - Satisfying itself that there are no relationships (such as family, employment, investment, financial or business) between the external auditor and the Council (other than in the ordinary course of business).
- **Assessment** - Assessing the external auditor's qualifications, expertise and resources and the effectiveness of the audit process (which shall include a report from the external auditors on the Committee's own internal quality procedures).
- **Follow up** - Action(s) to follow up on matters raised by the external auditors.

12.5.4 **Meeting** - Meet as needed with the external auditor. The Committee shall meet the external auditor at least once a year to discuss the external auditor's report and any issues arising from the audit.

12.5.5 **Annual Audit Plan** - Review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement.

12.5.6 **Audit Findings** - Review the findings of the audit with the auditor. This shall include, but not be limited to, the following:

- A discussion of any major issues which arose during the external audit;
- Any accounting and audit judgements; and
- Levels of errors identified during the external audit.

12.5.7 **Effectiveness** - The Committee shall also review the overall effectiveness of the external auditor.

12.5.8 **Representation Letter(s)** - Review any representation letter(s) requested by the auditor before they are signed by management.

12.5.9 **Management Letter** - Review the management letter and management's response to the external auditor's findings and recommendations. Subsequent to the initial review the Committee will oversee action to follow up on matters raised by the external auditors.

12.6 **Review of Strategic Management and Business Plans:**

The Committee shall review and provide advice on Council's strategic management plans (at the time of their preparation and scheduled review), which include the following:

- Strategic Plan;
- Key principles and assumptions of the Long Term Financial Plan;
- Various Asset Management Plans; and
- Annual Business Plan.

12.7 **Prudential Reports:**

12.7.1 **Review** - The Committee shall provide advice on the management of any prudential reports prepared for Council and provide advice to

Council.

13. OTHER MATTERS:

The Committee:

- 13.1 **Annual Work Program** - The Committee must adopt an annual work program.
- 13.2 **Oversee Investigations** - Shall oversee any investigation of activities that are within its Terms of Reference.
- 13.3 **Other Matters** - Shall give consideration to:
 - **Relevant Audits** – Consider the findings and recommendations of relevant audits undertaken by the SA Auditor General's Office, the South Australian Ombudsmen, Independent Commissioner Against Corruption (ICAC) and other agencies to ensure Council considers the relevant recommendations.
 - **Any Other Matters** - any other matters referred to it by Council meeting resolution or the CEO.
- 13.4 **Resources** - Shall have access to reasonable resources to carry out its duties.
- 13.5 **Training** - Be provided with appropriate and timely training, both in the form of an induction program for new members and an ongoing basis for all members.
- 13.6 **Insurance** - Shall advise Council's insurers of any civil liability or risk management issue. It should also be noted that Members of the Committee will be covered by Council's insurance policies while engaged in the business of the Committee.
- 13.7 **Legislation** - Give due consideration to the *Local Government Act 1999* and regulations made under the Act.

14. REVIEW / REPORTING:

- 14.1 **Recommendations** - The Committee shall make whatever recommendations to Council it deems appropriate on any area within these Terms of Reference where in its view action or improvement is needed.
- 14.2 **Self-Assessment Reports** - The Committee will at least once a year, review its own performance and provide a Self-Assessment Report to the CEO for tabling at the next Council meeting.
- 14.3 **Terms of Reference** – The Committee shall at least once every two years review its terms of reference.
- 14.4 **Council Review** - Council may review and amend the Committee Terms of Reference at any time, providing that the Committee has an opportunity to provide Council with any concerns that arise.
- 14.5 **Regular Reporting** - *Section 126 of the Local Government Act effective from 30 November 2023 requires that the following report is prepared as shown below:*
(8) A council audit and risk committee must— (a) provide a report to the

council after each meeting summarising the work of the committee during the period preceding the meeting and the outcomes of the meeting;

(9) A council must ensure that the annual report of its audit and risk committee is included in its annual report

15. **ACCESS TO TERMS OF REFERENCE:**

- 15.1 The Audit and Risk Committee Terms of Reference is available for public inspection at the Customer Centre, 10 Watson Terrace, Mount Gambier, South Australia and on the Council's website www.mountgambier.sa.gov.au

18.6 PROPOSED ITEMS OF BUSINESS - 2025 LGA ORDINARY GENERAL MEETING

Author: Kate Gilmore, CEO and Mayoral Executive Support

Authoriser: Sarah Philpott, Chief Executive Officer

RECOMMENDATION

1. That Council report titled 'Proposed Items of Business - 2025 LGA Ordinary General Meeting' as presented on Tuesday 18 February 2025 be noted.
2. That in light of Council's previous determination to submit an item of business to the 2025 ALGA National General Assembly which is of national relevance, and bearing in mind Council has previously proposed multiple items of relevance to the LGA meetings on the issues contained within Council's Partnership Priorities and Advocacy document, Council determines not to submit any items of business to the 2025 LGA Ordinary General Meeting.

OR
3. That draft motions for the 2025 LGA Ordinary General Meeting be prepared and circulated to all Council Members in time to be submitted by the due date of 28 February 2025 on the following issues:
 - (a)
 - (b)

PURPOSE

To identify any motions to be drafted for consideration by Council for the May 2025 LGA Ordinary General Meeting.

BACKGROUND / OPTIONS

Each year the Local Government Association (LGA) holds an Ordinary General Meeting (OGM) and an Annual General Meeting (AGM). The OGM for 2025 will take place on 23-24 May, with the AGM usually being held in around November each year. These meetings present an opportunity for Council's in South Australia to come together and help shape the future of local government in South Australia.

The theme for this year's OGM is **Agents of Change**, focusing on the transformative role of local government leaders in responding and shaping the future. More information can be found on the [LGA website](#).

On 3 February 2025, a Latest News Item was published by the LGA seeking items of business from Councils for the 2025 LGA OGM. Any items of business submitted, must be approved by SAROC, GAROC or the LGA Board and must be in line with the attached Guidelines.

Items of business must be submitted by **5.00pm on Friday, 28 February 2025**.

Council Administration's recommendation

At the Council meeting of 21 January 2025, Council considered submitting a motion to the 2025 ALGA National General Assembly (NGA) to be held on 25-27 June in Canberra, and resolved as follows:

RESOLUTION OCM 2024/279

Moved: Cr Frank Morello
Seconded: Cr Sonya Meziniec

1. That Council report titled 'ALGA June 2025 National General Assembly - Call for Motions' as presented on Tuesday 21 January 2025 be noted.
2. That draft motions for the June 2025 ALGA National General Assembly be prepared and presented to Council in February or March 2025 on the following issues relevant to the work of local government nationally:
 - (a) Sustainability of regional airports and the importance of accessible and affordable regional air travel for medical, education, freight, work and leisure travel.

CARRIED

The draft motion referred to above will be presented to Council at the March Council meeting.

Given Council is already putting forward an item of business to the ALGA NGA, and also given that Council has previously advocated on a range of issues consistent to the Council's Partnership Priorities and Advocacy document to prior LGA OGM/AGM, **it is recommended that Council determine not to submit any items of business to the 2025 LGA OGM.**

However, Council may determine they do wish to submit items of business to the 2025 LGA OGM, bearing in mind the criteria, and, if it so resolves, the Administration will prepare draft motions for the consideration of Council. In order to meet LGA's deadline, such draft motions will need to be circulated and agreed by Councillors by email, and a further retrospective report would be provided to the next Council meeting.

Another alternative Council may wish to consider is the opportunity to submit items of business to the LGA AGM, which is expected to be scheduled for around October / November 2025. If Council propose any items of business for the LGA AGM, consideration should be given to preparations (including discussion with LGA staff and collation of supporting information to inform recommendations and decisions) to enable submission via SAROC.

CONCLUSION

The LGA OGM is scheduled to be held in May 2025, and the ALGA NGA is scheduled to be held in June 2025.

A key purpose of these meetings is to consider items of strategic importance to local government.



Council have already considered and determined to submit an item for consideration to the ALGA NGA, and this report is presented to enable the consideration of proposed items of business for the LGA OGM (or possibly LGA AGM later in 2025).

ATTACHMENTS

1. Guidelines - LGA OGM Items of Business [**18.6.1** - 5 pages]





The voice of local government.

Considering Proposed Items of Business for LGA General Meetings

Guidelines

February 2019

Version 1



The voice of local government.

Introduction

The Local Government Association of South Australia (LGA) schedules two General Meetings each year for member councils to consider items of strategic importance to local government and the LGA. Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

These guidelines have been prepared to assist the LGA Board of Directors (Board), South Australian Region Organisation of Councils (SAROC) and Greater Adelaide Region Organisation of Council (GAROC) to consider the items of business to be placed upon an agenda for an LGA Ordinary or Annual General Meeting. They also provide guidance to member councils to develop and prioritise proposals to submit for consideration.

The *Considering Proposed Items of Business for LGA General Meetings* Guidelines may be reviewed and amended by the LGA Board of Directors from time to time.

LGA Constitution

Section 16 of the LGA Constitution provides guidance about the matters to be discussed at a General Meeting, and the process by which items of business may be proposed for inclusion on the agenda. The requirements of Section 16 are outlined below.

16. Business of General Meetings

- 16.1 *The business of a General Meeting will be to consider items of strategic importance to local government and the LGA as recommended by SAROC, GAROC or the Board of Directors and matters which must be determined under this Constitution at a General Meeting.*
- 16.2 *Any Member may propose an item of business for an Annual General Meeting or an Ordinary General Meeting to SAROC, GAROC or the Board of Directors.*
- 16.3 *No business shall be brought before a General Meeting of the LGA unless:*
 - 16.3.1 *it has been placed on the agenda of an Annual General Meeting or an Ordinary General Meeting by SAROC, GAROC or the Board of Directors taking into account the purpose of a General Meeting set out in clause 16.1; or*
 - 16.3.2 *the business is as stated in the notice of a Special General Meeting, given in accordance with clause 10.*

In summary, the Constitution provides all member councils with the opportunity to submit a proposed item of business to the Board, SAROC or GAROC for approval to be placed on the agenda of a General Meeting. No item of business will be placed upon the agenda for a General Meeting unless it has been approved by one of the relevant bodies, which must consider whether a matter is of '*strategic importance*' to local government and the LGA'.

Relevant bodies

As outlined in the Constitution, a member council may propose an item of business to SAROC, GAROC or the Board of Directors. This opportunity is also enshrined within the LGA Membership Proposition, which outlines the rights of members to participate in the development of LGA policy and strategy.



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While the Constitution refers to members being able to refer items directly to the Board, the Membership Proposition specifically provides for members referring matters relating to policy and strategy development to either SAROC or GAROC (as relevant).

To provide greater clarity to members about the best pathway for submitting an item of business, the following guidance is provided.

LGA Board of Directors

Items should be referred to the Board if related to:

- the LGA Constitution or Ancillary Documents
- a subsidiary of the LGA
- a commercial service provided (or proposed to be provided) by the LGA
- an activity requiring the allocation of significant resources by the LGA
- any LGA operational matter

SAROC or GAROC

Items should be referred to the relevant ROC if related to:

- the development of LGA policy and strategy
- LGA advocacy activities
- an amendment or addition to the LGA Policy Manual
- an operational matter related to SAROC or GAROC

The Board, SAROC and GAROC may choose to refer items submitted by member councils to each other for advice or consideration. Such referrals will be at the discretion of the Board, SAROC and GAROC.

Guiding principles

The following guiding principles have been developed to provide clarity and consistency to the Board, SAROC, GAROC and member councils about the relevant matters that will be considered in determining whether an item of business will be placed on the agenda of a General Meeting.

1. Strategic importance

The matters discussed at General Meetings should be of strategic importance to local government and the LGA. The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.

In determining whether a matter is of strategic importance to local government and the LGA, the Board, SAROC and GAROC will consider:

- whether the item has relevance to and will benefit a particular group (eg regional or metro councils) or the sector as a whole;
- alignment with the strategic plans and business plans of the LGA, SAROC and GAROC;
- the level of urgency required to deal with the issue;
- relevance to the role of local government and the potential positive and negative impacts of the issue on councils and communities;

- whether there are other bodies or industry groups that are better placed to address the issue or undertake the proposed activity; and
- the resources required to execute the policies or activities.

2. Supporting evidence

Good public policy positions need to be supported by solid evidence that the issues are well understood and that the proposed course of action provides the most efficient and effective solution. A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.

The Board, SAROC and GAROC will consider whether there is sufficient evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.

In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action. The Board, SAROC and GAROC may propose an alternative course of action, in consultation with the submitting council.

3. Alignment with LGA policy

The LGA Policy Manual is a compendium of principles and policies that have been developed and endorsed by a majority vote of member councils at previous General Meetings. There are a wide range of policies addressing a number of priority issues for the sector.

The policies act as a guide for advocacy and best practice in the sector. In most cases, the LGA Policy Manual can provide councils with a broad direction on how an issue can be resolved and whether further development of a policy position is required.

The Board, SAROC and GAROC will consider the LGA Policy Manual in determining whether a new or amended policy position is required to be endorsed by members to enable the LGA to take the requested action. If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.

4. Resourcing

In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue.

Before determining to place an item on the agenda of a General Meeting; the Board, SAROC and GAROC will consider:

- whether resources are available within the LGA to achieve the desired outcome;
- other resources that may be available;
- potential impacts on the LGA budget and business plan; and
- the level of input that will be required by councils or other stakeholders to progress the item.

The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

Determinations by the Board, SAROC and GAROC

After considering a proposed item of business against these guiding principles and having regard to any other relevant factors, the Board, SAROC and GAROC may determine to:

- approve an item of business for inclusion on the agenda of a General Meeting;
- approve an amended item of business for inclusion on the agenda of a General Meeting (in consultation with the submitting councils);
- take no further action;
- request additional information from the submitting council;
- refer an item back to the submitting council or regional LGA for action if it relates to a local or regional issue;
- resolve that the matter be dealt with by the LGA, SAROC or GAROC without progressing to a General Meeting (such as matters requiring urgent attention or actions that can be progressed immediately due to alignment with existing policies and work plans); or
- defer the item to a future General Meeting

The submitting council will be advised in writing of the determination of their proposed item of business.

18.7 DELEGATIONS UPDATE - FEBRUARY 2025

Author: Elisa Solly, Governance and Property Officer

Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Delegations Update - February 2025' as presented on Tuesday 18 February 2025 be noted.
2. That Council grants the delegation of powers and functions of the Council as provided for in the tables at **Attachment 1**, to the person occupying or acting in the office of Chief Executive Officer of the Council pursuant to section 44 of the Local Government Act 1999.
3. The delegations granted in resolution (2) above pursuant to the Local Government Act 1999 to the Council's Chief Executive Officer, in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act may, unless indicated by resolution or in the tables accompanying the within council report, be further sub-delegated by the Chief Executive Officer or delegate.
4. Noting: no sub-delegation is permitted under the Environment Protection Act 1993.
5. Planning, Development and Infrastructure Act 2016 Delegations:
 - a) In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the Instrument of Delegation (**Attachment 1** accompanying report titled 'Delegations update October 2024') are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
 - b) Such powers and functions delegated in resolution 4 (a) may be further subdelegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 and Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the relevant Instrument of Delegation.
6. General: The delegations granted in resolution 2 above are subject to the following conditions and limitations:
 - a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
 - b) the delegate must exercise a delegated function or power in accordance with and due regard to:
 - (i) applicable legislative and other legal requirements; and
 - (ii) relevant policies and guidelines adopted by the Council.
 - c) in regard to the following delegations under the Local Government Act:



- (i) section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act
 - (ii) section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council and the financial sub-delegation limitations set by the Chief Executive Officer;
 - (iii) section 143(1): the power to write off debts is limited to debts not exceeding \$5,000;
 - (iv) section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c);
- d) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
 - e) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
 - f) These delegations will come into operation on Wednesday 19 February 2025 and remain in force until varied or revoked by resolution of the Council.
 - g) Previous delegations granted by the Council of the powers and functions delegated under these resolutions are revoked with effect from Wednesday 19 February 2025.

PURPOSE

To periodically update delegations based on changes to LGA template instruments for the abovementioned legislation as provided via tables in the Attachment in accordance with sections 44 and 101 of the Local Government Act 1999 and other relevant legislation.

BACKGROUND / OPTIONS

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

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

Council may review its delegations at any time and must review all delegations within 12 months of each periodic election. Council last conducted a comprehensive review of delegations in June 2023, based upon the Local Government Association of SA (LGA) delegations framework.

This report presents updates based upon changes made to the LGA template delegations since previous delegation reports presented in:

- June 2023,
- January 2024,
- May 2024,



- August 2024, and
- October 2024.

The LGA template delegations are updated periodically in accordance with reform to relevant legislation, with the support of their partners Norman Waterhouse Lawyers.

The updates are summarised in the following table:

<u>Legislative Instrument</u>	<u>Amendments</u>
<ul style="list-style-type: none"> • Independent Commission Against Corruption Act 	1 new provision
<ul style="list-style-type: none"> • Instrument A – Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council; a Designated Authority; a Designated Entity 	26 new provisions 1 changed provision 14 deleted provisions
<ul style="list-style-type: none"> • Local Government (General) Regulations 2013 	1 new provision 1 deleted provision
<ul style="list-style-type: none"> • Supported Residential Facilities Regulations 2024 	3 changed provisions

The Local Government Act 1999 has been provided at Attachment 1 for Council’s reference only, there are no changes or updates to this instrument, however Council is recommended to impose a condition / limitation of \$5,000 on the delegation empowering the CEO to write off bad debts in accordance with section 143(1) of the Act. This is because section 143(3) of the Act requires Councils to set such a limit on any delegation of this power.

IMPLICATIONS TO CONSIDER

Legal	<p>As the authority under which the Chief Executive Officer (and in turn other Council Officers) are empowered to make decisions on behalf of Council, it is imperative that valid delegations are made in accordance with relevant legislation.</p> <p>Council uses the template delegations and processes as provided and updated by the Local Government Association, as amended to suit the specific circumstances applicable to the City of Mount Gambier, to ensure appropriate delegations are in place to support the activities of Council in a compliant manner.</p>
Financial and Budget	<p>An absence of appropriate delegations (and sub-delegations) would not enable the Council, Chief Executive Officer and other Council officers to direct decision making to an appropriate (sub)delegate to enable efficient and effective administration of the many, varied and routine functions of Council.</p>
Community Consultation and Engagement	<p>There is no legislative requirement to actively engage the community on the making of delegations. A person is however entitled to inspect the record of delegations and in support of this a full extract of the delegation register is published on the Council website here.</p>
Other Resources	<p>The making of delegations (and sub-delegations) enables the Council to give effect to the strategic and policy objectives of Council through the many and diverse transactions and activities undertaken by the administration on a daily basis.</p>



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

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance – Improperly controlled or ultra vires delegated powers results in financial expenditure outside of appropriate process, or legal action against Council.	Minor (2)	Unlikely (2)	Low	Residual risk falls within tolerance, no requirement for additional / further treatments.
Reputation – Failure to make appropriate delegations impacts service delivery or erodes trust in Council.	Moderate (3)	Unlikely (2)	Moderate	Residual risk falls within tolerance, no requirement for additional / further treatments
Legal / Regulatory / Policy – Ultra vires delegations of power results in legal action against Council.	Major (4)	Rare (1)	Moderate	This is where the risk would remain higher but for the use of the LGA template. Given that use, there is no requirement for additional / further treatments
Service Delivery - Failure to make appropriate delegations impacts service delivery by reducing operational efficiency.	Major (4)	Rare (1)	Moderate	Given that delegations are designed to ensure effective service delivery, the use of the template and the regularity of updates, means no additional mitigations are required.
People - Failure to make appropriate delegations exposes staff to legal consequences and erodes organisation trust in	Minor (2)	Unlikely (2)	Low	Residual risk falls within tolerance, no requirement for additional / further treatments.



Executive Leadership / Elected Council.				
Infrastructure – There are limited implications for infrastructure and therefore is N/A	Insignificant (1)	Rare (1)	Low	N/A
Environmental – There are limited implications for environmental impacts and therefore is N/A	Insignificant (1)	Rare (1)	Low	N/A

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 6: Excellence in Leadership and Governance

6.2 Ensure compliance with legislative obligations and apply best-practice governance to strengthen risk management, accountability and transparency, fostering trust within the community.

This report contributes to delivery of the following key strategic project(s):

N/A

RELEVANT COUNCIL POLICY

N/A

IMPLEMENTATION AND NEXT STEPS

If the Council resolves to grant the delegations, then the updated delegations will come into operation on the day following the Council meeting together with updated sub-delegations made by the Chief Executive Officer, and previous delegations for these legislative instruments are contemporaneously revoked.

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

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

CONCLUSION

This report recommends that Council endorse updated delegations to the Chief Executive Officer for the legislation listed in the report background as contained in the tables attached to this report.

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



ATTACHMENTS

1. Attachment 1 - Delegations Update - February 2025 [**18.7.1** - 146 pages]





Independent Commission Against Corruption Act 2012

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



Independent Commission Against Corruption Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			34(1) of the Independent Commission Against Corruption Act	
409899	Independent Commission Against Corruption Act 2012	section 36(1)(b)	Act on a referral from the Independent Commission Against Corruption	public authority
409900	Independent Commission Against Corruption Act 2012	section 36(4)	Comply with direction or guidance given by the Independent Commission Against Corruption	public authority
573914	Independent Commission Against Corruption Act 2012	section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption	public authority
409901	Independent Commission Against Corruption Act 2012	section 36(8)	Provide comments to the Independent Commission Against Corruption	public authority
573915	Independent Commission Against Corruption Act 2012	section 39A(1)	Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter	public authority
755277	Independent Commission Against Corruption Act 2012	section 39A(3)	Apply to the Supreme Court for an order authorising the council to withhold information relating to the determination from a person the subject of the investigation	public authority
409905	Independent Commission Against Corruption Act 2012	section 40(2)	Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council	public authority
409906	Independent Commission Against Corruption Act 2012	section 41(1)	Comply with recommendations of the Independent Commission Against Corruption	public authority
409907	Independent Commission Against Corruption	section 41(4)	Provide comments to the Independent	public authority



Independent Commission Against Corruption Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
	Act 2012		Commission Against Corruption	
409908	Independent Commission Against Corruption Act 2012	section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commission Against Corruption Act	public authority
610159	Independent Commission Against Corruption Act 2012	section 56A(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty and any disciplinary investigation or action	public authority/ prosecution authority
573916	Independent Commission Against Corruption Act 2012	Clause 9(6), Schedule 4	Act on a referral of the inspector	public authority



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

ID	Delegation Source	Provision	Item Delegated
622783	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s5(5)(b)	1. Planning Regions and Greater Adelaide 1.1 The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the PDI Act.
622784	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s6(3)(b)	2. Subregions 2.1 The power pursuant to Section 6(3)(b) of the PDI Act to make submissions to the Minister on the Minister's proposed course of action.
312115	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s7(5)(b)	3. Environment and Food Production Areas – Greater Adelaide 3.1 The power pursuant to Section 7(5)(b) of the the PDI Act, in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.
312116	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s22(4)(a)(i)	4. Functions 4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or



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

ID	Delegation Source	Provision	Item Delegated
			representations.
312117	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(1)(a)	5. Planning Agreements 5.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.
312118	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and
312119	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.2 the constitution of a joint planning board including, in relation to such a board:



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

ID	Delegation Source	Provision	Item Delegated
			5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and 5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and 5.2.2.3 the procedures to be followed with respect to the appointment of members; and 5.2.2.4 the terms of office of members; and 5.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and 5.2.2.6 the appointment of deputy members; and 5.2.2.7 the procedures of the board; and
312120	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and
312121	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of



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

ID	Delegation Source	Provision	Item Delegated
	Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.4 the staffing and other support issues associated with the operations of the joint planning board; and
312122	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.5 financial and resource issues associated with the operations of the joint planning board, including: 5.2.5.1 the formulation and implementation of budgets; and 5.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and
312123	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the



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

ID	Delegation Source	Provision	Item Delegated
			agreement is intended to achieve and to provide for: 5.2.6 such other matters as the delegate thinks fit.
312124	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(5)(a)	5. Planning Agreements 5.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).
312125	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(5)(b)	5. Planning Agreements 5.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.
622785	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s41(2)(a)	6. Appointment of Administrator 6.1 The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of the PDI Act.
312127	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(6)(a)	7. Community Engagement Charter 7.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).



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

ID	Delegation Source	Provision	Item Delegated
312128	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(9)(b)	7. Community Engagement Charter 7.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.
312129	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(10)	7. Community Engagement Charter 7.3 The power pursuant to Section 44(10) of the PDI Act to: 7.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and 7.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.
312130	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s45(2)(c)	8. Preparation and Amendment of Charter 8.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.
622786	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(2)(b)(iv)	9. Preparation and Amendment 9.1 The power pursuant to Section 73(2)(b)(iv) of the PDI Act to: 9.1.1 seek the approval of the Minister to



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

ID	Delegation Source	Provision	Item Delegated
			initiate a proposal to amend a designated instrument; and 9.1.2 initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.
312132	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(6)	9. Preparation and Amendment 9.2 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied: 9.2.1 to prepare a draft of the relevant proposal; and 9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and 9.2.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and 9.2.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather



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

ID	Delegation Source	Provision	Item Delegated
			than more generally) – to take reasonable steps to give: 9.2.4.1 an owner or occupier of the land; and 9.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and 9.2.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and 9.2.6 to carry out such investigations and obtain such information specified by the Commission; and 9.2.7 to comply with any requirement prescribed by the regulations.
622787	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(7)	9. Preparation and Amendment 9.3 The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act, to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should be made) and furnish a copy of the report to the Minister.
312134	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(8)	9. Preparation and Amendment 9.4 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of



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

ID	Delegation Source	Provision	Item Delegated
			the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.
312135	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(9)	9. Preparation and Amendment 9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).
312136	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s74(8)(c)	10. Parliamentary Scrutiny 10.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.
622788	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s75(1)	11. Complying Changes – Planning and Design Code 11.1 The power pursuant to Section 75(1) of the PDI Act to submit to the Minister a proposal to agree to an amendment to the



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			Planning and Design Code under Section 75 of the PDI Act if: 11.1.1 the amendment comprises a change to: 11.1.1.1 the boundary of a zone or subzone; or 11.1.1.2 the application of an overlay; and 11.1.2 the amendment is consistent with a recommendation in the relevant regional plan that, through the use of: 11.1.2.1 specific maps or other spatial information; and 11.1.2.2 specific information about the changes that are being proposed, clearly and specifically identifies (in the opinion of the Minister) the changes that are considered to be appropriate.
385340	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s75(3)	11. Complying Changes – Planning and Design Code 11.2 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the Chief Executive).



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312137	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s82(d)	12. Entities Constituting Relevant Authorities 12.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.
312138	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(1)	13. Panels Established by Joint Planning Boards or Councils 13.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to: 13.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess; 13.1.2 determine: 13.1.2.1 the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and 13.1.2.2 the procedures to be followed with respect to the appointment of members; and 13.1.2.3 the terms of office of members; and



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			13.1.2.4 conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and 13.1.2.5 the appointment of deputy members; and 13.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.
312139	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(1)(h)	13. Panels Established by Joint Planning Boards or Councils 13.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.
312140	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(1)(i)	13. Panels Established by Joint Planning Boards or Councils 13.3 The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.
312141	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity	s83(2)	13. Panels Established by Joint Planning Boards or Councils 13.4 The power pursuant to Section 83(2) of



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	(Instrument A)		the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.
622789	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s84(1)(c)(ii)(A)	14. Panels Established by Minister 14.1 The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other Councils.
622790	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s84(1)(c)(ii)(B)	14. Panels Established by Minister 14.2 The power pursuant to Section 84(1)(c)(ii)(B) of the PDI Act to make submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council and one or more other Councils (or parts of such areas).
312144	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s86(2)(a)	15. Substitution of Local Panels 15.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.
312145	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity	s89(b)	16. Notification of Acting 16.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited



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	(Instrument A)		professional to provide such information or documentation as the delegate may require.
622791	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s94(1)(g)	17. Relevant Authority - Commission 17.1 The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development.
312147	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(1)(c)(iv)	18. Matters Against which Development Must be Assessed 18.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.
312148	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(1)(d)(iv)	18. Matters Against which Development Must be Assessed 18.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.



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312149	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(11)(b)	18. Matters Against which Development Must be Assessed 18.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.
312150	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(2)(b)	19. Restricted Development 19.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent.
312151	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(c)(ii)	19. Restricted Development 19.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.
312152	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(7)	19. Restricted Development 19.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.
312153	Instrument of Delegation under the Planning, Development and Infrastructure	s112(b)	20. Level of Detail



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	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		20.1 The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS.
622792	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s113(5)(a)(iii)	21. EIS Process 21.1 The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and report within the time prescribed by the regulations on an EIS referred to the Council by the Minister.
622793	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s114(2)(b)	22. Amendment of EIS 22.1 The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister.
312156	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s130(6)	23. Essential Infrastructure – Alternative Assessment Process 23.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.
312157	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s130(14)	23. Essential Infrastructure – Alternative Assessment Process 23.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its



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			report under Section 130(6) of the PDI Act, withdraw the Council's opposition.
312158	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s131(7)	24. Development Assessment – Crown Development 24.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.
312159	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s131(15)	24. Development Assessment – Crown Development 24.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.
312160	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s138(1)	25. Land Division Certificate 25.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.
312161	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s138(2)	25. Land Division Certificate 25.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with



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			a particular condition and to comply with any requirement prescribed by the regulations.
312162	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(1)	<p>26. Action if Development Not Completed</p> <p>26.1 The power pursuant to Section 141(1) of the PDI Act, if:</p> <p>26.1.1 an approval is granted under the PDI Act; but</p> <p>26.1.2 -</p> <p>26.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or</p> <p>26.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval,</p> <p>to apply to the Court for an order under Section 141 of the PDI Act.</p>
312163	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(5)	<p>26. Action if Development Not Completed</p> <p>26.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that</p>



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			work, as a debt from the person.
312164	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(6)	26. Action if Development Not Completed 26.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act: 26.1.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312165	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(1)	27. Completion of Work 27.1 The power pursuant to Section 142(1) of the PDI Act, if: 27.1.1 an approval is granted under the PDI Act; but 27.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval, to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.
312166	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(2)	27. Completion of Work 27.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.



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312167	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(3)	27. Completion of Work 27.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.
312168	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(4)	27. Completion of Work 27.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act: 27.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312169	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s146(3)	28. Notification During Building 28.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.
312170	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity	s151(2)	29. Classification of Buildings 29.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected



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	(Instrument A)		in the Council's area a classification that conforms with the regulations.
312171	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s151(3)	29. Classification of Buildings 29.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.
312172	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(2)	30. Certificates of Occupancy 30.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.
312173	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(3)(a)	30. Certificates of Occupancy 30.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.
312175	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(5)	30. Certificates of Occupancy 30.3 The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application.
312176	Instrument of Delegation under the Planning, Development and Infrastructure	s152(6)	30. Certificates of Occupancy



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	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		30.4 The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act.
312177	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(10)	30. Certificates of Occupancy 30.5 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of: 30.5.1 the refusal; and 30.5.2 the reasons for the refusal; and 30.5.3 the applicant's right of appeal under the PDI Act.
312178	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(12)	30. Certificates of Occupancy 30.6 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.
312179	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(13)	30. Certificates of Occupancy 30.7 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.



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312180	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(1)	31. Temporary Occupation 31.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.
312181	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(2)	31. Temporary Occupation 31.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.
312182	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(3)	31. Temporary Occupation 31.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of: 31.3.1 the refusal; and 31.3.2 the reasons for the refusal; and 31.3.3 the applicant's right of appeal under the PDI Act.
312183	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s155(5)	32. Emergency Orders 32.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.
312184	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity	s155(6)	32. Emergency Orders 32.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from



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	(Instrument A)		the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.
312185	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s155(7)	32. Emergency Orders 32.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312186	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(16)	33. Fire Safety 33.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.
312187	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.1 appoint to the appropriate authority: 33.2.1.1 a person who holds prescribed qualifications in building surveying; and 33.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the



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			appropriate authority; and 33.2.1.3 a person with expertise in the area of fire safety; and 33.2.1.4 if so determined by the delegate, a person selected by the delegate;
312188	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.2 specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;
312189	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.3 remove a member of the appropriate authority from office for any reasonable cause;
312190	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.4 appoint deputy members;
312191	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.5 determine the appropriate authority's procedures (including as to quorum).
622794	Instrument of Delegation under the Planning, Development and Infrastructure	s163(3)(b)	34. Initiation of Scheme



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	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		34.1 The power pursuant to Section 163(3)(b) of the PDI Act to request the Minister initiate a proposal to proceed under Section 163 of the PDI Act.
622795	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s163(10)	34. Initiation of Scheme 34.2 The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline.
622796	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s164(3)	35. Initiation of Scheme 35.1 The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act.
622797	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s164(12)	35. Initiation of Scheme 35.2 The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline.
312196	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s166(1)(c)	36. Consideration of Proposed Scheme 36.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.
622798	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity	s167(7)	37. Adoption of Scheme 37.1 The power pursuant to Section 167(7) of the PDI Act to make submissions to the



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	(Instrument A)		Minister in relation to a variation to an outline of a scheme.
312198	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s169(2)(b)	38. Funding Arrangements 38.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.
312199	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s169(9)	38. Funding Arrangements 38.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.
622799	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s177(4)	39. Contributions by Constituent Councils 39.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.
622800	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s177(5)	39. Contributions by Constituent Councils 39.2 The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the



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			Minister to determine shares under Sections 177(2) and (3) of the PDI Act.
312202	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s180(7)	40. Imposition of Charge by Councils 40.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.
312203	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(1)	41. Authorised Works 41.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.
312204	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(5)	41. Authorised Works 41.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to: 41.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and 41.2.2 give the relevant road maintenance authority a reasonable opportunity to consult



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			with the Council in relation to the matter; and 41.2.3 ensure that proper consideration is given to the views of the road maintenance authority.
312205	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(5)(b)	41. Authorised Works 41.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.
312206	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(6)	41. Authorised Works 41.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.
312207	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(1)	42. Entry onto Land 42.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to: 42.1.1 enter and pass over any land; and 42.1.2 bring onto any land any vehicles, plant or equipment; and 42.1.3 temporarily occupy land; and 42.1.4 do anything else reasonably required in connection with the exercise of the power.



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312208	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(4)	42. Entry onto Land 42.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.
622801	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s189(1)	43. Acquisition of Land 43.1 The power pursuant to Section 189(1) of the PDI Act, to: 43.1.1 seek the consent of the Minister to acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969; and 43.1.2 with the consent of the Minister, acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969.
312210	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(1)	44. Land Management Agreements 44.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.
312211	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(2)	44. Land Management Agreements 44.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway



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			authority.
312212	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(4)	44. Land Management Agreements 44.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to: 44.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and 44.3.2 the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.
312213	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(5)	44. Land Management Agreements 44.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.
312214	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(8)	44. Land Management Agreements 44.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by



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			agreement under Section 192 of the PDI Act.
312215	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(9)	44. Land Management Agreements 44.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.
312216	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(10)	44. Land Management Agreements 44.7 The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.
312217	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(11)	44. Land Management Agreements 44.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.
312218	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(12)	44. Land Management Agreements 44.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of



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			land not under the provisions of the Real Property Act 1886, against the land.
312219	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(15)	44. Land Management Agreements 44.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.
312220	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(16)	44. Land Management Agreements 44.11 The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.
622802	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(17)	44. Land Management Agreements 44.12 The power pursuant to Section 192(17) of the PDI Act to seek the Minister's consent to providing in an agreement under Section 192 of the PDI Act entered into by the Council for the remission of rates or taxes payable to the Crown.
312222	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(17)	44. Land Management Agreements 44.13 The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192



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			of the PDI Act, providing for the remission of rates or taxes payable to the Council.
312223	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(18)	44. Land Management Agreements 44.14 The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act.
312224	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(1)	45. Land Management Agreements – Development Applications 45.1 The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind: 45.1.1 the person; and 45.1.2 any other person who has the benefit of the development authorisation; and 45.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).
312225	Instrument of Delegation under the Planning, Development and Infrastructure	s193(2)	45. Land Management Agreements –



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	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		Development Applications 45.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).
312226	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(3)	45. Land Management Agreements – Development Applications 45.3 The power pursuant to Section 193(3) of the PDI Act to have regard to: 45.3.1 the provisions of the Planning and Design Code; and 45.3.2 the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.
312227	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(5)	45. Land Management Agreements – Development Applications 45.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.
312228	Instrument of Delegation under the Planning, Development and Infrastructure	s193(10)	45. Land Management Agreements –



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	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		Development Applications 45.5 The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.
312229	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(11)	45. Land Management Agreements – Development Applications 45.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.
312230	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(13)	45. Land Management Agreements – Development Applications 45.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.
312231	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(15)	45. Land Management Agreements – Development Applications 45.8 The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or



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			against the land.
312232	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(16)	45. Land Management Agreements – Development Applications 45.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.
622803	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(1)(b)	46. Off-setting Contributions 46.1 The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act.
312234	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(2)	46. Off-setting Contributions 46.2 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate: 46.2.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or 46.2.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the



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			planning system established by the PDI Act; or 46.2.3 any other initiative or policy: 46.2.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act; 46.2.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.
312235	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(3)	46. Off-setting Contributions 46.3 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act: 46.3.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act): 46.3.1.1 to make a contribution to a fund established as part of the scheme; or 46.3.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or 34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act, in order to provide for or address a particular matter identified by the scheme; and 46.3.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and 46.3.3 an ability for any relevant authority to



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			act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.
312236	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(4)	46. Off-setting Contributions 46.4 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.
312237	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(4)(c)	46. Off-setting Contributions 46.5 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.
622804	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(7)	46. Off-setting Contributions 46.6.1 seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and 46.6.2 to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister.
312239	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(1)	47. Open Space Contribution Scheme 47.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more



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			than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require: 47.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or 47.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or 47.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act, according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.
312240	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(3)	47. Open Space Contribution Scheme 47.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.
312241	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity	s198(4)(a)	47. Open Space Contribution Scheme 47.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area



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	(Instrument A)		being vested in the Council.
312242	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(11)	47. Open Space Contribution Scheme 47.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.
312243	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(12)	47. Open Space Contribution Scheme 47.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.
622805	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(1)	48. Urban Trees Fund 48.1 The power pursuant to Section 200(1) of the PDI Act to, 48.1.1 seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and 48.1.2 to, with the approval of the Minister establish a fund (an urban trees fund) for an area designed by the delegate (a designated area).
312245	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(2)	48. Urban Trees Fund 48.2 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.



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312246	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(3)	48. Urban Trees Fund 48.3 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.
312247	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(5)	48. Urban Trees Fund 48.4 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.
312248	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(6)	48. Urban Trees Fund 48.5 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund: 48.5.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or 48.5.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.
312249	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(7)	48. Urban Trees Fund 48.6 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into



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			an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).
312250	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(1)	49. Appointment of Authorised Officers 49.1 The power pursuant to Section 210(1) of the PDI Act to: 49.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and 49.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.
312251	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(2)	49. Appointment of Authorised Officers 49.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.
312252	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(3)	49. Appointment of Authorised Officers 49.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card: 49.3.1 containing a photograph of the authorised officer; and 49.3.2 stating any conditions of appointment limiting the authorised officer's appointment.
312253	Instrument of Delegation under the Planning, Development and Infrastructure	s210(5)	49. Appointment of Authorised Officers



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	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		49.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.
312254	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(1)	<p>50. Enforcement Notices</p> <p>50.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:</p> <p>50.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;</p> <p>50.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;</p> <p>50.1.3 take such urgent action as is required because of any situation resulting from the breach</p>
312255	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(2)	<p>50. Enforcement Notices</p> <p>50.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the</p>



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			direction is urgently required.
312256	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(5)	50. Enforcement Notices 50.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.
312257	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(6)	50. Enforcement Notices 50.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action
312258	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(7)	50. Enforcement Notices 50.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312259	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(1)	51. Applications to Court 51.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI



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			Act or the repealed Act.
312260	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(2)	51. Applications to Court 51.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.
312261	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(4)	51. Applications to Court 51.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act.
312262	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(6)	51. Applications to Court 51.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.
312263	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(9)	51. Applications to Court 51.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.
312264	Instrument of Delegation under the Planning, Development and Infrastructure	s214(10)	51. Applications to Court



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	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		51.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.
312265	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(11)	51. Applications to Court 51.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.
312266	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(12)	51. Applications to Court 51.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent
312267	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(13)	51. Applications to Court 51.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312268	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of	s214(17)	51. Applications to Court 51.10 The power pursuant to Section 214(17)



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	Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.
312269	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s219(1)	52. Proceedings for Offences 52.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.
312270	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(2)	53. Adverse Publicity Orders 53.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.
312271	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(4)	53. Adverse Publicity Orders 53.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to: 53.2.1 take the PDI Action or actions specified in the order; and 53.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.
312272	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(5)	53. Adverse Publicity Orders 53.3 The power pursuant to Section 223(5) of the PDI Act, if: 53.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and 53.3.2 despite the evidence, the delegate is



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			not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order, to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.
312273	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(6)	53. Adverse Publicity Orders 53.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.
312274	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(1)	54. Civil Penalties 54.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention.



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312275	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(2)	54. Civil Penalties 54.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.
312276	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(3)	54. Civil Penalties 54.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.
312277	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(13)	54. Civil Penalties 54.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.
312278	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(17)	54. Civil Penalties 54.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under



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			Section 225 of the PDI Act.
312279	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s228(7)	55. Make Good Order 55.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.
312280	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s229(5)	56. Recovery of Economic Benefit 56.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.
312281	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(1)	57. Enforceable Voluntary Undertakings 57.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.
312282	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(4)	57. Enforceable Voluntary Undertakings 57.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.



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312283	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(7)	57. Enforceable Voluntary Undertakings 57.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to: 57.3.1 vary the undertaking; or 57.3.2 withdraw the undertaking.
312284	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(11)	57. Enforceable Voluntary Undertakings 57.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.
312285	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(12)	57. Enforceable Voluntary Undertakings 57.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.
312286	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(14)	57. Enforceable Voluntary Undertakings 57.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.
312287	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity	s231(1)	58. Advertisements 58.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the



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	(Instrument A)		delegate, an advertisement or advertising hoarding: 58.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or 58.1.2 is contrary to the character desired for a locality under the Planning and Design Code, to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).
312288	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s231(3)	58. Advertisements 58.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person



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			on whom the notice was served.
312289	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s235(1)	59. Professional Advice to be Obtained in Relation to Certain Matters 59.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.
312290	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s235(2)	59. Professional Advice to be Obtained in Relation to Certain Matters 59.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.
312291	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s239(1)	60. Charges on Land 60.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.
312292	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of	s239(6)	60. Charges on Land 60.2 The power pursuant to Section 239(6)



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	Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.
312293	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s240(1)	61. Registering Authorities to Note Transfer 61.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.
312294	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl13(3)(b) sch2	62. Reporting 62.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.
622806	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl3(3)	63. Review of Performance 63.1 The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council's actions, and to make submissions



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			(including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.
622807	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl3(14)	63. Review of Performance 63.2 The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based.
622808	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl3(15)	63. Review of Performance 63.3 The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, to make submissions to the Minister in relation to the directions of the Minister.
312298	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl3(16) sch4	63. Review of Performance 63.4 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.



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622809	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl9(6)(a)	64. Planning and Design Code 64.1 The power pursuant to Clause 9(6)(a) of Schedule 8 of the PDI Act to apply to the Minister for approval to commence the process under Section 25 of the repealed Act.
622810	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl30(3)	65. General Schemes 65.1 The power pursuant to Clause 30(3) of Schedule 8 of the PDI Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the PDI Act in relation to a scheme.
385341	Planning, Development and Infrastructure (General) Regulations 2017	r11B(1)	67. Mutual Liability Scheme – Rights of Indemnity 67.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to: 67.1.1 in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and 67.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify the members of any such panel in respect of a



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			claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.
385342	Planning, Development and Infrastructure (General) Regulations 2017	r11B(5)	<p>67. Mutual Liability Scheme – Rights of Indemnity</p> <p>67.2 The power pursuant to Regulation 11B(5) of the General Regulations to:</p> <p>67.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and</p> <p>67.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.</p>



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385343	Planning, Development and Infrastructure (General) Regulations 2017	r47(4)(d)	68. Performance Assessed Development and Restricted Development 68.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.
312306	Planning, Development and Infrastructure (General) Regulations 2017	r78(1)	69. Underground Main Areas 69.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter.
312307	Planning, Development and Infrastructure (General) Regulations 2017	r78(2)	69. Underground Main Areas 69.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.
312308	Planning, Development and Infrastructure (General) Regulations 2017	r81(4)	70. Width of Roads and Thoroughfares 70.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient



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			movement of vehicles or pedestrians, or for underground services.
312309	Planning, Development and Infrastructure (General) Regulations 2017	r81(5)	70. Width of Roads and Thoroughfares 70.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.
312310	Planning, Development and Infrastructure (General) Regulations 2017	r81(6)	70. Width of Roads and Thoroughfares 70.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.
312311	Planning, Development and Infrastructure (General) Regulations 2017	r82(1)	71. Road Widening 71.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.
312312	Planning, Development and Infrastructure (General) Regulations 2017	r83(1)	72. Requirement as to Forming of Roads 72.1 The power pursuant to Regulation



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			83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.
312313	Planning, Development and Infrastructure (General) Regulations 2017	r83(2)	72. Requirement as to Forming of Roads 72.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.
312314	Planning, Development and Infrastructure (General) Regulations 2017	r83(4)	72. Requirement as to Forming of Roads 72.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.
312315	Planning, Development and Infrastructure (General) Regulations 2017	r83(5)	72. Requirement as to Forming of Roads 72.4 The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.



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312316	Planning, Development and Infrastructure (General) Regulations 2017	r83(6)	72. Requirement as to Forming of Roads 72.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.
312317	Planning, Development and Infrastructure (General) Regulations 2017	r84(1)	73. Construction of Roads, Bridges, Drains and Services 73.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.
312318	Planning, Development and Infrastructure (General) Regulations 2017	r85(1)	74. Supplementary Provisions 74.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.
312319	Planning, Development and Infrastructure (General) Regulations 2017	r85(2)	74. Supplementary Provisions 74.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the



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			delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work.
312320	Planning, Development and Infrastructure (General) Regulations 2017	r85(4)	74. Supplementary Provisions 74.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation and any other water industry entity identified under Regulation 79(1) of the General Regulations in relation to any such allotment are necessary and need to be laid under the surface of the proposed road, have been made.
312321	Planning, Development and Infrastructure (General) Regulations 2017	r89(1)	75. General Provisions 75.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.
312322	Planning, Development and Infrastructure (General) Regulations 2017	r89(3)	75. General Provisions 75.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a



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			certificate which: 75.2.1 evidences the consent of the Council to an encroachment by a building over other land; and 75.2.2 sets out: 75.2.2.1 the date on which any relevant building was erected (if known); and 75.2.2.2 the postal address of the site.
312323	Planning, Development and Infrastructure (General) Regulations 2017	r89(6)(b)	75. General Provisions 75.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.
573564	Planning, Development and Infrastructure (General) Regulations 2017	r89(8)	75. General Provisions 75.4 The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension of the period prescribed by Regulation 89(7).
312324	Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(b)	76. Notifications During Building Work 76.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if



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			any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.
312325	Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(c)	76. Notifications During Building Work 76.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.
312326	Planning, Development and Infrastructure (General) Regulations 2017	r94(13)	77. Essential Safety Provisions 77.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if: 77.1.1 the essential safety provisions were installed 77.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or 77.1.1.2 as part of a performance solution under the Building Code; or 77.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.



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312327	Planning, Development and Infrastructure (General) Regulations 2017	r102(3)	78. Classification of Buildings 78.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by: 78.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.
312328	Planning, Development and Infrastructure (General) Regulations 2017	r102(4)	78. Classification of Buildings 78.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.
312329	Planning, Development and Infrastructure (General) Regulations 2017	r102(5)	78. Classification of Buildings 78.3 The power pursuant to Regulation 102(5) of the General Regulations, if an



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			application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).
312330	Planning, Development and Infrastructure (General) Regulations 2017	r102(6)	78. Classification of Buildings 78.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act: 78.4.1 the maximum number of persons who may occupy the building (or part of the building); and 78.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.
609751	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(1)	79. Required Documentation 79.1 The power pursuant to Regulation 103A(1) of the General Regulations to, in relation to an application for the issuing of a



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			certificate of occupancy relating to a Class 1b to 9 (inclusive) building under the Building Code, require the following documentation: 79.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied; 79.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such further evidence as the delegate may reasonably require to show – 79.1.2.1 in the case of a building more than 1 storey – that the requirements of any relevant Ministerial building standard have been complied with; or 79.1.2.2 in any other case – that the building is suitable for occupation.
609752	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(2)	79. Required Documentation 79.2 The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 October 2024 of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation: 79.2.1 if the development has been approved subject to conditions, such evidence as the



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			delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,
609753	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(3)	<p>79. Required Documentation</p> <p>79.3 The power pursuant to Regulation 103A(3) of the General Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if –</p> <p>79.3.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and</p> <p>79.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.</p>
609754	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103C(1)(c)	<p>80. Statement of site suitability</p> <p>80.1 The power pursuant to Regulation 103C(1)(c) of the General Regulations, in relation to a building on a site to which Schedule 8 clause 2A of the General Regulations applies and upon which</p>



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			remediation on the site is necessary, to not grant a certificate of occupancy until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.
609755	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(1)	81. Report from fire authority 81.1 The power pursuant to Regulation 103D(1) of the General Regulations, if – 81.1.1 a building is – 81.1.1.1 to be equipped with a booster assembly for use by a fire authority; or 81.1.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and 81.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily.
609756	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(2)	81. Report from fire authority 81.2 The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is not received within 15 business days, to presume that the fire



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			authority does not desire to make a report.
609757	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(3)	81. Report from fire authority 81.3 The power pursuant to Regulation 103D(3) of the General Regulations to have regard to any report received from a fire authority under subregulation (1) before it issues a certificate of occupancy.
609758	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103E(1)(b)	82. Issue of certificate of occupancy 82.1 The power pursuant to Regulation 103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building work will be inspected by an authorised officer.
609759	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103E(3)(c)	82. Issue of certificate of occupancy 82.2 The power pursuant to Regulation 103E(3)(c) of the General Regulations, in respect of a Class 1a building, to determine not to inspect the building work.
609760	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103F	83. Revocation 83.1 The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy – 83.1.1 if – 83.1.1.1 there is a change in the use of the building; or



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			<p>83.1.1.2 the classification of the building changes; or</p> <p>83.1.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m² is about to commence, or is being or has been carried out; or</p> <p>83.1.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment,</p> <p>83.1.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or</p> <p>83.1.3 if the schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10); or</p> <p>83.1.4 if the delegate considers –</p> <p>83.1.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or</p> <p>83.1.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.</p>



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312340	Planning, Development and Infrastructure (General) Regulations 2017	r109(1)(b)	84. Mining Production Tenements 84.1 The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.
312341	Planning, Development and Infrastructure (General) Regulations 2017	r111(2)	85. Register of Land Management Agreements (Section 193) 85.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.
312342	Planning, Development and Infrastructure (General) Regulations 2017	r111(3)	85. Register of Land Management Agreements (Section 193) 85.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.
312343	Planning, Development and Infrastructure (General) Regulations 2017	r112(1)	86. Authorised Officers and Inspections 86.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint



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			at least 1 authorised officer under Section 210(1)(b) of the PDI Act: 86.1.1 who is an accredited professional who is: 86.1.1.1 an Accredited professional - building level 1; or 86.1.1.2 an Accredited professional - building level 2; or 86.1.1.3 an Accredited professional - building level 3; or 86.1.1.4 an Accredited professional - building level 4; or 86.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or 86.1.3 who holds an approval from the Chief Executive.
622811	Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017	r8(1)(c)	66. Adoption of DPAs 66.1 The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.



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312302	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	<p>87. Calculation of Assessment of Fees</p> <p>87.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):</p> <p>87.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and</p> <p>87.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).</p>
312303	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	<p>87. Calculation of Assessment of Fees</p> <p>87.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.</p>
312304	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(3)	<p>87. Calculation or Assessment of Fees</p> <p>87.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and</p>



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			despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations.
312305	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	<p>88. Waiver or Refund of Fee</p> <p>88.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>88.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>88.1.2 refund the whole or a part of the fee.</p>
754099	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(1)	<p>89. Initiating a Code Amendment</p> <p>89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instrument (PD2), to initiate a Code Amendment and lodge the following documents to the Department via the SA Planning Portal:</p> <p>89.1.1 a Proposal to Initiate;</p> <p>89.1.2 SA Planning Portal Publication Instructions – for Initiation;</p> <p>89.1.3 Heritage Report with datasheet(s) and analysis of historic themes (relevant proposals only);</p> <p>89.1.4 Significant Tree Report with description/s and assessment/s (relevant proposals only).</p>



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754100	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.1 Code Policy 89.2.1.1 an outline of: (a) any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or (b) the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;
754101	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2.2 Affected Area 89.2.2.1 a map or description of the Affected Area;
754102	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.3 State Planning Policies 89.2.3.1 identification of the relevant principles



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			or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies;
754103	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.4 Regional Plan 89.2.4.1 identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan;
754104	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.5 Consultation 89.2.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment; 89.2.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;
754105	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.6 Planning Merit Statement



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			89.2.6.1 provide a statement detailing how the proposed Code Amendment relates to strategic directions and outlines desired policy/development outcomes and anticipated residential/ employment yields;
754106	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	<p>89. Initiating a Code Amendment</p> <p>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:</p> <p>89.2.7 Investigation Information</p> <p>89.2.7.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment;</p> <p>89.2.7.2 commitment to undertake further investigations to support the proposed Code Amendment including the following as applicable:</p> <ul style="list-style-type: none"> (a) infrastructure (road, civil, corridor); (b) service infrastructure (water, wastewater, stormwater, electricity, gas, telecommunications); (c) cultural and heritage significance (search of the Register of Aboriginal Sites and Objects); (d) Code policy (zone, overlay, TNVs, concept plan); (e) hazard risk (analysis of relevant overlays and site conditions); (f) the extent to which there are social,



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			economic, land use, built form or environmental features that present a barrier to the outcomes sought; 89.2.7.3 high-level details of any infrastructure required to support development arising through the proposed Code Amendment and how that infrastructure will be provided (for example potable water and sewerage connection requirements); 89.2.7.4 where known, details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment.
754107	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.8 The power pursuant to clause 5(3) of PD2 to set out in the SA Planning Portal Publication Instructions – for Initiation: 89.2.8.1 a summary of the Code Amendment in plain English, which will be published on the SA Planning Portal; 89.2.8.2 where possible, an indication of when consultation may begin.
754108	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:



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			<p>89.2.9 The power pursuant to clause 5(4) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a place as a place of local heritage value, provide a report which:</p> <p>89.2.9.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes:</p> <ul style="list-style-type: none"> (a) all relevant property details and descriptions (including images); (b) historical background and thematic analysis; (c) a statement of heritage value; (d) an assessment against the Local Heritage Criteria; and (e) the extent of listing (including any exclusions); <p>89.2.9.2 includes an analysis of historic themes of importance to the area;</p> <p>89.2.9.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and</p> <p>89.2.9.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.</p>
754109	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of



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			PD2 to set out in the Proposal to Initiate: 89.2.10 The power pursuant to clause 5(5) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), provide a report which: 89.2.10.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary); 89.2.10.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria; 89.2.10.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.
754110	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.1 carry out investigations and obtain such information: 90.1.1.1 as provided in the Proposal to Initiate approved by the Minister; 90.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and 90.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI



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			Act;
754111	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.2 provide the Department with: 90.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and 90.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Agreement;
754112	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice



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			Direction;
754113	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and
754114	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.
754115	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(2)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.2 The power pursuant to clause 6(2) of PD2, where an engagement plan is amended during any period of consultation or any time prior to finalisation of the engagement report



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			under PD2, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal
754116	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 7(1)	<p>91. Requirements for a Draft Code Amendment</p> <p>91.1 The power pursuant to clause 7(1) of PD2 to support a draft Code Amendment by the following information:</p> <p>91.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment);</p> <p>91.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;</p> <p>91.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Policies, the Regional Plan and any other relevant strategic plans;</p> <p>91.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and</p> <p>91.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the</p>



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			infrastructure will be provided.
754117	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(1)	<p>92. Preparation of an Engagement Plan (Prior to Consultation)</p> <p>92.1 The power pursuant to clause 9(1) of PD2 to prepare an engagement plan that:</p> <p>92.1.1 meets the principles and performance outcomes of the Charter;</p> <p>92.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:</p> <p>92.1.2.1 required to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act;</p> <p>92.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act; and</p> <p>92.1.2.3 who must be consulted with under the Charter;</p> <p>92.1.3 outlines any relevant previous engagement undertaken to inform the proposal;</p> <p>92.1.4 describes the evaluation framework for the engagement.</p>
754118	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(2)	<p>92. Preparation of an Engagement Plan (Prior to Consultation)</p> <p>92.2 The power pursuant to clause 9(2) of PD2 to, in relation to engagement plans which relate to proposed preparation of or</p>



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			amendment to a State Planning Policy or a Regional Plan submit the engagement plan to the Commission for approval prior to commencement of formal engagement on the proposal.
754119	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(3)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.3 The power pursuant to clause 9(3) of PD2 to, in relation to an engagement plan relating to a proposed amendment to the Code or a Design Standard, submit the engagement plan to the Commission or the Minister for approval, if a condition has been imposed by the Minister under Section 73(5) of the PDI Act which requires such approval.
754120	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 10(1)	93. Preparation of an Engagement Report (Following Consultation) 93.1 The power pursuant to clause 10(1) of PD2 to, at the completion of engagement on a proposal prepare or amend a Designated Instrument, provide the Department with: 93.1.1 if amendments to the proposal are required: 93.1.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the draft Designated Instrument for the purposes of the Department updating and providing the draft policy for inclusion in the



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ID	Delegation Source	Provision	Item Delegated
			<p>draft Designated Instrument; and/or 93.1.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Designated Instrument; 93.1.2 the updated draft Designated Instrument or amendment to the Designated Instrument in the form of amendment instructions (once finalised by the Designated Entity, incorporating any amendments); and 93.1.3 a final engagement report as required under Section 73(7) of the PDI Act and prepared in accordance with PD2, for the purpose of the Department arranging for the engagement report and draft Designated Instrument to be furnished to the Minister.</p>
754121	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 10(2)	<p>93. Preparation of an Engagement Report (Following Consultation) 93.2 The power pursuant to clause 10(2) of PD2 to set out in an engagement report required under Section 73(7) of the PDI Act: 93.2.1 details of the engagement undertaken and how that engagement met the engagement plan and reasons for variations (if any) to the engagement plan; 93.2.2 the outcome of the engagement</p>



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ID	Delegation Source	Provision	Item Delegated
			including a summary of the written submissions or feedback received; 93.2.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes. This should specifically indicate: 93.2.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and 93.2.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.
754122	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 10(3)	93. Preparation of an Engagement Report (Following Consultation) 93.3 The power pursuant to clause 10(3) of PD2 to also include in the engagement report an evaluation of the effectiveness of the engagement that considers whether: 93.3.1 the principles of the Charter have been activated; and 93.3.2 all mandatory requirements identified in the Charter have been met (where the



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ID	Delegation Source	Provision	Item Delegated
			consultation category is applicable).
754123	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 11(1)	<p>94. Complying Changes to the Code of Conduct</p> <p>94.1 The power pursuant to clause 11(1) of PD2 to, in relation to a request for the Minister to agree to a complying change to the Code under Section 75 of the PDI Act provide the request to the Department and include the following information:</p> <p>94.1.1 description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment;</p> <p>94.1.2 a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan. This should include a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment;</p> <p>94.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the</p>



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			draft policy for inclusion in the draft Code Amendment; and 94.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment.
754124	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 12(1)	95. Early Commencement of a Code Amendment 95.1 The power pursuant to clause 12(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include: 95.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is: 95.1.1.1 necessary in the interest of the orderly and proper development of an area of the State; and 95.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment; 95.1.2 written instructions (in a form



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ID	Delegation Source	Provision	Item Delegated
			<p>acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>95.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment.</p>
385357	State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl6(3)(b)	<p>96. Responsibility to Undertake Notification</p> <p>96.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act.</p>
385358	State Planning Commission Practice Direction (Council Inspections) 2020	cl2(2)	<p>97. Mandatory Inspections</p> <p>97.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection</p>



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ID	Delegation Source	Provision	Item Delegated
			includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection: 97.1.1 primary structural elements; 97.1.2 structural framing and roof trusses; 97.1.3 wet areas and waterproofing; 97.1.4 barriers to prevent falls; 97.1.5 cladding; 97.1.6 egress provisions; 97.1.7 bushfire protection systems; 97.1.8 passive and active fire safety elements; 97.1.9 private bushfire shelters; and 97.1.10 performance solutions.
385359	State Planning Commission Practice Direction (Council Inspections) 2020	cl3(2)	98. Additional Inspections 98.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.
385360	State Planning Commission Practice Direction (Council Inspections) 2020	cl4(3)	99. Inspections Generally 99.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.
385361	State Planning Commission Practice Direction (Council Inspections) 2020	cl1(2)	100. General Requirements



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ID	Delegation Source	Provision	Item Delegated
			100.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.
385362	State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020	cl5(2)	101. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building 101.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building.
503614	Urban Tree Canopy Off-set Scheme	cl 9	83. Use of Money from Fund 83.1 The power pursuant to clause 9 of the Urban Tree Canopy Off-set Scheme (UTCOS) to use money distributed from the fund for any of the following purposes (and for no other purpose): 83.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or 83.1.2 the purchase of land within a designated local government area to ensure:



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ID	Delegation Source	Provision	Item Delegated
			83.1.2.1 the preservation of trees; or 83.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410021	Local Government Act 1999	section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	council
410022	Local Government Act 1999	section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	council
574148	Local Government Act 1999	section 7(ba)	Determine appropriate financial contribution to be made by ratepayers to resources of the council	council
410023	Local Government Act 1999	section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	council
410024	Local Government Act 1999	section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	council
410025	Local Government Act 1999	section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity	council
410026	Local Government Act 1999	section 7(f)	Provide infrastructure for the council's community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area)	council
410027	Local Government Act 1999	section 7(g)	Promote the council area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism	council
410028	Local Government Act 1999	section 7(h)	Establish or support organisations or programs that benefit people in the council area or local government generally	council
410029	Local Government Act 1999	section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	council
410030	Local Government Act 1999	section 7(j)	Manage, improve and develop resources available to the council	council
410031	Local Government Act 1999	section 7(k)	Undertake other functions and activities conferred by or under an Act	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410032	Local Government Act 1999	section 12(1)	Publish a notice in the Gazette altering the composition of the council or dividing, or redividing, the area of the council into wards, altering the division of the area of the council into wards or abolishing the division of the area of the council into wards	council
410033	Local Government Act 1999	section 12(2)	Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or giving a name to, or altering the name of, a ward	council
410034	Local Government Act 1999	section 12(3)	Undertake a review under section 12 of the Local Government Act	council
410035	Local Government Act 1999	section 12(4)	Undertake a review under section 12 of the Local Government Act at least once in each relevant period prescribed by the regulations	council
410036	Local Government Act 1999	section 12(5)	Initiate the preparation of a presentation review report and form the opinion a person is qualified to address the representation and governance issues	council
638769	Local Government Act 1999	Section 12(7)	Undertake public consultation	council
410045	Local Government Act 1999	section 12(11)	Finalise the council report	council
638770	Local Government Act 1999	section 12(11a)	Refer the report to Electoral Commissioner	council
638771	Local Government Act 1999	section 12(11e)(a)	Take such action as is necessary (including by altering report)	council
638772	Local Government Act 1999	section 12(11e)(b)	Comply with requirements of section 12(7)	council
638773	Local Government Act 1999	section 12(11e)(c)	Refer the report to the Electoral Commissioner under section 12(12)	council
410051	Local Government Act 1999	section 12(12)	Refer report to the Electoral Commissioner	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
638774	Local Government Act 1999	section 12(12a)	Include with the report copies of any written submissions if received	council
410052	Local Government Act 1999	section 12(15)(b)	Provide for the operation of any proposal recommended in the council's report by notice in the Gazette	council
410053	Local Government Act 1999	section 12(16)(a)	Take action on a report referred back to the council by the Electoral Commissioner	council
410054	Local Government Act 1999	section 12(16)(b)	Refer report back to the Electoral Commissioner	council
410055	Local Government Act 1999	section 12(17)	Comply with requirements of section 12(7) (unless determine alteration of report is of a minor nature only)	council
410056	Local Government Act 1999	section 12(24)	Undertake a review within period specified by the Electoral Commissioner	council
410057	Local Government Act 1999	section 13(1)	Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or altering the name of a ward	council
410058	Local Government Act 1999	section 13(2)(a)	Give public notice of the proposal to change the council from a municipal council to a district council or vice versa, alter the name of the council or the name of the area of the council, or alter the name of a ward	council
410059	Local Government Act 1999	section 13(2)(b)	Invite written submissions	council
410060	Local Government Act 1999	section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area	council
410061	Local Government Act 1999	section 13(2)(c)	Give any person who makes a written submission in response to an invitation an opportunity to appear personally or by representative before the council or a council committee to be heard on the submission	council
410062	Local Government Act 1999	section	Refer a proposal for the making of a proclamation under Chapter 3 of the	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		28(1)(c)	Local Government Act to the South Australian Local Government Grants Commission	
410063	Local Government Act 1999	section 31(2)(b)	Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator	council
410064	Local Government Act 1999	section 31(10)(c)	Participate in consultation with the South Australian Local Government Grants Commission on a recommendation that a proposal referred to the Commission not proceed	council
410065	Local Government Act 1999	section 36(1)(a)	Exercise the legal capacity of a natural person, including entering into contracts or arrangements, suing and being sued and acting in conjunction with another council or authority or person	council
410066	Local Government Act 1999	section 36(1)(c)	Do anything necessary, expedient or incidental to performing or discharging the council's functions or duties or achieving the council's objectives	council
410067	Local Government Act 1999	section 36(2)	Act outside the council area to the extent necessary or expedient to the performance of the council's functions or in order to provide services to an unincorporated area of the State	council
410068	Local Government Act 1999	section 37(b)	Authorise an officer, employee or agent to enter into a contract on behalf of the council	council
410069	Local Government Act 1999	section 41(1)	Establish a committee	council
410070	Local Government Act 1999	section 41(2)	Determine the role of the committee	council
410071	Local Government Act 1999	section 41(3)	Determine the membership of the committee	council
410072	Local Government Act 1999	section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member	council
410073	Local Government Act 1999	section 41(6)	Appoint the principal member as an ex officio member of the committee	council
410074	Local Government Act 1999	section 41(8)	Determine the reporting and other accountability requirements applying	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			to a committee	
410075	Local Government Act 1999	section 42(3)	Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary	council
410076	Local Government Act 1999	section 43(3)	Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary	council
410077	Local Government Act 1999	section 44(6)	Cause a separate record to be kept of all delegations under section 44 of the Local Government Act	council
410078	Local Government Act 1999	section 44(6a)	Review the delegation in force under section 44 of the Local Government Act	council
410081	Local Government Act 1999	section 45(1)	Nominate a place as the council's principal office	council
410082	Local Government Act 1999	section 45(2)	Determine the hours during which the principal office of the council will be open for the transaction of business	council
410083	Local Government Act 1999	section 45(3)	Consult with the local community regarding the manner, places and times at which the council's offices will be open to the public and any significant changes to these arrangements	council
410084	Local Government Act 1999	section 46(1)	Engage in a commercial enterprise or activity in the performance of the council's functions	council
410085	Local Government Act 1999	section 46(2)(a)	Establish a business in connection with a commercial project	council
410086	Local Government Act 1999	section 46(2)(b)	Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project	council
410087	Local Government Act 1999	section 47(2)(b)	Participate in the formation of, or become a member of, a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410088	Local Government Act 1999	section 48(aa1)	Develop and maintain prudential management policies, practices and procedures for the assessment of projects	council
410089	Local Government Act 1999	section 48(1)	Obtain a report addressing the prudential issues set out in section 48(2)	council
410091	Local Government Act 1999	section 48(6)	Take steps to prevent the disclosure of specific information in order to protect its commercial value or to avoid disclosing the financial affairs of a person (other than the council)	council
410092	Local Government Act 1999	section 49(a1)	Maintain procurement policies, practices and procedures directed towards: (a) obtaining value in the expenditure of public money; (b) providing for ethical and fair treatment of participants; and (c) ensuring probity, accountability and transparency in procurement operations	council
410093	Local Government Act 1999	section 49(1)	Prepare and adopt policies on contracts and tenders, including policies on the following: (a) the contracting out of services; (b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; (c) the use of local goods and services; and (d) the sale or disposal of land or other assets.	council
410094	Local Government Act 1999	section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act	council
410097	Local Government Act 1999	section 50(1)	Prepare and adopt a public consultation policy	council
410098	Local Government Act 1999	section 50(5)	Alter or substitute the public consultation policy	council
410099	Local Government Act 1999	section 50(6)(c)	Prepare a document setting out the council's proposal to adopt a public consultation policy or to alter or substitute a public consultation policy	council
410100	Local Government Act 1999	section 50(6)(d)	Publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions	council
410101	Local Government Act 1999	section	Consider submissions	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		50(6)(e)		
410102	Local Government Act 1999	section 50(7)	Determine that the alteration of a public consultation policy is of minor significance that would attract little (or no) community interest	council
410103	Local Government Act 1999	section 50(8)	Provide a copy of a policy of the council under section 50 of the Local Government Act for inspection at the principal office of the council	council
410104	Local Government Act 1999	section 50(9)	Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act	council
410105	Local Government Act 1999	section 54(1)(d)	Grant a leave of absence from council	council
410106	Local Government Act 1999	section 54(1)(d)	Remove from office on the ground that the member has been absent from three or more consecutive ordinary meetings of the council	council
410107	Local Government Act 1999	section 57(6)	Recover amount of a liability incurred in contravention of section 57 of the Local Government Act as a debt from the members of the councils at the time the contract was made or lease was entered	council
657210	Local Government Act 1999	section 68(3b)	Apply to SACAT for an order disqualifying member of the council from the office of member under the Local Government Act	council
410108	Local Government Act 1999	section 70(a1)	Publish prescribed details contained in the Register	council
657211	Local Government Act 1999	section 75F(1)	Prepare and adopt behavioural support policies	council
657212	Local Government Act 1999	section 75F(5)	Alter or substitute a behavioural support policy	council
657213	Local Government Act 1999	section 75F(6)	Undertake public consultation before adopting, altering or substituting a behavioural support policy	council
657214	Local Government Act 1999	section 75F(7)(a)	Review the operation of the behavioural support policies and consider whether to adopt additional behavioural support policies	council
657215	Local Government Act 1999	section	Consider whether to adopt behavioural support policies	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		75F(7)(b)		
410111	Local Government Act 1999	section 77(1)	Provide reimbursement of prescribed expenses of a member of council	council
410116	Local Government Act 1999	section 80	Take out a policy of insurance insuring every member of the council and a spouse or domestic partner or another person who may be accompanying a member of the councils against the risks associated with the performance or discharge of official functions or duties by members	council
410117	Local Government Act 1999	section 80A(1)	Prepare a training and development policy for members	council
657216	Local Government Act 1999	section 80A(2b)	Suspend a member from office of member of the council for failure to comply with the prescribed mandatory requirements	council
657217	Local Government Act 1999	section 80A(2e)	Revoke the suspension if satisfied the member has complied with the prescribed mandatory requirements and give public notice of the revocation	council
657218	Local Government Act 1999	section 80A(2f)	Apply to SACAT for an order disqualifying the member from office of member of the council	council
410118	Local Government Act 1999	section 80A(3)	Alter or substitute a training and development policy for members	council
657219	Local Government Act 1999	section 80B(1)(a)	Suspend a member subject to a relevant interim intervention order from the office of member of the council where person protected by the order is another member	council
657220	Local Government Act 1999	section 80B(3)	Revoke a suspension	council
657221	Local Government Act 1999	section 80B(9)	Apply to SACAT for an order disqualifying the member from the office of member of the council	council
410121	Local Government Act 1999	section 84(3)	Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410123	Local Government Act 1999	section 88(3)	Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting	council
410124	Local Government Act 1999	section 89(1)(b)	Determine procedures to apply to a meeting of a council committee	council
574149	Local Government Act 1999	section 90A(1)	Hold or arrange for the holding of an information or briefing session to which more than 1 member of the council is invited to attend or be involved in for the purposes of providing information or a briefing	council
574150	Local Government Act 1999	section 90A(4)	Order that an information or briefing session be closed to the public	council
574151	Local Government Act 1999	section 90A(5)	If an order under section 90A(4) of the Local Government Act is made, to make a record of the matters specified in section 90A(5)	council
574152	Local Government Act 1999	section 90A(7)	Comply with the requirements of the regulations regarding the publication of prescribed information	council
410129	Local Government Act 1999	section 91(3)	Supply each member of the council with a copy of council or council committee minutes within 5 days of the meeting	council
410133	Local Government Act 1999	section 91(9)(c)	Revoke an order made under section 91(7) of the Local Government Act	council
410134	Local Government Act 1999	section 92(1)	Prepare a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4 the Local Government Act	council
410135	Local Government Act 1999	section 92(2)	Review code of practice	council
410136	Local Government Act 1999	section 92(3)	Alter or substitute a new code of practice	council
610331	Local Government Act 1999	section 92(5)	Undertake public consultation on proposed code, alterations or substitute code	council
410141	Local Government Act 1999	section 93(1)	Convene a meeting of electors of the council area or part of the council	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			area	
410142	Local Government Act 1999	section 93(11)	Supply each member of the council with a copy of the minutes of proceedings within 5 days of a meeting of electors	council
410143	Local Government Act 1999	section 93(14)	Determine the procedure to be observed to make a nomination for the purposes of sections 93(3)(a)(ii) or 93(3)(b)(ii) of the Local Government Act	council
410144	Local Government Act 1999	section 94(6)	Make submissions to the Minister	council
410145	Local Government Act 1999	section 94(7)	Comply with a direction of the Minister under section 94(5) of the Local Government Act	council
610332	Local Government Act 1999	section 97(6)(b)	Determine a person has appropriate qualifications or experience in human resource management	council
410146	Local Government Act 1999	section 98(3)	Invite applications including by advertising on website and take other action	council
610333	Local Government Act 1999	section 98(3)	Determine website to advertise invitation for applications	council
610334	Local Government Act 1999	section 98(4a)(a)	Appoint at least one person to selection panel not being a member or employee	council
610335	Local Government Act 1999	section 98(7)(b)	Determine a person has appropriate qualifications or experience in human resource management	council
610336	Local Government Act 1999	section 102A(3)(b)	Determine a person has appropriate qualifications or experience in human resource management	council
410149	Local Government Act 1999	section 106(2)	Pay contribution to another council	council
410150	Local Government Act 1999	section 106(3)	Recover a contribution from another council as a debt	council
410151	Local Government Act 1999	section 106(4)	Provide details of the service of an employees or former employee to another council	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410152	Local Government Act 1999	section 106(5)	Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation	council
410153	Local Government Act 1999	section 111(b)	Declare that an officer or an officer of a class is subject to subdivision 2, Part 4, Chapter 7 of the Local Government Act	council
657222	Local Government Act 1999	section 120A(1)	Prepare and adopt employee behavioural standards	council
657223	Local Government Act 1999	section 120A(4)	Alter or substitute employee behavioural standards	council
657224	Local Government Act 1999	section 120A(5)	Consult with any registered industrial association that represents interests of employees of councils before adopting, altering or substituting employee behavioural standards	council
657225	Local Government Act 1999	section 120A(6)a)	Review the operation of the employee behavioural standards	council
657226	Local Government Act 1999	section 120A(6)(b)	Consider whether to adopt employee behavioural standards	council
410154	Local Government Act 1999	section 122(1)	Develop a strategic management plan	council
410155	Local Government Act 1999	section 122(1a)(a)	Develop a long-term financial plan	council
410156	Local Government Act 1999	section 122(1a)(b)	Develop an infrastructure and asset management plan	council
624233	Local Government Act 1999	section 122(1c)	Provide information relating to long-term financial plan and infrastructure and asset management plan to designated authority	council
624234	Local Government Act 1999	section 122(1e)	Provide to the designated authority all relevant information on the matters specified in this section in accordance with guidelines determined by designated authority	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
624235	Local Government Act 1999	section 122(1h)	Ensure advice provided by designated authority and any response of the Council is published in the Council's annual business plan (draft and adopted) in the relevant financial year and subsequent financial year (until next relevant financial year)	council
624236	Local Government Act 1999	section 122(1j)	Provide to the designated authority within time and in manner specified in notice information the designated authority reasonably requires.	council
410157	Local Government Act 1999	section 122(4)	Review strategic management plans	council
410158	Local Government Act 1999	section 122(6)	Adopt a process to ensure that members of the public are given reasonable opportunity to be involved in the development and review of the council's strategic management plans	council
410160	Local Government Act 1999	section 123(3)(a)	Prepare a draft annual business plan	council
410161	Local Government Act 1999	section 123(3)(b)	Follow relevant steps in the public consultation policy in regard to the draft annual business plan	council
410162	Local Government Act 1999	section 123(5)	Ensure that copies of the draft annual business plan are available at the meeting under section 123(4)(a)(i) of the Local Government Act, and for inspection and purchase (at the principal office of the council and on the council's website	council
410163	Local Government Act 1999	section 123(5a)	Provide a facility for asking and answering questions and the receipt of submissions on the council's website	council
410164	Local Government Act 1999	section 123(9)(a)(i)	Prepare a summary of the annual business plan	council
410165	Local Government Act 1999	section 123(9)(a)(ii)	Provide a copy of the summary of the annual business plan to ratepayers	council
410169	Local Government Act 1999	section 124(1)(a)	Keep accounting records	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410170	Local Government Act 1999	section 125	Implement and maintain appropriate policies, practices and procedures of internal control	council
711510	Local Government Act 1999	section 125(3)	Ensure appropriate policies, systems and procedures relating to risk management are implemented and maintained	council
711511	Local Government Act 1999	section 126(9)	Ensure annual report of audit and risk committee is included in annual report	council
711512	Local Government Act 1999	section 126A(1)	Establish a regional audit and risk committee	council
711513	Local Government Act 1999	section 126A(9)	Ensure annual report of regional audit and risk committee is included in annual report	Council
410171	Local Government Act 1999	section 127(1)	Prepare financial statements, notes and other statement or documents as required by the regulations	council
410172	Local Government Act 1999	section 127(3)	Provide statements to auditor	council
410173	Local Government Act 1999	section 127(4)	Submit a copy of audited statements to persons or bodies prescribed by the regulations	council
410176	Local Government Act 1999	section 128(2)	Appoint an auditor on the recommendation of the relevant audit and risk committee.	council
410177	Local Government Act 1999	section 128(9)	Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report	council
410178	Local Government Act 1999	section 130A(1)	Request auditor or other suitably qualified person to examine a report on any matter relating to financial management, or the efficient and economy with which the council manages or uses its resources to achieve its objectives	council
410179	Local Government Act 1999	section 131(1)	Prepare annual report	council
410180	Local Government Act 1999	section 131(4)	Provide a copy of the annual report to each council member	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410181	Local Government Act 1999	section 131(5)	Submit a copy of the annual report to the persons or bodies prescribed by regulation	council
410182	Local Government Act 1999	section 131(7)	Provide an abridged or summary version of the annual report to electors in the council area.	council
574153	Local Government Act 1999	section 131A(1)	Provide to the Minister the material specified in Schedule 4 of the Local Government Act and any other information specified by the Minister	council
610337	Local Government Act 1999	section 132(1)(a)	Publish a document referred to in Schedule 5 of the Local Government Act on a website determined by chief executive officer	council
610338	Local Government Act 1999	section 132(1)(b)	Provide a printed copy of a document referred to in Schedule 5 of the Local Government Act	council
610339	Local Government Act 1999	section 132(3a)	Publish a document or part of a document on a website determined by the chief executive officer where an order under section 91(7) of the Local Government Act expires or ceases to apply	council
410187	Local Government Act 1999	section 132A	Implement and maintain appropriate policies, practices and procedures to ensure compliance with statutory requirements and achievement and maintenance of good public administration	council
410188	Local Government Act 1999	section 133	Obtain funds as permitted by the Local Government Act or other Act	council
410189	Local Government Act 1999	section 135(1)	Provide security	council
410190	Local Government Act 1999	section 135(2)(a)	Assign a distinguishing classification to a debenture	council
410191	Local Government Act 1999	section 135(2)(b)	Appoint a trustee for the debenture holders	council
410192	Local Government Act 1999	section 137	Expend funds in the performance or discharge of the council's powers, functions or duties under the Local Government Act or other Acts	council
410193	Local Government Act 1999	section 139(1)	Invest money under the council's control	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410194	Local Government Act 1999	section 139(5)	Obtain and consider independent and impartial advice regarding the investment of funds	council
410195	Local Government Act 1999	section 140	Review performance of investments at least annually	council
410196	Local Government Act 1999	section 141(1)	Accept a gift	council
410197	Local Government Act 1999	section 141(2)	Carry out the terms of a trust applying to a gift	council
410198	Local Government Act 1999	section 141(3)	Apply to the Supreme court for an order varying the terms of a trust for which the council is the trustee	council
410199	Local Government Act 1999	section 141(4)	Give notice of an application to the Supreme Court by public notice and in such other manner as directed by the Supreme Court	council
410200	Local Government Act 1999	section 141(6)	Publish an order of the made by the Supreme Court under section 141(5) of the Local Government Act in the Gazette	council
410201	Local Government Act 1999	section 142(1)	Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations	council
410202	Local Government Act 1999	section 142(3)	Take out membership of the Local Government Association Mutual Liability Scheme	council
410203	Local Government Act 1999	section 143(1)	Write off bad debts	council
410204	Local Government Act 1999	section 144(1)	Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction	council
410205	Local Government Act 1999	section 144(2)	Provide notice of a fee, charge, expense or other amount relating to something done in respect of a rateable property to the owner or occupier of the property	council
410206	Local Government Act 1999	section 144(2)	Recovery of a fee, charge, expense or other amount relating to something done in respect of a rateable property as if the fee, charge, expense or other amount was a rate on the property	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410207	Local Government Act 1999	section 151(5)(d)	Prepare a report on a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	council
410208	Local Government Act 1999	section 151(5)(e)	Follow the relevant steps in the public consultation policy with respect to a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	council
410209	Local Government Act 1999	section 151(8)	Provide copies of the report required by section 151(5)(d) of the Local Government Act at the meeting held under section 151(7)(a)(i) of the Local Government Act	council
410210	Local Government Act 1999	section 156(10)	Extend the time period for lodging an objection	council
410211	Local Government Act 1999	section 156(11)	Decide an objection to attribution of a particular use to land	council
410212	Local Government Act 1999	section 156(12)	Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal	council
410213	Local Government Act 1999	section 156(14a)(a)	Prepare a report on a proposed change to the differentiating factor in relation to land	council
410214	Local Government Act 1999	section 156(14a)(b)	Follow the relevant steps in the public consultation policy with respect to a on a proposed change to the differentiating factor in relation to land	council
410215	Local Government Act 1999	section 156(14e)	Provide copies of the report required by section 156(14a)(a) of the Local Government Act at the meeting held under section 156(14d)(a)(i) of the Local Government Act	council
410216	Local Government Act 1999	section 159(1)	Determine the manner and form of an application for a rebate of rates	council
410217	Local Government Act 1999	section 159(3)	Grant a rebate of rates	council
410218	Local Government Act 1999	section 159(4)	Increase a rebate of rates	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410219	Local Government Act 1999	section 159(10)	Determine that proper cause for a rebate of rates no longer applies	council
410220	Local Government Act 1999	section 159(11)	Recover rates, or rates at an increased level, proportionate to the remaining part of the financial year if an entitlement to a rebate of rates no longer applies	council
410221	Local Government Act 1999	section 161(1)	Grant a rebate of rates greater than 75% on land used for service delivery or administration by a community service organisation	council
410222	Local Government Act 1999	section 165(1)	Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes	council
410223	Local Government Act 1999	section 165(2)	Grant a rebate of rates greater than 75% on land being used by a university or university college to provide accommodation and other forms of support on a not-for-profit basis	council
410224	Local Government Act 1999	section 166(1)	Grant a rebate of rates or service charges in prescribed circumstances	council
410225	Local Government Act 1999	section 166(2)	Attach conditions to the granting of a rebate of rates or service charges under section 166(1) of the Local Government Act	council
410226	Local Government Act 1999	section 167(1)	Adopt valuations	council
410227	Local Government Act 1999	section 167(6)	Publish a notice of the adoption of valuations in the Gazette	council
410228	Local Government Act 1999	section 168(1)	Request the Valuer-General to value land in the council area	council
410229	Local Government Act 1999	section 168(2)	Furnish information to the Valuer-General requested information	council
410230	Local Government Act 1999	section 168(3)(b)	Enter valuation into the assessment record	council
410231	Local Government Act 1999	section 168(3)(c)	Provide notice to the principal ratepayer in respect of land of the valuation of that land	council
410232	Local Government Act 1999	section	Allow an extension of time in which to object to the valuation of land	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		169(3)(b)		
410233	Local Government Act 1999	section 169(5)	Refer an objection to the valuation of land to the valuer who made the valuation with a request to reconsider the valuation	council
410234	Local Government Act 1999	section 169(7)	Provide written notice to an objector of the outcome of the objection	council
410235	Local Government Act 1999	section 169(10)	Refer request for a review of the valuation of land to the Valuer-General	council
410236	Local Government Act 1999	section 169(11)	Make representations to the valuer in regard to the valuation of land which is the subject of the objection	council
410237	Local Government Act 1999	section 169(15)	Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal	council
410238	Local Government Act 1999	section 169(16)	Pay the prescribed fee to the Valuer-General	council
410239	Local Government Act 1999	section 170	Publish a notice of the declaration of a rate or service charge in the Gazette and a newspaper circulating in the council area	council
410240	Local Government Act 1999	section 173(5)	Determine a review of the outcome of a request to alter the assessment record	council
410241	Local Government Act 1999	section 173(6)	Provide written notice of decision on review	council
410242	Local Government Act 1999	section 173(7)	Participate in a review of decision of council	council
410243	Local Government Act 1999	section 174(1)	Provide the assessment record for inspection at the principal offices of the council	council
410244	Local Government Act 1999	section 174(2)	Provide for the purchase of an entry in the assessment record	council
410245	Local Government Act 1999	section 178(3)	Recover rates as a debt	council
410246	Local Government Act 1999	section 178(4)	Provide written notice requiring a lessee or licensee of land to pay rent or	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			other consideration to the council under the lease or licence in satisfaction of the liability for rates	
410247	Local Government Act 1999	section 178(6)	Remit a charge payable under section 178(5) of the Local Government Act in whole or in part	council
410248	Local Government Act 1999	section 179(2)	Adopt a valuation of land	council
410249	Local Government Act 1999	section 179(5)	Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land	council
410250	Local Government Act 1999	section 180(1)	Provide a rates notice to the principal ratepayer	council
410251	Local Government Act 1999	section 181(2)	Determine the day on which an instalment of rates falls due	council
410252	Local Government Act 1999	section 181(3)	Adjust the months in which instalments of rates are payable	council
410253	Local Government Act 1999	section 181(4)(b)	Agree with a principal ratepayer the dates on which instalments of rates are payable	council
410254	Local Government Act 1999	section 181(5)	Provide rates notice to principal ratepayer	council
410255	Local Government Act 1999	section 181(7a)	Agree with a principal ratepayer to vary the period for the provision of a rates notice	council
410256	Local Government Act 1999	section 181(9)	Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act	council
410257	Local Government Act 1999	section 181(11)	Grant discounts or other incentives in relation to the payment of rates	council
410258	Local Government Act 1999	section 181(12)(b)	Impose a surcharge or administrative levy not exceeding 1 per cent of the rates payable in a particular financial year with respect to the payment of rates by instalments	council
410259	Local Government Act 1999	section 181(13)	Impose different requirements than those under section 181 of the Local Government Act in relation to the payment of separate rates or service	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			rates	
410260	Local Government Act 1999	section 181(15)	Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year	council
410261	Local Government Act 1999	section 182(1)(a)	Postpone payment of rates	council
410262	Local Government Act 1999	section 182(1)(b)	Remit the whole or part payment of rates	council
410263	Local Government Act 1999	section 182(2)(a)	Impose a condition that the ratepayer pay interest on postponed rates	council
410264	Local Government Act 1999	section 182(2)(b)	Impose other conditions on the postponement of rates	council
410265	Local Government Act 1999	section 182(2)(c)	Revoke a postponement of rates	council
410266	Local Government Act 1999	section 182(3)	Postpone the payment of rates	council
410267	Local Government Act 1999	section 182(4)	Grant a remission of rates	council
410268	Local Government Act 1999	section 182(5)	Require a ratepayer to verify an entitlement to the remission of rates	council
410269	Local Government Act 1999	section 182(6)	Revoke a determination under section 182(4) of the Local Government Act to remit rates	council
410270	Local Government Act 1999	section 182A(1)	Receive an application for a postponement of the payment of the prescribed proportion of rates for the current or a future financial year	council
410271	Local Government Act 1999	section 182A(2)	Determine the manner and form of an application under section 182A(1) of the Local Government Act	council
410272	Local Government Act 1999	section 182A(3)(a)	Reject an application under section 182A(1) of the Local Government Act in accordance with the regulations	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410273	Local Government Act 1999	section 182A(3)(b)	Impose conditions on the postponement of rates in accordance with the regulations	council
410274	Local Government Act 1999	section 183	Apply amount received in respect of rates in manner prescribed by section 183 of the Local Government Act	council
410275	Local Government Act 1999	section 184(1)	Sell land where an amount of rates in respect of the land has been in arrears for more than three years	council
410276	Local Government Act 1999	section 184(2)	Send a notice to the principal ratepayer	council
410277	Local Government Act 1999	section 184(3)	Send a copy of the notice sent to the principal ratepayer to any other owner of the land, any registered mortgagee, the holder of any caveat over the land and, if the land is held from the Crown under a lease, licence or agreement to purchase, to the Minister who is responsible for the administration of the Crown Lands Act 1929.	council
410278	Local Government Act 1999	section 184(4)(a)	Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State	council
410279	Local Government Act 1999	section 184(4)(b)	Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land	council
410280	Local Government Act 1999	section 184(6)	Set a reserve price for the auction	council
410281	Local Government Act 1999	section 184(7)	Seek the consent of the Minister who is responsible for the administration of the Crown Lands Act 1929 to have the land sold by public auction	council
410282	Local Government Act 1999	section 184(8)	Advertise an auction to sell land under section 184 of the Local Government Act in a newspaper circulating throughout the State	council
410283	Local Government Act 1999	section 184(9)	Call off an auction	council
410284	Local Government Act 1999	section 184(10)	Sell land by private contract	council
410285	Local Government Act 1999	section	Apply money receive in respect of the sale of land under section 184 of	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		184(11)	the Local Government Act as prescribed in section 184(11)	
410286	Local Government Act 1999	section 184(12)	Deal with money under the Unclaimed Money Act 2021	council
410287	Local Government Act 1999	section 185(1)	Apply to the Minister who is responsible for the administration of the Crown Lands Act 1929 for an order under section 185 of the Local Government Act	council
410288	Local Government Act 1999	section 186(2)(a)	Repay an amount of overpaid rates	council
410289	Local Government Act 1999	section 186(2)(a)	Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates	council
410290	Local Government Act 1999	section 186(2)(b)	Take action to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	council
410291	Local Government Act 1999	section 186(2)(b)	Give notice to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	council
410292	Local Government Act 1999	section 186(5)	Refund an amount to a person ceasing to be a ratepayer	council
410293	Local Government Act 1999	section 187(1)	Issue a certificate stating the amount of any liability for rates or charges on the land and any amount received on account of rates or charges that is held in credit against future liabilities for rates or charges on the land	council
410294	Local Government Act 1999	section 187A(5)(b)	Receive a report from the Ombudsman	council
410295	Local Government Act 1999	section 187B(5)	Receive a report from the Ombudsman	council
410296	Local Government Act 1999	section 187B(6)	Provide a written response to the Ombudsman and complainant	council
410297	Local Government Act 1999	section	Grant a rebate or remission of any rate or service charge, or of any	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		187B(7)	charge, fine or interest	
410298	Local Government Act 1999	section 188(1)(a)	Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council	council
410299	Local Government Act 1999	section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	council
410300	Local Government Act 1999	section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	council
410301	Local Government Act 1999	section 188(3)	Provide for: (a) specific fees and charges; (b) maximum fees and charges and minimum fees and charges; (c) annual fees and charges; (d) the imposition of fees or charges according to specified conditions or circumstances; (e) the variation of fees or charges according to specified factors; (f) the reduction, waiver or refund, in whole or in part, of fees or charges.	council
410302	Local Government Act 1999	section 188(5)(b)	Fix, vary or revoke fees and charges for the purposes of section 188(1)(a), 188(1)(b) and 188(1)(c) of the Local Government Act	council
410304	Local Government Act 1999	section 188(7)	Take reasonable steps to bring a variation of a fee or charge to the notice of a person who may be affected	council
410305	Local Government Act 1999	section 190	Agree to acquire land	council
410306	Local Government Act 1999	section 191(1)	Seek the Minister's consent to acquire land compulsorily	council
410307	Local Government Act 1999	section 191(1)	Acquire land compulsorily	council
410308	Local Government Act 1999	section 191(2)	Acquire land compulsorily	council
410309	Local Government Act 1999	section 192(4)	Publish a copy of a resolution under section 192(1) of the Local Government Act in the Gazette	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410310	Local Government Act 1999	section 193(2)	Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land	council
410311	Local Government Act 1999	section 193(3)	Obtain approval of owner of land to exclude land from classification as community land	council
410312	Local Government Act 1999	section 193(6)	Give notice in the Gazette of a resolution to exclude land from classification as community land or to classify land as community land	council
410313	Local Government Act 1999	section 194(2)(a)	Prepare and make publicly available a report on a proposal to revoke the classification of community land	council
410314	Local Government Act 1999	section 194(2)(b)	Follow steps on public consultation policy in respect of a proposal to revoke the classification of land as community land	council
410315	Local Government Act 1999	section 194(3)(a)	Submit the proposal to revoke the classification of land as community land with a report on all submissions made in respect of the proposal to the Minister	council
410316	Local Government Act 1999	section 194(4)	Participate in consultation with the Minister	council
410317	Local Government Act 1999	section 195(2)	Give notice of the revocation of the classification of land as community land to the Registrar-General	council
410318	Local Government Act 1999	section 196(1)	Prepare and adopt a management plan for community land	council
410319	Local Government Act 1999	section 196(1a)	Prepare and adopt a management plan for the Adelaide Park Lands	Adelaide City Council
410320	Local Government Act 1999	section 196(4)	Consult with the owner of land at an appropriate stage in the preparation of a management plan	council
410321	Local Government Act 1999	section 197(1)(a)	Make copies of a proposed management plan available for inspection or purchase at the council's principal office	council
410322	Local Government Act 1999	section 197(1)(b)	Follow the relevant steps in the council's public consultation policy	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410323	Local Government Act 1999	section 197(3)	Give public notice of the adoption of the management plan	council
410324	Local Government Act 1999	section 198(1)	Amend or revoke a management plan	council
410325	Local Government Act 1999	section 198(2)	Undertake public consultation of a proposal to amend or revoke a management plan	council
410326	Local Government Act 1999	section 198(4)	Give public notice of the adoption of a proposal to amend or revoke a management plan	council
410327	Local Government Act 1999	section 199	Manage community land in accordance with any relevant management plan	council
410328	Local Government Act 1999	section 200(1)	Approve the use of community land for a business purpose	council
410329	Local Government Act 1999	section 200(3)	Impose conditions on an approval to use community land for a business purpose	council
410330	Local Government Act 1999	section 201(1)	Sell or otherwise dispose of an interest in land	council
410331	Local Government Act 1999	section 202(1)	Grant a lease or licence over community land	council
410332	Local Government Act 1999	section 202(2)	Follow the relevant steps in the councils public consultation policy in regard to granting a lease or licence relating to community land	council
410333	Local Government Act 1999	section 207(1)	Keep a register of community land in the council area	council
410334	Local Government Act 1999	section 207(2)(c)	Determine that the register of community land in the council area will consist of a computer record	council
410337	Local Government Act 1999	section 208(4)	Cause a copy of a resolution declaring a road or land to be a public road or preserving an easement to be published in the Gazette	council
410338	Local Government Act 1999	section 209(3)	Enter an agreement in regard to the ownership of fixture and equipment installed on a public road	council
410339	Local Government Act 1999	section 210(1)	Declare a private road to be a public road	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410340	Local Government Act 1999	section 210(2)(a)	Give written notice to the owner of the private road of a proposed declaration	council
410341	Local Government Act 1999	section 210(2)(ab)	Give written notice to the holder of a registered interest over the private road of a proposed declaration	council
410342	Local Government Act 1999	section 210(2)(b)	Give public notice to the owner of the private road of a proposed declaration	council
410343	Local Government Act 1999	section 210(5)	Publish a declaration under section 210 of the Local Government Act in the Gazette	council
410344	Local Government Act 1999	section 210(7)	Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General	council
410345	Local Government Act 1999	section 211(1)(a)	Enter an agreement with the Commissioner of Highways or other authority that has the care, control and management of a highway	council
410346	Local Government Act 1999	section 211(1)(b)	Act in accordance with a notice issued by the Commissioner of Highways	council
410347	Local Government Act 1999	section 212(1)	Carry out roadwork in the council area	council
410348	Local Government Act 1999	section 212(1)	Enter an agreement with another council to carry out roadwork in that other council's area	council
410349	Local Government Act 1999	section 212(2)	Do anything reasonably necessary for, or incidental to, roadwork	council
410350	Local Government Act 1999	section 212(3)(b)	Consult with the Commissioner of Highways	council
410351	Local Government Act 1999	section 212(3)(c)(i)	Obtain the agreement of the owner of a private road	council
410352	Local Government Act 1999	section 212(3)(c)(ii)	Give notice to the owner of a private road and a reasonable opportunity to make representations on proposed roadwork	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410353	Local Government Act 1999	section 212(3)(c)(ii)	Consider any representations by the owner of a private road on proposed roadwork	council
410354	Local Government Act 1999	section 212(3)(d)	Obtain the agreement of the owner of private land	council
410355	Local Government Act 1999	section 213(1)	Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement	council
410356	Local Government Act 1999	section 213(2)	Recover the cost of roadwork to repair damage to a road from the person who damaged a road or is the owner of infrastructure which damaged the road	council
410357	Local Government Act 1999	section 213(3)(a)	Recover the cost of roadwork on private land or a contribution to the cost of the work determined by the council as a debt from the owner of the private land	council
410358	Local Government Act 1999	section 214(2)(a)	Agree the amount of contribution to roadwork with another council	council
410359	Local Government Act 1999	section 214(2)(b)	Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council	council
410360	Local Government Act 1999	section 214(3)	Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations	council
410361	Local Government Act 1999	section 215(2)	Carry out roadwork to allow water from a road to drain into adjoining property	council
410362	Local Government Act 1999	section 215(4)	Give notice to the owner of land in regard to the proposed action to drain water into the land	council
410363	Local Government Act 1999	section 216(1)	Issue an order requiring the owner of private land to carry out specified road work or improve the road	council
410364	Local Government Act 1999	section 217(1)	Issue an order requiring the owner of a structure or equipment installed in, on, across, under or over a road to carry out specified road work by	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			way of maintenance or repair or move the structure or equipment to allow the council to carry out roadwork	
410365	Local Government Act 1999	section 217(2)(a)	Take action under an order issued under section 217(1) of the Local Government Act if it is not complied with by the owner of the structure or equipment	council
410366	Local Government Act 1999	section 217(2)(a)	Recover the cost of taking action under section 217(2)(a) of the Local Government Act as a debt from the owner of the structure or equipment	council
410367	Local Government Act 1999	section 218(1)	Issue an order requiring the owner of land adjoining a road to carry out specified work to construct, remove or repair a crossing place from the road to the land	council
410368	Local Government Act 1999	section 219(1)	Assign a name to a public or private road, or to a public place, or change the name of a public or private road, or a public place	council
410369	Local Government Act 1999	section 219(1a)	Assign a name to a public road created by land division	council
410370	Local Government Act 1999	section 219(2)(a)	Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council	council
410371	Local Government Act 1999	section 219(2)(b)	Consider any representations of an adjoining council in response to a notice under section 219(2)(a) of the Local Government Act	council
410372	Local Government Act 1999	section 219(3)(a)	Notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a road name or change of a road name	council
410373	Local Government Act 1999	section 219(3)(b)	Provide information to the Registrar-General, the Surveyor-General and the Valuer-General about the name of roads and public places in the council area	council
410374	Local Government Act 1999	section 219(4)	Provide public notice on the assigning or changing of a road name	council
410375	Local Government Act 1999	section 219(5)	Prepare and adopt a policy on the assigning of road names	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410376	Local Government Act 1999	section 219(6)	Alter or substitute a policy on the assigning of road names	council
410377	Local Government Act 1999	section 219(7)	Publish notice of adopting or altering a policy on the assigning of road name in the Gazette, in a newspaper circulating within the council area and on a website determined by the chief executive	council
410378	Local Government Act 1999	section 220(1)	Adopt a numbering system for buildings and allotments adjoining the road	council
410379	Local Government Act 1999	section 220(1a)	Assign a number to all buildings and allotments adjoining a public road	council
410380	Local Government Act 1999	section 220(2)	Alter or substitute a new numbering system	council
410381	Local Government Act 1999	section 220(3)	Give public notice of the adoption, alteration or substitution of a numbering system for a particular road	council
410382	Local Government Act 1999	section 220(4)	Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system	council
410383	Local Government Act 1999	section 220(6)	Request the owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the council	council
410384	Local Government Act 1999	section 221(1)	Grant an authorisation to alter a public road	council
410385	Local Government Act 1999	section 222(1)	Grant a permit authorising the use of a public road for business purposes	council
410387	Local Government Act 1999	section 223(1)	Follow the relevant steps in the council's public consultation policy	council
410388	Local Government Act 1999	section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	council
410389	Local Government Act 1999	section 224(1)	Attach conditions to an authorisation or permit	council
574154	Local Government Act 1999	section 224(2)	Comply with any requirements prescribed by the regulations in relation to attaching conditions under section 224(1) of the Local Government Act	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410391	Local Government Act 1999	section 225(1)	Cancel an authorisation or permit	council
410392	Local Government Act 1999	section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	council
410393	Local Government Act 1999	section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	council
410394	Local Government Act 1999	section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	council
410400	Local Government Act 1999	section 231(1)	Keep a register of public roads in the council area	council
410403	Local Government Act 1999	section 232	Plant vegetation on a road	council
410404	Local Government Act 1999	section 232	Authorise the planting of vegetation on a road	council
410405	Local Government Act 1999	section 233(2)	Take action to recover damages from a person who without the council's permission intentionally or negligently damages a road of structure belonging to the councils associated with a road	council
410406	Local Government Act 1999	section 234(1)	Remove and dispose of any structure, object or substance from a road	council
410407	Local Government Act 1999	section 234(2)	Recover the cost of acting under section 234(1) from the person who erected, placed or deposited the structure, object or substance on the road	council
410408	Local Government Act 1999	section 234(3)	Clear a road of wreckage, objects or material on the road as a result of a vehicle accident	council
410409	Local Government Act 1999	section 234(3)	Recover the cost of clearing the road from a driver of a vehicle involved in the accident	council
410410	Local Government Act 1999	section 234A(5)	Erect barricades or other traffic control devices as necessary to give effect to a resolution to exclude vehicles from a road or public place	council
410411	Local Government Act 1999	section	Give public notice of a resolution under section 234A(1) or 234A(2) of the	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		234A(6)	Local Government Act	
410412	Local Government Act 1999	section 236(2)	Apply to the court for an order that a person convicted of the offence under section 236(1) of the Local Government Act pay any costs incurred by the council in removing or disposing of the abandoned vehicle	council
410413	Local Government Act 1999	section 237(4)(a)	Notify the owner of a vehicle of the removal of the vehicle by written notice	council
410414	Local Government Act 1999	section 237(4)(b)	Notify the owner of a vehicle of the removal of the vehicle by public notice published in a newspaper circulating generally within the State	council
410415	Local Government Act 1999	section 237(5)	Sell a vehicle by public auction or public tender	council
410416	Local Government Act 1999	section 237(6)	Dispose of a vehicle	council
410417	Local Government Act 1999	section 237(7)	Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act	council
410418	Local Government Act 1999	section 238(3)	Erect a notice regarding access to or use of a particular piece of land under a council by-law in a prominent place or in the immediate vicinity of the land	council
410419	Local Government Act 1999	section 242(3)	Notify an applicant in writing of a decision or presumptive decision on an application which is subject to section 242 of the Local Government Act	council
410420	Local Government Act 1999	section 242(4)	Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act	council
410421	Local Government Act 1999	section 243(1)	Apply to the Registrar-General for the issue of a certificate of title for land which has vested in fee simple in the council under the Local Government Act	council
410422	Local Government Act 1999	section 245(2)	Take reasonable action to respond to a request by the owner or occupier of property adjacent to a road to avert a risk of damage from a tree	council
410423	Local Government Act 1999	section	Require a person to enter into an agreement with the council in regard to	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		245A(1)	work under an approval under the Planning, Development and Infrastructure Act 2016 which could cause damage to any local government land (including a road) within the vicinity of the site of the development	
410424	Local Government Act 1999	section 245A(3)	Participate in the hearing of an appeal by a person against the requirements to enter and agreement of the terms or conditions of the agreement	council
410425	Local Government Act 1999	section 246(4a)	Publish a notice of a determination under section 246(3)(b) in the Gazette and a newspaper circulating generally in the council area	council
410426	Local Government Act 1999	section 246(5)(b)	Fix an expiation fee for alleged offences against the by-laws	council
410427	Local Government Act 1999	section 249(1)	Make copies of a proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available to the public in accordance with section 132(1)	council
410429	Local Government Act 1999	section 249(2)	Consider submissions made on a proposed by-law	council
410430	Local Government Act 1999	section 249(4)	Obtain a certificate signed by a legal practitioner	council
410431	Local Government Act 1999	section 249(5)	Publish a by-law in the Gazette	council
410432	Local Government Act 1999	section 249(7)	Publish a notice of making a by-law	council
410433	Local Government Act 1999	section 250(5)	Publish a resolution adopting a model by-law in the Gazette	council
410434	Local Government Act 1999	section 250(7)	Publish a resolution adopting a model by-law in a newspaper circulating in the council area	council
410435	Local Government Act 1999	section 252(1)	Maintain a register of the by-laws made or adopted by the council	council
410438	Local Government Act 1999	section 252(5)	Provide for purchase a certified copy of a by-law	council
410439	Local Government Act 1999	section 254(1)	Order a person to do or refrain from doing a thing prescribed in section	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			254(1) of the Local Government Act	
410440	Local Government Act 1999	section 255(1)	Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act	council
410441	Local Government Act 1999	section 255(2)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	council
410442	Local Government Act 1999	section 255(3)	Consider any representations made in response to a notice under section 255(1) of the Local Government Act	council
410443	Local Government Act 1999	section 255(3)(a)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410444	Local Government Act 1999	section 255(3)(b)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410445	Local Government Act 1999	section 255(3)(c)	Determine not to proceed to make an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410446	Local Government Act 1999	section 255(7)	Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410447	Local Government Act 1999	section 255(8)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	council
410448	Local Government Act 1999	section 255(11)	Vary an order	council
410449	Local Government Act 1999	section 255(12)	Make an order	council
410450	Local Government Act 1999	section 256(3)	Participate in a review of an order by the South Australian Civil and Administrative Tribunal	council
410451	Local Government Act 1999	section 257(1)	Take action required by an order made under section 255 of the Local Government Act	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410452	Local Government Act 1999	section 257(2)	Authorise a person to take action under section 257(1) of the Local Government Act	council
410453	Local Government Act 1999	section 257(3)	Recover the costs of taking action under section 257(1) of the Local Government Act	council
410454	Local Government Act 1999	section 257(5)	Provide notice fixing a period in which a person must pay an amount recoverable by the council under section 257 of the Local Government Act	council
410455	Local Government Act 1999	section 257(5)(b)	Impose a charge over land for an unpaid amount recoverable by the council under section 257 of the Local Government Act	council
410456	Local Government Act 1999	section 259(1)	Prepare and adopt policies concerning the operation of Part 2, Chapter 12 of the Local Government Act	council
410457	Local Government Act 1999	section 259(2)(a)	Prepare a draft policy	council
410458	Local Government Act 1999	section 259(2)(b)	Give notice in a newspaper circulating in the council area of the place or places where copies of the draft policy are available for inspection and purchase and invite written submissions	council
410459	Local Government Act 1999	section 259(3)	Consider submissions	council
410460	Local Government Act 1999	section 259(4)	Amend a policy	council
410461	Local Government Act 1999	section 259(5)	Take steps in section 259(2) and 259(3) prior to amending a policy	council
410464	Local Government Act 1999	section 260(1)	Appoint an authorised person	council
410465	Local Government Act 1999	section 260(2)	Impose conditions or limitations on the appointment of an authorised person	council
410466	Local Government Act 1999	section 260(3)	Issue an identity card to an authorised person	council
410467	Local Government Act 1999	section 260(5)	Revoke the appointment of an authorised person	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
657227	Local Government Act 1999	section 262A(3)	Deal with a complaint in accordance with the council's behavioural management policy	council
657228	Local Government Act 1999	section 262B(1)	Prepare and adopt a behavioural management policy	council
657229	Local Government Act 1999	section 262B(6)	Alter or substitute a behavioural management policy	council
657230	Local Government Act 1999	section 262B(7)	Review the operation of the behavioural management policy	council
657231	Local Government Act 1999	section 262D	Provide complainant with written reasons for refusal or determination	council
657232	Local Government Act 1999	section 262W(3)(b)(ii)	Provide report to the Panel detailing: <ul style="list-style-type: none"> • member's compliance with the Panel's requirement; or • council's compliance with Panel's requirement 	council
657233	Local Government Act 1999	section 263B(1)(a) and (3)	To act in accordance with a recommendation of the Ombudsman	council
657234	Local Government Act 1999	section 264(1)(a)	Authorise a person in writing for the purposes of this section to lodge a complaint with SACAT	council
410468	Local Government Act 1999	section 270(a1)	Develop and maintain policies, practices and procedures for dealing with requests for the provision of services by the council or complaints about the activities of the council, employees of the council or person acting on behalf of the council	council
410469	Local Government Act 1999	section 270(1)	Establish procedures for the review of decisions	council
610340	Local Government Act 1999	section 270(2a)(b)	Allow an application to be made more than 6 months after the reviewable decision	council
610341	Local Government Act 1999	section	Reduce, waive or refund a fee	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		270(3a)		
410470	Local Government Act 1999	section 270(4)	Refuse an application for the review of a decision	council
410472	Local Government Act 1999	section 270(6)	Amend policies, practices and procedures applying under section 270 of the Local Government Act	council
410473	Local Government Act 1999	section 270(8)	Initiate and consider a report for the purpose of section 270(8) of the Local Government Act	council
410474	Local Government Act 1999	section 271(1)	Make provision in a procedure under section 270 of the Local Government Act for disputes between a person and the council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation	council
410475	Local Government Act 1999	section 271(2)	Constitute panels of mediators, conciliators and evaluators	council
410476	Local Government Act 1999	section 271(7)	Pay costs of mediation, conciliation and evaluation	council
410477	Local Government Act 1999	section 271A(1)	Provide requested information to the Minister	council
410478	Local Government Act 1999	section 271B(1)(a)	Obtain an independent assessment of the council's probity or compliance with any requirements placed on the council under legislation	council
410479	Local Government Act 1999	section 271B(1)(b)	Take specified action to meet standards in the conduct or administration of the affairs of the council identified by the Minister	council
410480	Local Government Act 1999	section 272(3)	Provide an explanation and make submissions to the Minister	council
410481	Local Government Act 1999	section 272(5)	Make submissions to the Minister in relation to the subject matter of an interim report	council
410482	Local Government Act 1999	section 273(3)	Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act	council
410483	Local Government Act 1999	section 275(2)	Make submissions to the Minister in relation to a report under section 274	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			of the Local Government Act	
410484	Local Government Act 1999	section 276(2)(a)	Bring proceedings under section 276(1) of the Local Government Act	council
410485	Local Government Act 1999	section 276(5)(b)	Take necessary steps for and hold a ballot or poll in accordance with an order of the District Court	council
410486	Local Government Act 1999	section 276(5)(f)	Produce or deliver books, voting-paper or documents in accordance with an order of the District Court	council
410487	Local Government Act 1999	section 279(1)	Serve a document	council
410488	Local Government Act 1999	section 281(1)	Notify a lessee or licensee of land to pay the council rent or other consideration payable under the lease or licence in satisfaction of the landowner's liability to the council	council
410489	Local Government Act 1999	section 281(2)(b)	Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act	council
410490	Local Government Act 1999	section 282(1)	Approve an occupier of land undertaking work	council
410491	Local Government Act 1999	section 294(1a)	Provide notice to an owner or occupier of land	council
410492	Local Government Act 1999	section 294(3)(a)	Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court	council
410493	Local Government Act 1999	section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for damage to any crops on land	council
410494	Local Government Act 1999	section 294(3)(c)(i)	Remedy damage to land caused by the council	council
410495	Local Government Act 1999	section 294(3)(c)(ii)	Pay compensation for any other loss or damage caused by the council	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410496	Local Government Act 1999	section 294(5)	Erect a fence	council
410497	Local Government Act 1999	section 294(7)	Comply with the relevant requirements of the Mining Act 1971	council
410498	Local Government Act 1999	section 296(1)	Recover the cost or a portion of the costs of works as a debt	council
410499	Local Government Act 1999	section 296(3)	Give notice of a valuation to the owner of land	council
410500	Local Government Act 1999	section 296(5)	Participate in an objection or review to a valuation	council
410501	Local Government Act 1999	section 297	Sell or dispose of rubbish collected by the council	council
410502	Local Government Act 1999	section 298(1)	Order action in response to flooding or imminent flooding	council
410503	Local Government Act 1999	section 300(1)	Pay the cost of advertising	council
410504	Local Government Act 1999	clause 13(c), Schedule 1A	Enter an arrangement with the Stormwater Management Authority to make use of council staff, equipment or facilities	council
410505	Local Government Act 1999	clause 17(1), Schedule 1A	Prepare a stormwater management plan	council
410506	Local Government Act 1999	clause 18(1), Schedule 1A	Prepare a stormwater management plan or revise an existing stormwater management plan	council
410507	Local Government Act 1999	clause 18(2), Schedule 1A	Provide a stormwater management plan to the Stormwater Management Authority for approval	council
410508	Local Government Act 1999	clause 19(3), Schedule 1A	Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan	council
410509	Local Government Act 1999	clause 20(1), Schedule 1A	Comply with an order issued by the Stormwater Management Authority under clause 20(1), Schedule 1A of the Local Government Act	council
410510	Local Government Act 1999	clause 20(5), Schedule 1A	Make submissions to the Stormwater Management Authority	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410511	Local Government Act 1999	clause 20(6), Schedule 1A	Enter into an agreement with the Stormwater Management Authority for the repayment of costs and expenses of the authority by the council	council
410512	Local Government Act 1999	clause 24(1), Schedule 1A	<p>Take action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under clause 20(a), schedule 1B of the Local Government Act by:</p> <ul style="list-style-type: none"> (a) entering and occupying any land; (b) constructing, maintaining or removing any infrastructure; (c) excavating any land; (d) inspecting, examining or surveying any land and for that purpose: <ul style="list-style-type: none"> (i) fixing posts, stakes or other markers on the land; (ii) digging trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and (iii) removing samples for analysis; and (e) altering water table levels, stopping or reducing the flow of water in a watercourse, diverting water flowing in a watercourse to another watercourse or to a lake or controlling the flow of water in any other manner; (f) holding water in a watercourse or lake or by any other means; (g) diverting water to an underground aquifer, disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner; (h) deepening, widening or changing the course of a watercourse, deepening or widening a lake or taking action to remove any obstruction to the flow of water; (i) undertaking any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation); (j) undertaking any testing, monitoring or evaluation; and (k) undertaking any other activity of a prescribed kind. 	council
410513	Local Government Act 1999	clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	council
410514	Local Government Act 1999	clause	Acquire an easement or other appropriate interest over land by	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		24(2)(b), Schedule 1A	agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws	
410515	Local Government Act 1999	clause 24(3), Schedule 1A	Acquire land by agreement for the purposes of constructing any infrastructure or performing any work	council
410516	Local Government Act 1999	clause 25(2), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	council
410517	Local Government Act 1999	clause 25(3)(b), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	council
410518	Local Government Act 1999	clause 26(3), Schedule 1A	Make submissions to the Minister regarding the vesting of the care, control and management of infrastructure or land in the council	public authority
410519	Local Government Act 1999	clause 26(4), Schedule 1A	Maintain and repair infrastructure and maintain land vested in the council	public authority
410520	Local Government Act 1999	clause 2(1), Schedule 1B	Enter a building upgrade agreement	council
410521	Local Government Act 1999	clause 2(4), Schedule 1B	Agree to other parties entering a building upgrade agreement	council
410522	Local Government Act 1999	clause 4, Schedule 1B	Agree to vary or terminate a building upgrade agreement	council
410523	Local Government Act 1999	clause 6(1), Schedule 1B	Declare a building upgrade charge	council
410524	Local Government Act 1999	clause 6(2), Schedule 4B	Provide written notice of the declaration of a building upgrade charge	council
410525	Local Government Act 1999	clause 6(4), Schedule 1B	Give notice of each payment of a building upgrade charge	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410526	Local Government Act 1999	clause 7(2), Schedule 1B	Deduct and retain any service fee and late payment fee	council
410527	Local Government Act 1999	clause 7(3)(a), Schedule 1B	Hold money pending payment to the finance provider	council
410528	Local Government Act 1999	clause 7(3)(b), Schedule 1B	Pay money to the finance provider	council
410529	Local Government Act 1999	clause 9(1), Schedule 1B	Sell land if a building upgrade charge remains outstanding for more than 3 years	council
410530	Local Government Act 1999	clause 9(2), Schedule 1B	Apply money received on the sale of land as prescribed by clause 9(2), schedule 1B of the Local Government Act	council
410531	Local Government Act 1999	clause 9(3), Schedule 1B	Deal with unclaimed money in accordance with the Unclaimed Moneys Act 1891	council
410532	Local Government Act 1999	clause 10(2)(a), Schedule 1B	Adjust a building upgrade charge	council
410533	Local Government Act 1999	clause 10(2)(a), Schedule 1B	Give notice to the building owner of the adjustment of a building upgrade charge	council
410534	Local Government Act 1999	clause 10(3)(d), Schedule 1B	Refund excess payments to the building owner	council
410535	Local Government Act 1999	clause 11(1), Schedule 1B	Recover a building upgrade charge in accordance with a building upgrade agreement	council
410536	Local Government Act 1999	clause 13(1), Schedule 1B	Keep a register of building upgrade agreements	council
410537	Local Government Act 1999	clause 13(3),	Provide the register of building upgrade agreements for inspection at the	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		Schedule 1B	principal office of the council	
410538	Local Government Act 1999	clause 13(4), Schedule 1B	Provide an extract of the register of building upgrade agreements	council
410539	Local Government Act 1999	clause 1(4), Schedule 2	Publish a copy of the charter of a subsidiary in the Gazette	council
410540	Local Government Act 1999	clause 3(1), Schedule 2	Prepare a charter for a subsidiary	council
410541	Local Government Act 1999	clause 3(4), Schedule 2	Review a charter for a subsidiary	council
410542	Local Government Act 1999	clause 3(5)(a), Schedule 2	Furnish a copy of an amended charter for a subsidiary to the Minister	council
410543	Local Government Act 1999	clause 3(5)(b), Schedule 2	Publish a copy of an amended charter for a subsidiary on a website determined by the chief executive officer	council
410544	Local Government Act 1999	clause 3(5)(c), Schedule 2	Publish a notice in the Gazette of the fact of the amendment and website address at which the charter is available for inspection	council
410545	Local Government Act 1999	clause 4(1), Schedule 2	Determine the membership of the board of management of a subsidiary	council
410546	Local Government Act 1999	clause 4(2), Schedule 2	Appoint members of the board of management of a subsidiary	council
410547	Local Government Act 1999	clause 4(6), Schedule 2	Appoint a deputy of a board member	council
410548	Local Government Act 1999	clause 4(8), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility between offices held concurrently	council
410549	Local Government Act 1999	clause 5(9),	Act on advice of a board of management that the subsidiary owes a duty	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		Schedule 2	of confidence in regard to a matter	
410550	Local Government Act 1999	clause 5(12), Schedule 2	Direct the board of management as to procedures	council
410551	Local Government Act 1999	clause 8(1), Schedule 2	Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan	council
410552	Local Government Act 1999	clause 8(4), Schedule 2	Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan	council
410553	Local Government Act 1999	clause 8(5), Schedule 2	Participate in consultation with a subsidiary on the amendment of the subsidiary's business plan	council
410554	Local Government Act 1999	clause 9(2)(d), Schedule 2	Fix a date by which a subsidiary's budget must be adopted	council
410555	Local Government Act 1999	clause 9(3), Schedule 2	Approve the amendment by a subsidiary of an adopted budget	council
410556	Local Government Act 1999	clause 9(5), Schedule 2	Participate in consultation with a subsidiary on the subsidiary incurring spending before the adoption of its budget for the year	council
410557	Local Government Act 1999	clause 10(1), Schedule 2	Give a direction to a subsidiary	council
410558	Local Government Act 1999	clause 10(2), Schedule 2	Make a copy of a direction given to a subsidiary available at the principal office of the council	council
410559	Local Government Act 1999	clause 11(1), Schedule 2	Request a subsidiary to furnish information or records in the possession or control of the subsidiary	council
410560	Local Government Act 1999	clause 11(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	council
410561	Local Government Act 1999	clause 12(1), Schedule 2	Request a subsidiary to report on a matter to the council	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410562	Local Government Act 1999	clause 12(2), Schedule 2	Receive a report on the work and operations of the subsidiary	council
410563	Local Government Act 1999	clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	council
410564	Local Government Act 1999	clause 13(3), Schedule 2	Determine or approve members of the audit committee of the subsidiary	council
410565	Local Government Act 1999	clause 14(2), Schedule 2	Approve borrowing by a subsidiary	council
410566	Local Government Act 1999	clause 16(1)(a), Schedule 2	Request the Minister wind up a subsidiary	council
410567	Local Government Act 1999	clause 17(4), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the charter of a subsidiary in the Gazette	council
410568	Local Government Act 1999	clause 19(1), Schedule 2	Prepare (in conjunction with the other constituent councils) a charter of a subsidiary	council
410569	Local Government Act 1999	clause 19(4), Schedule 2	Review (in conjunction with the other constituent councils) a charter of a subsidiary	council
410570	Local Government Act 1999	clause 19(5)(a), Schedule 2	Furnish (in conjunction with the other constituent councils) a copy of an amended charter of a subsidiary to the Minister	council
410571	Local Government Act 1999	clause 19(5)(b), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the amended charter of a subsidiary on a website determined by the chief executive officer	council
410572	Local Government Act 1999	clause 20(1), Schedule 2	Determine (in conjunction with the other constituent councils) the membership of the board of management of a subsidiary	council
410573	Local Government Act 1999	clause 20(7),	Give directions in relation to an actual or potential conflict of duty and	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		Schedule 2	duty between offices held concurrently, or in relation to some other incompatibility	
410575	Local Government Act 1999	clause 21(8), Schedule 2	Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the meeting	council
410576	Local Government Act 1999	clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	council
410577	Local Government Act 1999	clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	council
410578	Local Government Act 1999	clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in the preparation and adoption of a business plan	council
410579	Local Government Act 1999	clause 24(4), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in an annual review of the subsidiary's business plan	council
410580	Local Government Act 1999	clause 24(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on the amendment of the subsidiary's business plan	council
410581	Local Government Act 1999	clause 25(2)(d), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a budget must be adopted by the subsidiary	council
410582	Local Government Act 1999	clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	council
410583	Local Government Act 1999	clause 25(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on incurring spending prior to the adoption of a budget	council
410584	Local Government Act 1999	clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	council



Local Government Act 1999

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



Local Government (General) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
610757	Local Government (General) Regulations 2013	regulation 8AB	Publish information listed in regulation 8AB of the Local Government (General) Regulations on a website determined by the chief executive officer as soon as practicable after the holding of an information or briefing session	council
755327	Local Government (General) Regulations 2013	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	



Supported Residential Facilities Regulations 2024

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411005	Supported Residential Facilities Regulations 2024	regulation 17(2)	Approve an acting manager of a facility	licensing authority
411006	Supported Residential Facilities Regulations 2024	regulation 18(1)	Approve a nurse to oversee the provision of nursing care at a facility	licensing authority
411007	Supported Residential Facilities Regulations 2024	regulation 18(2)	Revoke the approval of a nurse to oversee the provision of nursing care at a facility	licensing authority
411008	Supported Residential Facilities Regulations 2024	regulation 18(2)	Require a new appointment of a nurse to oversee the provision of nursing care at a facility	licensing authority
411009	Supported Residential Facilities Regulations 2024	regulation 21(1)(b)	Approve a kitchen at a facility which does not meet the prescribed requirements	licensing authority
411010	Supported Residential Facilities Regulations 2024	regulation 21(3)(e)	Require the fitting of handrails, ramps and lifts at a facility	licensing authority
411011	Supported Residential Facilities Regulations 2024	regulation 24(1)	Direct a proprietor of a supported residential facility to install a communication system at the facility	licensing authority

19 MOTIONS WITH NOTICE

19.1 Motion with Notice - Surplus DIT Land (Rail Corridor)

I, Councillor Paul Jenner, give notice that at the next Ordinary Meeting of Council to be held on Tuesday 18 February 2025, I intend to move the following motion:

MOTION

1. That the motion from Cr Paul Jenner as presented on Tuesday 18 February 2025 be noted.
2. That Council writes to the Premier and DIT regarding the 7 parcels of land owned by State Government adjacent to Hastings Cunningham Reserve requesting that the State Government prioritise contamination assessment/investigations of the said parcels, in order that the highest and best use of those parcels can be determined for the future.
3. That a copy of this correspondence is sent to Minister for Planning – Nick Champion MP, Clare Scriven MLA - Minister for Primary Industries and Regional Development, Troy Bell MP and Ben Hood MLA.

RATIONALE

Both the community and Council need clarity on the actual contamination levels of each parcel of land to determine the cost and extent of remediation required for future use. These sites have remained vacant since the closure of the railways in Mount Gambier. Understanding contamination levels is the first step in assessing opportunities for their potential development. This aligns with Council's previous resolutions and ongoing interest in ensuring the land can be used appropriately.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



19.2 Motion with Notice - MFS Appliances at Mount Gambier Station

I, Councillor Paul Jenner, give notice that at the next Ordinary Meeting of Council to be held on Tuesday 18 February 2025, I intend to move the following motion:

MOTION

1. That the motion from Cr Paul Jenner as presented on Tuesday 18 February 2025 be noted.
2. That Council write to Emily Bourke MLC, Minister for Emergency Services and Correctional Services, and Mr Jeff Swan, MFS Chief Officer, seeking confirmation that the new appliances for the MFS recently announced, will include at least one new vehicle for the Mount Gambier MFS, rather than a reconditioned Appliance, in addition to the anticipated new rural fire fighting appliance.
3. That in that correspondence, we also seek a copy of the Asset Management Plan for Rural/Regional appliances in order to understand the MFS's intentions regarding the provision of adequate equipment for the Mount Gambier Station, given the acknowledged issues which have occurred in the past with reconditioned vehicles.
4. A copy of the correspondence is sent to Julia Waddington-Powell RN MIPH MHM GAICD the CEO of SAFECOM, Clare Scriven MLC Minister of Primary Industries and Regional Development, Member for Mount Gambier Troy Bell MP and Member for McKillop Nick McBride MP.

RATIONALE

Council last year met with the new MFS chief Officer Jeff Swann, Minister for Emergency Services (at that time) Joe Szakas MP, Minister for Primary Industries and Regional Development Clare Scriven MLC and office Manager for Member for Mount Gambier Troy Bell, Travis Fatchen.

At the Meeting Council raised several concerns about the firefighting appliances in Mount Gambier over the years and how the local station kept on getting second hand reconditioned appliances from Adelaide.

We talked about the out-dated Rural appliance ROSA, the 22 year old Scania no 2 Appliance and the CAPA that was going back for a major service.

The MFS chief officer announced with the local Media late last year The Mount Gambier Station would get a new rural appliance to replace the old ROSA and also get a new Main Rescue Appliance. That was all quoted in the media, and the 22 year old Scania would be going back to Adelaide.

Since then there is a new Minister for Emergency Services Emily Bourke MLC, however rumours are going around the City that we will not be getting one of the new main appliances but one of the reconditioned appliances again from Adelaide.

We told the Chief when he was here Mount Gambier warrants better than second hand vehicles from Adelaide. He was aware of the troubles with very poor Appliances that kept being sent to Mount Gambier. We discussed that the last renovated appliance out of Seaford, which after being reconditioned came to Mount Gambier and after a little while was sent back to Adelaide for 7 months to be fixed up again.

The Adelaide Media just announced 4 new appliances going into Adelaide with another 4 coming soon. Will one of those be for Mount Gambier or will we again receive reconditioned vehicles?

At that meeting I asked was there a Asset Management Plan for replacement of Rural Appliances and the Chief said yes. I think it is well and truly time we asked to look at that document.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



19.3 Motion with Notice - State Owned Highways and Roads

I, Councillor Paul Jenner, give notice that at the next Ordinary Meeting of Council to be held on Tuesday 18 February 2025, I intend to move the following motion:

MOTION

1. That the motion from Cr Paul Jenner as presented on Tuesday 18 February 2025 be noted.
2. That Council note the maintenance program provided by Department for Infrastructure and Transport appointed contractor to maintain deteriorating state owned and controlled Highways and Roads that have an average seal age that well exceeds a typical life span of 5-15 years.
3. That Council write to the LCLGA asking them to advocate on behalf of the Limestone Coast Councils to the Department for Infrastructure and Transport seeking confirmation of, and commitment to, a planned, funded forward work program to upgrade/renew the state owned and controlled Highways, Roads and Drains within this LGA area over the next 5 years as a matter of priority.
4. That a copy of this correspondence be sent to the Member for Mount Gambier Troy Bell MP, Member for MacKillop - Nick McBride MP, Minister for Primary Industries and Regional Development - Clare Scriven MLC and Shadow Minister for Infrastructure and Transport - Ben Hood MLC.

RATIONALE

Has the LCLGA supplied the State Government Minister Tom Koutsantonis MP and Department of Infrastructure and Transport (DIT) a list of the most needed fixed roads in the LGA area by Council.

In Mount Gambier we have Sutton Ave and part of White Ave., Bay Road and Lake Terrace intersection and two very bad drains on Jubilee Highway East and the other on White Avenue.

I know the Millicent to Beachport Road is in terrible condition with nothing happening even to repair it.

Last week I drove on the Millicent to Kingston Road as far as the Robe turnoff and it too is getting holes in the roadway everywhere.

Maintenance alone of an aged and deteriorating asset will not resolve the condition of our roads.

Passing lanes, while helpful, will not resolve the condition of our roads. Staff are continually advised that there are not enough funds in the DIT forward workplans and budget to do more. Without it being in a forward plan, nothing will keep on happening.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



20 URGENT MOTIONS WITHOUT NOTICE

21 CONFIDENTIAL ITEMS OF COMMITTEES

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Remuneration Tribunal Review 2024.

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

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances as the subject matter to be discussed includes information concerning the employment conditions of the Chief Executive Officer outside of those required to be published under the Local Government Act 1999 and also relates to a draft report and determination of the Remuneration Tribunal.

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Remuneration Tribunal Review 2024 and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

be kept confidential and not available for public inspection until until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period, with the exception of the relevant salary register details which are to be updated within 28 days of any change in remuneration.

2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.



22 NEW CONFIDENTIAL ITEMS

22.1 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Wulanda Recreation and Convention Centre - Project Update.

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

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
- (h) legal advice.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information contained within the report and attachments presents matters relating to contracts between Council and contractors associated with the construction and operation of the Wulanda Recreation and Convention Centre. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance to be contrary to the public interest as it could prejudice the Councils position in obtaining best value project delivery on behalf of the community.

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Wulanda Recreation and Convention Centre - Project Update and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.



- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
- (h) legal advice.

be kept confidential and not available for public inspection until the latter of two years after the satisfactory resolution of any outstanding commercial contractual dispute, or two years after the conclusion of any legal proceedings, and Council has been released from its duty of confidence, with resolution/s and minutes only to be released as soon as practical following consideration by Council.

2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.



- 23 MEETING CLOSE**
- 24 ATTACHMENT - PREVIOUS COUNCIL MINUTES**





MINUTES

Ordinary Council Meeting

Tuesday 21 January 2025



Minutes of City of Mount Gambier Ordinary Council Meeting held at:

Time: 6:00 pm
Date: Tuesday 21 January 2025
Location: Council Chamber - Civic Centre
10 Watson Terrace, Mount Gambier

City of Mount Gambier
Ordinary Council Meeting Minutes

21 January 2025

PRESENT: Mayor Lynette Martin (OAM)
Cr Kate Amoroso
Cr Max Bruins
Cr Paul Jenner
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Jason Virgo

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mrs S Philpott
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager People, Place and Liveability	- Mr Chris White
	Manage Economy, Strategy and Engagement	- Mrs B Shearing
	Manager Governance and Property	- Ms B Shelton
	Manager Financial Services	- Ms K Rolton
	Executive Administrator	- Ms S Wilson

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

Nil

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

4.1 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION OCM 2024/270

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

That the minutes of the Ordinary Council Meeting held on 17 December 2024 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED



Mayor Lynette Martin sought leave of the meeting to bring forward Item 10.1 and allow Mr Wade Chant to speak for 5 minutes.

LEAVE GRANTED

10.1 DEPUTATION - WADE CHANT

Mr Wade Chant presented to Members regarding trees on the Council Reserve at the corner of North Terrace and Kennedy Avenue, Mount Gambier.

5 MAYORAL REPORT

Mayor Lynette Martin welcomed Chris White to Council, in his new role as General Manager People, Place and Liveability.

5.1 MAYORAL REPORT - JANUARY 2025

- Attendance at Salvation Army - Christmas Cheer charity hand out
- Morning Tea with Residents of Boandik
- Meeting with Jane, Manager Mount Gambier Central - acceptance of Mayor's Christmas Appeal donation and photo in "Santa's grotto"
- Mayor's Christmas Appeal - individual photos with major donors
- Mayor's Christmas Appeal - group photo with various donors
- Catch-up with Coby Dennert
- Volunteering at Sunset Community Kitchen
- LCLGA Mayors catch up (virtual)
- Meeting with Di Gould
- Attendance at ac.Care - Christmas Cheer charity hand out
- Attendance at Uniting Care - Christmas Cheer charity hand out
- Visit to Goodstart Berrin - acceptance of Mayors Christmas Appeal donation and photo
- Attendance at St Vincent de Paul - Christmas Cheer charity hand out
- Opening of the 2025 SA Country Swimming Championships (Wulanda)
- Meet and Greet with new General Manager People, Place and Liveability, Chris White
- Special Audit and Risk Committee Workshop - Borrowings and Refinancing
- Limestone Coast Local Health Network - Morning Tea with new medical Interns
- LGR&DS Advisory Committee Meeting
- LCLGA Mayors Catch Up (virtual)

RESOLUTION OCM 2024/271

Moved: Mayor Lynette Martin

Seconded: Cr Josh Lynagh

That the Mayoral Report be received.

CARRIED

6 REPORTS FROM COUNCILLORS

6.1 REPORTS FROM COUNCILLORS

Cr Jason Virgo Afternoon Tea - Celebration of 15 years of the Mount Gambier Library



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Cr Paul Jenner Sunset Community Kitchen Christmas Event - Frew Park, SA Country Swimming Championships 2025 - Wulanda.

Cr Josh Lynagh New Years Eve Festival - Mount Gambier Showgrounds.

RESOLUTION OCM 2024/272

Moved: Cr Frank Morello

Seconded: Cr Sonya Mezinec

That the reports made by Councillors be received.

CARRIED

7 QUESTIONS WITH NOTICE

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

7.1 QUESTION - CRATER LAKES ACTIVATION

Can Council please be advised if the Crater Lakes Activation will include any alternative management protocols in the event of extreme weather warnings, and what organisations or authorities are involved?

Answer - General Manager City Infrastructure

The CFS determine the fire ratings in conjunction with the Bureau of Meteorology and publish the fire rating for the following day between 4:30-5:00pm daily during the fire season via a registered network. On advice of an Extreme or Catastrophic rating our staff action accordingly by closing access to the Valley Lakes. Given there is only one way in and out of the Valley Lake precinct closure is in the interest of public safety.

Alternate access points can be included in the Crater Lakes Activation for consideration.

8 QUESTIONS WITHOUT NOTICE

The following question without notice was received from Cr Paul Jenner:

8.1 QUESTION - MOUNT GAMBIER AND DISTRICT RESIDENTS AND RATEPAYERS ASSOCIATION INC

I read with interest that the City of Mount Gambier has been accused by the Mount Gambier and District Residents and Ratepayers Association Inc of having an understanding that *“the matter of Councils seek to extend their terms without elections”* and *“this was a matter discussed in confidence by Mount Gambier City Council.”*

Can you advise me when this mysterious meeting took place as I must have missed it. This was put on the Mount Gambier and District Residents Ratepayers Association Inc Facebook page.

Answer - Mayor Lynette Martin

The LGA AGM did have a motion at the November Meeting - it was raised by the City of Port Adelaide Enfield (not by us) and all Councils were called on to vote on it.

It was not intended to be a long term extension to the current term, but merely to move apart the state election and the local government elections. The intent was about not holding two elections close together - we know that the Electoral Commission struggled to turn their minds to the local government elections in 2022.

When we provided feedback on the legislative reform, we had a range of views on this topic from the chamber which included the suggestion that the timing be changed. However, you might recall before I voted, I canvassed the views of the councillors by email so that I could vote in line with your thinking – those that responded all thought the principle of moving the elections apart has merit.

The ratepayers have wrong information here - we did not hold a behind closed doors workshop, nor initiate this. And the intent was not to prolong our term to 2029.

The LGA in fact have not even yet written to the Minister, and I understand the Minister has also said that they are still considering the results of the public consultation and awaiting delivery of the Electoral Commissioner's Report into the 2022 periodic review. Taken together, they will inform the holistic consideration of any prospective reforms to the framework of local government elections.

Cr Paul Jenner sought leave of the meeting that the question and response regarding the Mount Gambier and District Residents and Ratepayers Association Inc be recorded in the Council Minutes.

9 PETITIONS

Nil

10 DEPUTATIONS

Item 10.1 Deputation - Mr Wade Chant has been moved to another part of the document.

11 NOTICE OF MOTION TO REVOKE OR AMEND

Nil

12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RESOLUTION OCM 2024/274

Moved: Cr Paul Jenner
Seconded: Cr Jason Virgo

That Council Report titled Elected Member Information Briefing Sessions held since the previous Council Meeting be noted.

CARRIED

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13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

14 AUDIT AND RISK COMMITTEE

Nil

15 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

Nil

16 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

Nil

17 BUILDING FIRE SAFETY COMMITTEE

Nil

18 COUNCIL REPORTS

18.1 GRANTS AND SPONSORSHIP PROGRAM 2024/2025 - PIONEERS BASKETBALL CLUB AND GENERATIONS IN JAZZ

RESOLUTION OCM 2024/275

Moved: Cr Paul Jenner
Seconded: Cr Max Bruins

1. That Council report titled 'Grants & Sponsorship Program 2024/2025 – Pioneers Basketball Club and Generations in Jazz' as presented on Tuesday 21 January 2025 be noted.
2. That Council note the significant economic contribution of:
 - (a) Pioneers Basketball Club of \$994,424 and the creation of 12 full-time equivalent jobs per year.
 - (b) Generations in Jazz of over \$6m and the equivalent of 57 full-time positions per year.
3. That Council allocate the following from the Grants & Sponsorship Program 2024/2025 for Pioneers Basketball Club:
 - (a) \$50,000 cash and \$15,000 in-kind.
 - (b) additional in-kind expenses not to exceed \$48,000 noting additional contribution required to host the season of Home Game Nights at Wulanda Recreation and Convention Centre.
 - (c) that Council administration, together with Pioneers Basketball Club and Belgravia Leisure drive event delivery efficiencies in order to sustain the Pioneers capacity to remain competitive for the NBL1 South Conference licence.

4. That Council authorises the Chief Executive Officer to enter into multi-year partnership agreements with:
- (a) Pioneers Basketball Club - \$50,000 in cash and up to \$15,000 in-kind, plus a further contribution for Game Night considerations up to and not exceeding \$48,000 in-kind, plus CPI annually for 2025/2026, 2026/2027, 2027/2028, 2028/2029 and 2029/2030.
 - (b) Generations in Jazz Inc. - \$35,000 and up to \$15,000 in-kind, plus CPI annually for 2025/2026, 2026/2027, 2027/2028, 2028/2029 and 2029/2030.

CARRIED

Administrative Comment:

The table below outlines the current amounts allocated and the recommended amounts for allocation associated with this report. The balance remaining takes into consideration previous allocations from 2024/2025 Grants and Sponsorships Round One and the ongoing streams of funding for Venue Sponsorship and Quick Response.

	Total Budget 2024/ 2025	Allocated to date	Recommended Allocation - Pioneers Basketball Club	Remaining 2024/2025
Cash	\$509,427	\$359,389	\$50,000	\$100,038
In-kind	\$139,997	\$53,521	\$15,000 + \$48,000	\$23,476

Note: Council has already allocated funding for this financial year for Generations in Jazz.

This report also recommends five-year financial commitments for Pioneers Basketball and Generations In Jazz. This will require pre-allocations of Grants and Sponsorship Program funds for the Financial Years of 2025/2026, 2026/2027, 2027/2028, 2028/2029 and 2029/2030 and is outlined below as per the final proposal from each proponent.

Financial Year	2025/2026	2026/2027	2027/2028	2028/2029	2029/2030
Pioneers Basketball	\$50,000 + CPI Up to \$15k In-Kind Up to \$48k In-kind Game Night expenses	\$50,000 + CPI Up to \$15k In-Kind Up to \$48k In-kind Game Night expenses	\$50,000 + CPI Up to \$15k In- Kind Up to \$48k In- kind Game Night expenses	\$50,000 + CPI Up to \$15k In-Kind Up to \$48k In-kind Game Night expenses	\$50,000 + CPI Up to \$15k In- Kind Up to \$48k In- kind Game Night expenses
Generations in Jazz	\$35,000 + CPI Up to \$15,000 In- kind	\$35,000 + CPI Up to \$15,000 In- kind	2026/2027 amount + CPI Up to \$15,000 In-kind	2027/2028 amount + CPI Up to \$15,000 In- kind	2028/2029 amount + CPI Up to \$15,000 In-kind
TOTAL	\$85,000 +CPI	\$85,000 +CPI	Circa \$85,000 +CPI	Circa \$85,000 +CPI	Circa \$35,000 + CPI

18.2 MOUNT GAMBIER AND DISTRICT TENNIS ASSOCIATION

MOTION

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Council report titled 'Mount Gambier and District Tennis Association' as presented on Tuesday 21 January 2025 be noted.
2. That Council endorse the preference for Tennis to remain at Olympic Park in accordance with the Mount Gambier Sport, Recreation and Open Space Strategy.
3. That Council note that the Olympic Park Master Plan which is to be completed 2026/2027 will guide the long term future of the site.
4. That Council and the Mount Gambier and District Tennis Association in the interim assess the current condition of the Olympic Park Tennis Courts to determine and cost any remedial work required to ensure safe play.
5. That, if required, a further report be presented to Council seeking a budget allocation for the 2025/2026 to undertake any necessary work on the Olympic Park Tennis Courts.

Cr Bruins proposed a variation.

Cr Jenner sought leave of the meeting to vary the motion.

VARIATION

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Council report titled 'Mount Gambier and District Tennis Association' as presented on Tuesday 21 January 2025 be noted.
2. That Council endorse the preference for Tennis to remain at Olympic Park in accordance with the Mount Gambier Sport, Recreation and Open Space Strategy.
3. That Council note that the Olympic Park Master Plan which is to be completed 2026/2027 will guide the long term future of the site.
4. That Council and the Mount Gambier and District Tennis Association in the interim assess the current condition of the Olympic Park Tennis Courts to determine and cost any remedial work required to ensure safe play.
5. That, if required, a further report be presented to Council seeking a budget allocation for 2025/2026 to contribute to any necessary work on the Olympic Park Tennis Courts.

The variation was accepted by leave of the meeting.

RESOLUTION OCM 2024/276

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Council report titled 'Mount Gambier and District Tennis Association' as presented on Tuesday 21 January 2025 be noted.
2. That Council endorse the preference for Tennis to remain at Olympic Park in accordance with the Mount Gambier Sport, Recreation and Open Space Strategy.
3. That Council note that the Olympic Park Master Plan which is to be completed 2026/2027 will guide the long term future of the site.
4. That Council and the Mount Gambier and District Tennis Association in the interim assess the current condition of the Olympic Park Tennis Courts to determine and cost any remedial work required to ensure safe play.
5. That, if required, a further report be presented to Council seeking a budget allocation for 2025/2026 to contribute to any necessary work on the Olympic Park Tennis Courts.

CARRIED

18.3 COMMUNITY LAND REVOCATION PROPOSAL - JUBILEE HIGHWAY WEST, SUTTONTOWN

RESOLUTION OCM 2024/277

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That Council report titled 'Community Land Revocation Proposal - Jubilee Highway West, Suttontown' as presented on Tuesday 21 January 2025 be noted.
2. That Council proceed with the revocation of community land status process over the parcel of land described as Allotment 212, Deposited Plan 125742, Jubilee Highway West, Suttontown contained in Certificate of Title Volume 6250 Folio 283 and authorise the CEO or delegate to make the necessary application to the Minister for Local Government, including provision of all community consultations responses, in accordance with section 194 of the Local Government Act 1999.

CARRIED

18.4 COUNCIL'S DEBT STRUCTURING

RESOLUTION OCM 2024/288

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council report titled 'Council's Debt Structuring' as presented on Tuesday 21 January 2025 be noted.
2. That Council agrees to enter into either variable or fixed financing agreements with the LGFA as the Chief Executive Officer considers appropriate subject to and including:
 - (a) No increase in total value of loan facilities currently held.
 - (b) Ensuring that the requirements of the Long Term Financial Plan and Treasury Management Policy are met and maintained.
 - (c) A workshop being held with the Audit and Risk Committee to review any proposed changes to financing arrangements that may be considered in the future, and noting that a workshop was held on Thursday 9 January 2025 regarding the proposal in this report.
 - (d) That Council be notified following any changes made to financing arrangements including reference to interest rates and loan terms.
 - (e) Negotiating new financing arrangements as current loan agreements reach maturity; and/or
 - (f) implementing short-term (1-2 year) financing arrangements from variable to fixed whilst maintaining spread between each category of loan and a range of maturity dates.
3. That the Mayor and the Chief Executive Officer be authorised to sign and affix the common seal to execute the required loan documentation as reference in point 2 above.
4. That Council acknowledges its prudent approach to borrowings, guided by a strong Treasury Management Policy, as a demonstration of sound financial management and governance, which ensures alignment with the Long-Term Financial Plan, balancing flexibility and financial sustainability.

CARRIED

18.5 S41 COMMITTEE DELEGATIONS

RESOLUTION OCM 2024/278

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Council report titled 'S41 Committee Delegations' as presented on Tuesday 21 January 2025 be noted.
2. That Council grants the delegation of powers and functions of the Council as provided for in the tables at **Attachment 1**, to the identified section 41 Committees of the Council pursuant to section 44(2)(a) of the *Local Government Act 1999*.
3. The delegations granted in resolution 2 above are subject to the following conditions and limitations:

- (a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
- (b) the delegate must exercise a delegated function or power in accordance with and due regard to:
 - (i) applicable legislative and other legal requirements; and
 - (ii) relevant policies and guidelines adopted by the Council.
- (c) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
- (d) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
- (e) These delegations will come into operation on Wednesday 22 January 2025 and remain in force until varied or revoked by resolution of the Council.

CARRIED

18.6 ALGA JUNE 2025 NATIONAL GENERAL ASSEMBLY - CALL FOR MOTIONS

RESOLUTION OCM 2024/279

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

1. That Council report titled 'ALGA June 2025 National General Assembly - Call for Motions' as presented on Tuesday 21 January 2025 be noted.
2. That draft motions for the June 2025 ALGA National General Assembly be prepared and presented to Council in February or March 2025 on the following issues relevant to the work of local government nationally:
 - (a) Sustainability of regional airports and the importance of accessible and affordable regional air travel for medical, education, freight, work and leisure travel.

CARRIED

19 MOTIONS WITH NOTICE

Nil

20 URGENT MOTIONS WITHOUT NOTICE

Nil



21 CONFIDENTIAL ITEMS OF COMMITTEES

Nil

22 NEW CONFIDENTIAL ITEMS

22.1 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION (LCLGA) BOARD RECOMMENDATIONS

RESOLUTION OCM 2024/280

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors, S Philpott, B Cernovskis, J Fetherstonhaugh, C White, B Shearing, B Shelton, K Rolton, S Wilson and C Byles (LCLGA Interim Executive Officer) be excluded from attendance at the meeting for the receipt and consideration in confidence of Limestone Coast Local Government Association (LCLGA) Board Recommendations.

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

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- (j) information the disclosure of which -
- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
- (ii) would, on balance, be contrary to the public interest.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the subject matter includes information concerning personal affairs of people associated with the Limestone Coast Local Government Association, as well as confidential information of the Limestone Coast Local Government Association.

CARRIED

Pursuant to Section 75 of the Local Government Act 1999, Mayor Lynette Martin disclosed a material conflict of interest in Item 22.1.

In accordance with Section 75B Mayor Martin informed the meeting:

Nature of Interest:

I am president of the LCLGA and receive an honorarium in that role.



City of Mount Gambier
Ordinary Council Meeting Minutes

21 January 2025

Intention to Participate:

I will be leaving the meeting room such that I cannot view or hear any discussion (including questions) or voting at the meeting.

In accordance with Section 75B of the Local Government Act 1999 Mayor Martin left the meeting at 6:50pm.

In the absence of Mayor Lynette Martin, Deputy Mayor Cr Josh Lynagh took the chair for Item 22.1.

The Deputy Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: To further discuss Item 22.1.

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 6:51pm.

The Deputy Mayor determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 7:23pm.

Mr Colin Byles, LCLGA Interim Executive Officer left the meeting at 7:27pm and did not return.

Cr Amoroso left meeting at 7:27pm and did not return.

RESOLUTION OCM 2024/281

Moved: Cr Frank Morello
Seconded: Cr Jason Virgo

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Limestone Coast Local Government Association (LCLGA) Board Recommendations and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
 - (j) information the disclosure of which -
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and

- (ii) would, on balance, be contrary to the public interest.

be kept confidential and not available for public inspection until the Limestone Coast Local Government Association or their agent has expressly released Council from its obligation to keep this matter confidential.

2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

CARRIED

Mayor Lynette Martin returned to the meeting at 7:27pm.

22.2 UNSOLICITED PROPOSAL - PROPERTY THIRD PARTY

RESOLUTION OCM 2024/282

Moved: Cr Sonya Meziniec

Seconded: Cr Jason Virgo

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors, S Philpott, B Cernovskis, J Fetherstonhaugh, C White, B Shearing, B Shelton, K Rolton and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Unsolicited Proposal - Property Third Party.

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

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- (ii) would, on balance, be contrary to the public interest.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be received and discussed includes the sensitive commercial information of the unsolicited proposal applicant, including their financial position, and the disclosure of Council's deliberations on the proposal may unreasonably contradict relevant privacy principles, as well as prejudice the Council receiving similar unsolicited proposals in future, enabling robust strategic decision making for asset management in the best interest of the community.

CARRIED

RESOLUTION OCM 2024/283

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Unsolicited Proposal - Property Third Party and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.

be kept confidential and not available for public inspection until further order of Council after the proposal contained in the report has been settled or abandoned with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation.

2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

CARRIED

22.3 SALE OF LAND FOR NON PAYMENT OF RATES

RESOLUTION OCM 2024/284

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors, S Philpott, B Cernovskis, J Fetherstonhaugh, C White, B Shearing, B Shelton, K Rolton and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Sale of Land for Non Payment of Rates.

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

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

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information relates to the financial situation of a person (living or dead), the disclosure of which is deemed unreasonable.

CARRIED

RESOLUTION OCM 2024/285

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Sale of Land for Non Payment of Rates and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

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

be kept confidential and not available for public inspection until the latter of: 12 months after outstanding rates having been paid in full or 12 months after the matter being settled to Council's satisfaction and that this order be reviewed every 12 months.

2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

CARRIED

23 MEETING CLOSE

The meeting closed at 7:34 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 18 February 2025.

.....
MAYOR



24. ITEM 10.1 - TABLED DOCUMENTS

1. Photographs of Trees - Deputation by Wade Chant [**25.1.1** - 7 pages]



Deputation - Mr Wade Chant



Roadway damaged by tree roots, raised footpath



Fallen debris moved under trees



2 trees bordering property –
visible cracks in fork



5 trees, dead grass due to
trees, multiple cracks showing



Large branches overhanging
property at 130 North Terrace



Debris build up on roof



North Terrace leaf build up in kerbs



North Terrace roadway and
footpath damage



2 trees bordering roadway, small
limb, shows distance from footpath



Small limbs removed from property roof