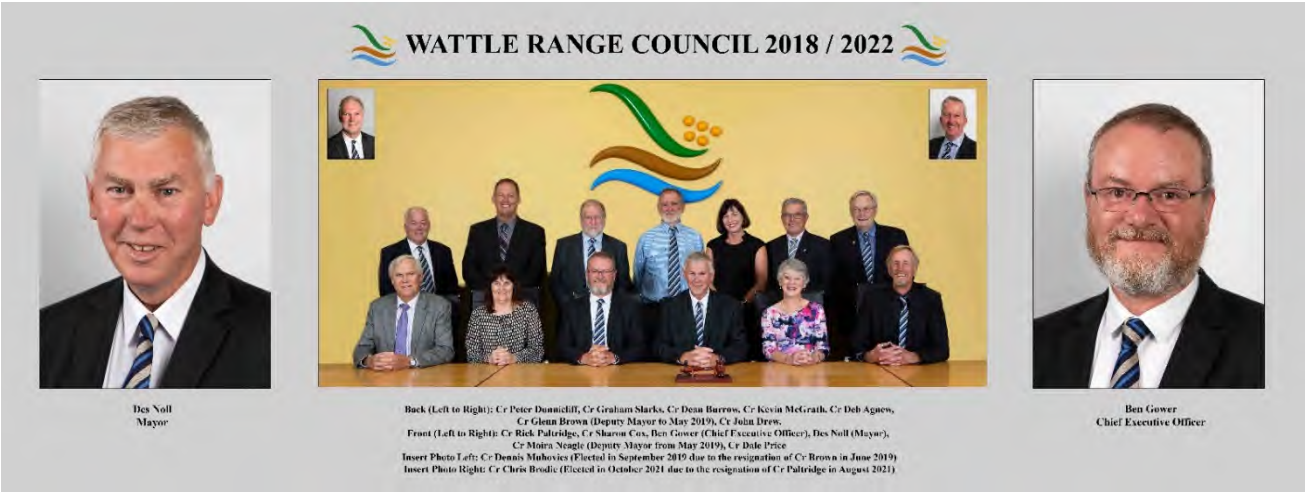
Wattle Range
COUNCIL

Wattle Range - a great place to live and work



Cr Graham Slarks resigned on 10 February 2022

NOTICE AND AGENDA OF ORDINARY MEETING OF WATTLE RANGE COUNCIL

Notice is hereby given the next Ordinary Meeting of Wattle Range Council will be held
in the Supper Room, Millicent War Memorial Civic & Arts Centre,
Ridge Terrace, Millicent
on Tuesday 14 June 2022 at 5:00 PM.

Paul Duka
ACTING CHIEF EXECUTIVE OFFICER

Disclaimer: Please note that the contents of the Council Agenda has yet to be considered by Council and recommendations contained herein may be altered or changed by the Council in the process of formally making decisions of Council.

GF/9.24.1 – 3.1 GDS:40

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the *South Australian Public Health Act 2011*, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.
On 22 March 2020 the State Coordinator for the State of South Australia declared, pursuant to section 23 of the *Emergency Management Act 2004*, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.
As a necessity due to COVID-19, Hon Stephan Knoll, Minister for Transport, Infrastructure and Local Government in accordance with section 302B of the *Local Government Act 1999* varied or suspended the operation of the specified provisions of the Act as set out in Schedule 1 to the "Electronic Participation in Council Meetings Notice (No 1) 2020" which was gazetted on Tuesday, 31 March 2020 (Page 619 – 627).

Wattle Range
COUNCIL

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1 Opening Of The Meeting - Civic Prayer - Acknowledgement Of Country - Recording Of Meetings

Civic Prayer

Almighty God

We pray that in this meeting we speak honestly, listen attentively, think clearly and decide wisely, for the good of our District and the wellbeing of our people

Amen

Acknowledgement of Country

We acknowledge the traditional custodians of the land on which we meet and pay respect to Elders past and present.

Recording of Meetings

Council's Code of Practice 6 prohibits any person from photographing, filming, televising or recording by audio devices Council Meetings without written approval from the Mayor or Chief Executive Officer.

2 Present

3 Apologies

Cr Peter Dunnicliff

4 Disclosure Of Interests

Any Councillor with one of the following Conflicts of Interest is asked to declare it now and prior to the Item being discussed:

Material – where any of a defined list of persons would gain a benefit, or suffer a loss (whether directly or indirectly, personal or pecuniary) depending on the outcome of the consideration of the matter at the meeting.

Actual – where a Member has a Conflict of Interest (not being a material conflict of interest) between their own interests and the public interest that might lead to a decision that is contrary to the public interest.

Perceived – where from the perspective of an impartial, fair-minded person it could reasonably be perceived that a Member has a Conflict of Interest in a matter.

Where an actual or perceived Conflict of Interest exists, the Member must inform the meeting of the interest and how (if they propose to participate in the meeting) they intend to deal with the actual / perceived Conflict of Interest. This information will be documented by the Minute Taker.

5 Confirmation Of Minutes

5.1 Ordinary Meeting of Council - 10 May 2022 (Folio 9936 - Folio 10198)

Report Type	Minutes from Previous Meeting
File Reference	GF/9.24.1/1
Attachments	1. coumin council 100522 with Appendix [**5.1.1** - 263 pages]

RECOMMENDATION

That the Minutes of the Ordinary Meeting dated 10 May 2022 be taken as presented and confirmed.

WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Supper Room, Millicent War Memorial Civic & Arts Centre, Ridge Terrace, Millicent on 10 May 2022 at 5.00 pm.

1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY / RECORDING OF MEETINGS

2. PRESENT

His Worship the Mayor D Noll
Cr D Agnew
Cr C Brodie [arrived at 5.18 pm]
Cr D Burrow
Cr S Cox
Cr J Drew
Cr P Dunnicliff
Cr K McGrath
Cr D Muhovics
Cr M Neagle
Cr D Price

Mr BJ Gower (Chief Executive Officer)
Mr PA Duka (Director Corporate Services)
Mr PA Halton (Director Engineering Services)
Ms EF Clay (Director Development Services)
Ms CP Allen (Executive Assistant)

3. APOLOGIES

NIL

4. DISCLOSURE OF INTERESTS

NIL

5. CONFIRMATION OF THE MINUTES

5.1 Ordinary Meeting of Council – 12 April 2022 (Folio 9916 – Folio 9935)

Cr Drew moved that the Minutes of the Ordinary Meeting dated 12 April 2022 be taken as presented and confirmed.

Cr McGrath seconded **CARRIED**

5.2 Confidential Meeting of Council – 12 April 2022 (CM 972 – CM 982) – Released Immediately

Cr Muhovics moved that the Minutes of the Confidential Meeting dated 12 April 2022 be taken as presented and confirmed.

Cr Price seconded **CARRIED**

6. MATTERS ARISING FROM THE MINUTES

NIL

7. ADJOURNMENTS

7.1 Tantanoola Institute Hall Management Committee

Cr Cox moved that Council receive and note the report.

Cr Agnew seconded **CARRIED**

Cr Price moved that Pursuant to section 41 of the *Local Government Act 1999*, it is recommended that Council discontinue the operation of the Tantanoola Institute Hall Management Committee.

Cr Cox seconded **CARRIED**

7.2 Kalangadoo Riddoch Institute Management Committee – Presiding Member

Cr Agnew moved that Council receive and note the report.

Cr Price seconded **CARRIED**

Cr Agnew moved that Pursuant to section 41 of the *Local Government Act 1999*, discontinue the operation of the Kalangadoo Riddoch Institute Memorial Hall Management Committee and thank the remaining Committee members for their years of service on the Committee.

Cr Price seconded **CARRIED**

8. MAYORAL COMMUNICATIONS

8.1 Mayoral Communications

Cr Burrow moved that Mayoral Communications be received and noted.

Cr Muhovics seconded **CARRIED**

9. DEPUTATIONS

NIL

10. PETITIONS

NIL

11. REPORTS FROM COUNCIL MEMBERS

Cr McGrath advised that on 5 May 2022 he attended the HAC Meeting which had been postponed from April. The hospital is still going ahead with an open day in October 2022 (on the weekend of the basketball tournament). Dr Lloyd (Prostate Cancer Specialist) has resigned from working at the hospital. The Health Department is pursuing another Specialist. The Prostate Nurse comes to Millicent at least once per month.

Cr Price advised that he attended a community meeting at Southend held to discuss the issue of coastal erosion.

Cr Dunnicliff advised that he, Cr McGrath and Cr Cox laid a wreath on Anzac Day at Beachport.

Cr Cox advised that she attended the Tantanoola Community Town Plan Meeting with Director Clay. Everyone was enthused with signage and possibilities for the town.

12. QUESTIONS WITH NOTICE

12.1 Question with Notice – Cr Dale Price – Strategic Land Use Plan

Cr Dale Price submitted the following Question(s) with Notice:

Question

Under the proposed changes in Council's Strategic Land Use Plan, will there be any adverse impact(s) in terms of 'right to farm' where land is currently classed as rural, that is rezoned to rural living in the Plan?

Answer

Existing use rights are not affected by a rezoning i.e. any activity which currently occurs on a site may continue. However, the rezoning may affect the ability to expand or intensify such uses, or to revive a discontinued use.

Farming is an envisaged use within the Rural Living Zone, being defined within the Planning and Design Code as below:

Land Use Term (Column A)	Definition (Column B)	Includes (Column C)	Excludes (Column D)
Farming	Means cropping, grazing or low intensity animal husbandry.	Cropping; Grazing; Low intensity animal husbandry.	Animal keeping; Commercial forestry; Horse keeping; Horticulture; Intensive animal husbandry; Mushroom production.

Agricultural buildings, animal keeping, horse keeping, kennels, outbuildings, and shelters/stables are also envisaged within the Rural Living Zone. However, the Rural Living Zone does have several provisions with specific regard to these developments:

"Animal keeping and horse keeping [shall be] of a scale that is ancillary to and in association with the residential use of the land."
"Buildings, structures and associated facilities for the keeping of animals are sited, designed and of a scale and appearance that reinforces the semi-rural or semi-natural character and amenity."
"Outbuildings and agricultural buildings are sited, designed and of a scale that reinforces the semi-rural or semi-natural character and amenity."

Noting these policy provisions, it would be the responsibility of Council's Assessment Manager, Assessment Panel or their delegate would make a decision regarding whether the proposed development accords with these and other policies. For example, if animals are already kept on the land at a scale which is not ancillary to the residential use of the land (for example, a dairy farm), they may continue to do so. However, if someone wanted to build a new milking shed, for example, the Relevant Authority would need to undertake a planning assessment to determine whether this was

acceptable in light of the policy above, considering that this development is ancillary to the existing use of the land, but that a dairy is not specifically envisaged by the Zone.

It is noted that a land use is considered to be "discontinued" after a period of 12 months as per Part 4 (2) of the *Planning, Development and Infrastructure Act 2016*. For example, if land were being farmed, but was vacant for more than 12 months, and then someone was looking to resume farming on that land, that would require a new planning approval for a change of use, which would be subject to the provisions of the Zone, which may have changed. However, this only applies if the land is vacant for a period of more than 12 months, and not if it does continue to be used.

13. QUESTIONS WITHOUT NOTICE

Various questions were asked but there was no resolution that entry be made into the Minutes.

14. REPORTS FROM COUNCIL COMMITTEES

14.1 Lake McIntyre Management Committee - Minutes of Meeting held on 13 April 2022

Cr Neagle moved that the Minutes of the Lake McIntyre Management Committee Meeting dated 13 April 2022 be received and noted.

Cr Agnew seconded **CARRIED**

14.2 Beachport Recreation Centre Management Committee – Minutes of Meeting held on 7 March 2022

Cr McGrath moved that the Minutes of the Beachport Recreation Centre Management Committee Meeting dated 7 March 2022 be received and noted.

Cr Cox seconded **CARRIED**

[Cr Brodie attended the meeting at 5.18 pm]

15. REPORTS FROM COUNCIL OFFICERS

15.1 Chief Executive Officer

15.1.1 Monthly Project Status Report

Cr Muhovics moved that Council receive and note the report.

Cr Neagle seconded **CARRIED**

15.2 Director Corporate Services

15.2.1 Monthly Financial Performance Report

Cr McGrath moved that Council receive and note the 2021/22 April Financial Performance Report.

Cr Burrow seconded **CARRIED**

15.2.2 Delegations Update

Cr Dunnicliff moved that Council:

1. Receive and note the report.

Cr Brodie seconded **CARRIED**

Cr Drew moved that Council:

2. Resolves to grant the delegation of powers and functions of the Council as provided for in **Attachment 1 and 3**.

3. Resolves to grant the sub-delegation of powers under the Road Traffic Act as provided for in **Attachment 1 and 3**.

4. In accordance with the Instrument of General Approval and Delegation to Council (dated 22 August 2013) from the Minister for Transport and Infrastructure (General Approval) the council authorises, Peter Halton pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General approval provided that such person(s) shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements.

5. In accordance with Clause A.7 of the General Approval, the Council is of the opinion that, Peter Halton is experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval.

6. In accordance with Clause E.2 of the General Approval, the Council is of the opinion that, Peter Halton has an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans.

Cr Brodie seconded **CARRIED**

15.3 Director Development Services

15.3.1 Coonawarra Rail Trail Signage Concept Design

Cr Neagle moved that Council:

1. Receive and note the report.

Cr Burrow seconded **CARRIED**

Cr Cox moved that Council:

2. Shortlist two (2) options being Option 2 and Option 4 for the purpose of public consultation.

Cr Agnew seconded **CARRIED**

15.3.2 Recruitment of Senior Planning Officer

Cr Burrow moved that Council:

1. Receive and note the report.

Cr Brodie seconded **CARRIED**

Cr Dunnicliff moved that Council:

2. Commence the recruitment process of a Senior Planning Officer.

Cr Neagle seconded **CARRIED**

15.4 Director Engineering Services

15.4.1 Swimming Season Review

Cr Brodie moved that Council receive and note the report.

Cr Price seconded **CARRIED**

16. CORRESPONDENCE

16.1 Limestone Coast Local Government Association - Key Outcomes - 1 April 2022

Cr Muhovics moved that meeting summary from the Limestone Coast Local Government Association Workshop and General Meeting dated 1 April 2022 be received and noted.

Cr McGrath seconded **CARRIED**

16.2 Wattle Range Climate Change Consultative Group Minutes

Cr Agnew moved that the Minutes from the Wattle Range Climate Change Consultative Group dated 19 April 2022 be received and noted.

Cr Brodie seconded **CARRIED**

ADJOURNMENT OF MEETING

Cr Dunnicliff moved that the meeting be adjourned for dinner until 7.15 pm

Cr Brodie seconded **CARRIED**

The meeting adjourned at 6.44 pm.

The meeting reconvened at 7.15 pm.

17. MOTIONS ON NOTICE

17.1 Motion on Notice – Cr Dean Burrow – Penola Parkland Tree Removal

Cr Burrow tabled a rationale in regard to his Motion on Notice.

Cr Burrow moved Council rescind the motion of 8 March 2022 (Folio 9905) - 15.4.2 Coonawarra Rail Trail – Penola Parkland Tree Removal, Public Consultation Outcome:

Cr Dunnicliff moved that Council remove the Cyprus trees from the parkland and replace them with appropriate trees as a part of the Coonawarra Rail Trail landscape development and maintain them as part of the annual Operational Budget.
Cr Muhovics seconded

DIVISION
Cr Burrow called for a division:
The Mayor declared the vote set aside.
Members voting in the affirmative:
Councillors Brodie, Drew, Dunnicliff, McGrath, Muhovics, Price
Members voting in the negative:
Councillors Agnew, Burrow, Cox, Neagle
The Mayor declared the motion CARRIED

Cr Agnew seconded **LOST**

18. URGENT MOTIONS WITHOUT NOTICE

NIL

19. ITEMS FOR CONSIDERATION IN CONFIDENCE

19.1 Revised Tender Evaluation for Beachport Drainage Project

Cr Price moved that:

1. Pursuant to Sections 90(2) and 90(3)(k) of the *Local Government Act, 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.1, excepting the following persons:

   - Mr BJ Gower – Chief Executive Officer
   - Mr PA Duka – Director Corporate Services
   - Mr PA Halton – Director Engineering Services
   - Ms EF Clay – Director Development Services
   - Ms C Allen – Executive Assistant / Minute Taker

   To enable the Council to consider Item 19.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.1 tenders for the provision of services and the carrying out of works.

   Specifically, the present matter relates to a tender for kerb and stormwater upgrades on South Terrace, Foster Street and French Street in Beachport.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Muhovics seconded **CARRIED**

Cr Dunnicliff moved that Council:

1. Receive and note the report.

Cr McGrath seconded **CARRIED**

Cr Drew moved that Council:

2. Enter into an Agreement for Services with Gambier Earth Movers Pty Ltd (ABN: 97 007 644 126) for the Beachport Drainage Project.

Cr Brodie seconded **CARRIED**

Cr Dunnicliff moved that:

1. Pursuant to Section 91(7) of the *Local Government Act, 1999*, **Council orders that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(k) of the Act:

   - **The Report and Attachment of Item 19.1 of 10 May 2022**

   On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services or the carrying out of works.

   Specifically, the present matter relates to a tender for South Terrace Kerbing, Beachport.

   This order shall operate until **10 May 2023** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Brodie seconded **CARRIED**

Meeting closed at 8.15 pm.

Taken as presented and confirmed.

…… ……

MAYOR **DATE**

WATTLE RANGE COUNCIL

Wattle Range
COUNCIL

Instrument of delegation

1. The Wattle Range Council (**Council**) delegates each function or power of the Council:

   (a) listed in the attached tables to the delegate or delegates identified in respect of the function or power; and

2. The delegations are granted pursuant to section 44 of the *Local Government Act 1999*, excepting that the functions and powers of the Council:

   (a) as an administering agency under the *Environment Protection Act 1993* are delegated pursuant to section 18C of the Environment Protection Act;

   (b) set out in Division 8, Part 4 of the *Fire and Emergency Services Act 2005* are delegated pursuant to section 93 of the Fire and Emergency Services Act;

   (c) acting as an enforcement agency under the *Food Act 2001* are delegated pursuant to section 91 of the Food Act;

   (d) acting as a road manager under the *Heavy Vehicle National Law* are delegated pursuant to section 22B of the *Heavy Vehicle National Law (South Australia) Act 2013*;

   (e) acting as a relevant authority under the *Safe Drinking Water Act 2011* are delegated pursuant to section 43 of the Safe Drinking Water Act; and

   (f) under the *Supported Residential Facilities Act 1992* are delegated pursuant to section 9(2) of the Supported Residential Facilities Act.

3. The delegations granted pursuant to:

   (a) the Local Government Act to the Council's Chief Executive Officer (**CEO**) may be sub-delegated by the Chief Executive Officer in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act;

   (b) the Fire and Emergency Services Act may be sub-delegated by the delegate;

   (c) the Food Act may be sub-delegated by the delegate;

   (d) the Heavy Vehicle National Law (South Australia) Act may be sub-delegated by the delegate;

   (e) the Safe Drinking Water Act may be sub-delegated by the delegate; and

   (f) the Supported Residential Facilities Act may be sub-delegated by the delegate.

Attachment 1

4. If two or more delegates are nominated in respect of a power or function, then each nominated person is granted a delegation and may exercise the power or function independently of any other delegate.

5. The delegations are granted subject to the following conditions and limitations:

   (a) the delegate must exercise a delegated function or power in accordance with:

      (i) applicable legislative and other legal requirements; and

      (ii) due regard to relevant policies and guidelines adopted by the Council;

   (b) in regard to the following delegations under the Local Government Act:

      (i) section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act;

      (ii) section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council;

      (iii) section 143(1): the power to write off debts is limited to debts not exceeding $10,000

      (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);

   (c) in regard to the delegation under the Local Government Act section 137 and in addition to condition 5 (b) (ii) above: the power to expend fins in the performance or discharge or the Councils powers, functions or duties in accordance is limited to expenditure not exceeding $150,000 per acquisition

6. Each delegation of a power or function granted under this instrument is independent of, and severable from, every other delegation granted under this instrument.

7. If a delegation of a power or function under this instrument is determined to be invalid or unlawful, the invalid or unlawful delegation will be deemed to be severed from this instrument and the remaining delegations will continue to operate according to their terms.

8. The delegations provided for in this instrument of delegation will come into operation on the day following the date of the Council resolution being 10 May 2022.

9. Previous delegations granted by the Council of the powers and functions delegated by this instrument are revoked with effect from the date on which the delegations provided for in this instrument come into operation.

10. The delegations granted by this instrument will remain in force until varied or revoked by resolution of the Council.

Attachment 1

By resolution of the Council

_____

Attachment 1

Acronym	Position Title
CEO	Chief Executive Officer
FPO	Fire Prevention Officer
DCS	Director of Corporate Services

Delegations framework

Tables of delegable powers and functions

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Attachment 3

Tables of delegable powers and functions

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 8(2)	Approve the interment of bodily remains	CEO	
relevant authority for cemetery or crematorium	section 13(4)	Inter additional bodily remains	CEO	
relevant authority for cemetery or crematorium	section 13(6)	Be consulted by the Attorney-General regarding the opening of an interment site, exhumation or removal of bodily remains or re-interment of bodily remains	CEO	
relevant authority for cemetery or crematorium	section 18(1)	Ensure that cremated remains are only released to an authorised person	CEO	
relevant authority for cemetery or crematorium	section 18(2)	Dispose of cremated remains	CEO	
council	section 19	Establish a cemetery, natural burial ground or crematorium	CEO	
council	section 20	Establish and manage a public mortuary	CEO	
relevant authority for cemetery or crematorium	section 21	Establish a mausoleum	CEO	
relevant authority for cemetery or crematorium	section 22	Provide part of a cemetery as a natural burial ground	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 23	Set apart part of a cemetery or natural burial ground for a particular religion	CEO	
relevant authority for cemetery or crematorium	section 24(1)	Close a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(2)	Provide notice of proposed closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(5)	Provide details of representations or submissions to the Minister regarding the proposed closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(8)(a)	Discharge unexercised interment rights and provide a refund by agreement with the interment holder on closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(8)(b)	Discharge unexercised interment rights and issue a new interment right by agreement with the interment holder on closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(9)(a)	Discharge interment rights and issue a new interment right with the interment holder on closure of a cemetery or natural burial ground	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 24(9)(b)	Remove and re-inter human remains by agreement with the interment holder on closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(9)(c)	Remove and reposition a memorial by agreement with the interment holder on closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(10)	Referral of matter for mediation if agreement cannot be reached on the discharge of an interment right on closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(11)	Pay for mediation with respect to the discharge of an interment right on closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(12)(a)	Offer land as a gift on closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(12)(b)	Demolish, remove, relocate or replace a grave on closure of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 24(14)	Prepare an inventory prior to closure of a cemetery or natural burial ground identifying all graves and memorial, a record of all inscriptions and other particulars on memorials and a photograph of each memorial	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 24(15)	Make the inventory of graves and memorials available to the publicly	CEO	
council	section 25(1)	Petition the Minister to have trust on which land is held by council which was formerly a cemetery or natural burial ground determined and the land dedicated as park lands	CEO	
council	section 25(5)	Pay costs of advertising or inquiry related to the determination of a trust and dedication of land as park lands	CEO	
relevant authority for cemetery or crematorium	section 25(4)(a)	Remove memorials if a closed cemetery is dedicated as park lands	CEO	
relevant authority for cemetery or crematorium	section 25(4)(b)	Relocate memorials if a closed cemetery is dedicated as park lands	CEO	
relevant authority for cemetery or crematorium	section 25(4)(c)	Replace memorials if a closed cemetery is dedicated as park lands	CEO	
relevant authority for cemetery or crematorium	section 26(2)	Convert a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council into a public park or garden*	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 26(3)	Give notice of intention to convert a cemetery into a public park where the cemetery is not on land held on trust by the council or that includes land under the care, control and management of a council	CEO	
relevant authority for cemetery or crematorium	section 26(6)(a)	Remove memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	CEO	
relevant authority for cemetery or crematorium	section 26(6)(b)	Relocate memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	CEO	
relevant authority for cemetery or crematorium	section 26(6)(c)	Replace memorials a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	CEO	
relevant authority for cemetery or crematorium	section 27(1)(a)	Construct roads and pathways for purpose of converting closed cemetery into a public park or garden	CEO	
relevant authority for cemetery or crematorium	section 27(1)(b)	Erect or construct buildings for purpose of converting closed cemetery into a public park or garden	CEO	
relevant authority for cemetery or crematorium	section 27(1)(c)	Construct a vault or other repository for human remains for purpose of converting closed cemetery into a public park or garden	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 27(1)(d)	Erect lighting, seating or other infrastructure or public amenity for purpose of converting closed cemetery into a public park or garden	CEO	
relevant authority for cemetery or crematorium	section 27(1)(e)	Take such other act ion for laying out land as parklands or a public place or garden for purpose of converting closed cemetery into a public park or garden	CEO	
relevant authority for cemetery or crematorium	section 28(1)	Provide notice of cemetery or natural burial ground closure to the Registrar	CEO	
relevant authority for cemetery or crematorium	section 28(2)	Provide notice of crematorium closure to the Registrar or the Environment Protection Authority	CEO	
relevant authority for cemetery or crematorium	section 28(3)	Forward records of closed cemetery, natural burial ground or crematorium to the Libraries Board of South Australia	CEO	
relevant authority for cemetery or crematorium	section 30(1)	Agree to the interment of human remains	CEO	
relevant authority for cemetery or crematorium	section 30(1)	Issue an interment right	CEO	
relevant authority for cemetery or crematorium	section 30(2)	Provide statement in plain English setting out rights and responsibilities in regard to an interment right to person applying for an interment right	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 30(3)	Determine capacity of interment site	CEO	
relevant authority for cemetery or crematorium	section 30(5)	Carry out a lift and deepen procedure	CEO	
relevant authority for cemetery or crematorium	section 32(1)	Renew interment right	CEO	
relevant authority for cemetery or crematorium	section 32(1)	Fix renewal fee	CEO	
relevant authority for cemetery or crematorium	section 32(2)	Provide notice of interment right expiry	CEO	
relevant authority for cemetery or crematorium	section 32(3)	Provide statement in plain English setting out rights and responsibilities in regard to an interment right to person renewing interment right	CEO	
relevant authority for cemetery or crematorium	section 33(1)	Transfer an interment right	CEO	
relevant authority for cemetery or crematorium	section 33(1)(a)	Determine consideration for transfer of interment right	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 33(3)	Record interment right transfer in register	CEO	
relevant authority for cemetery or crematorium	section 34(1)	Receive surrendered interment right	CEO	
relevant authority for cemetery or crematorium	section 34(2)	Provide a refund on the surrender of an unexercised interment right	CEO	
relevant authority for cemetery or crematorium	section 37(1)	Keep a register of interment rights	CEO	
relevant authority for cemetery or crematorium	section 37(2)	Record information in the interment rights register	CEO	
relevant authority for cemetery or crematorium	section 38(1)(a)	Reuse an interment site on expiry of an interment right	CEO	
relevant authority for cemetery or crematorium	section 38(1)(b)	Remove a memorial on expiry of an interment right	CEO	
relevant authority for cemetery or crematorium	section 38(2)(a)	Give notice of intention to reuse an interment site by public advertisement	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 38(2)(b)	Give notice of intention to reuse an interment site by notice to the personal representative of the deceased	CEO	
relevant authority for cemetery or crematorium	section 39(2)	Deal with and dispose of a memorial in accordance with the Burial and Cremation Act	CEO	
relevant authority for cemetery or crematorium	section 40	Enter into an agreement with an interment right holder to maintain memorial	CEO	
relevant authority for cemetery or crematorium	section 41(1)	Provide notice requiring repair, removal or reinstatement of memorial	CEO	
relevant authority for cemetery or crematorium	section 41(2)	Carry out repair, removal or reinstatement work	CEO	
relevant authority for cemetery or crematorium	section 41(2)	Recover costs of work repairing, removing or reinstating a memorial	CEO	
relevant authority for cemetery or crematorium	section 41(3)	Carry out repair, removal or reinstatement work	CEO	
relevant authority for cemetery or crematorium	section 41(3)	Recover costs of work repairing, removing or reinstating a memorial	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 42(1)	Remove and dispose of memorial where interment right has expired	CEO	
relevant authority for cemetery or crematorium	section 42(1)(c)	Give notice of intention to remove and dispose of a memorial on expired interment site by public advertisement and notice affixed to the memorial	CEO	
relevant authority for cemetery or crematorium	section 42(1)(d)	Give notice of intention to remove and dispose of a memorial on expired interment site by public notice to owner of memorial	CEO	
relevant authority for cemetery or crematorium	section 42(2)	Keep prescribed records of disposed memorials	CEO	
relevant authority for cemetery or crematorium	section 43(a)	Enlarge a cemetery, natural burial ground or crematorium	CEO	
relevant authority for cemetery or crematorium	section 43(b)	Improve or embellish a cemetery, natural burial ground or crematorium	CEO	
relevant authority for cemetery or crematorium	section 43(c)	Restrict interments in any part of a cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 43(d)	Take action for proper management and maintenance of a cemetery, natural burial ground or crematorium	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	section 45	Restrict interments in any part of a cemetery or natural burial ground	CEO	
council	section 46(1)	Issue notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	CEO	
relevant authority for cemetery or crematorium	section 46(1)	Respond to notice from the Minister that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	CEO	
council	section 46(3)	Cause work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	CEO	
council	section 46(4)	Cause work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	CEO	
council	section 46(5)	Recover costs of work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	CEO	
relevant authority for cemetery or crematorium	section 47(1)	Apply for review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 47(1)	Make submissions on a review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition	CEO	
council	section 48(1)	Receive land used as a cemetery or natural burial ground on trust	CEO	
council	section 49(1)	Assume administration of cemetery or natural burial ground	CEO	
council	section 49(1)(c)	Agree to transfer administration of cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	section 50(1)	Allow access to of cemetery, natural burial ground or crematorium	CEO	
relevant authority for cemetery or crematorium	section 50(2)	Require person to leave cemetery, natural burial ground or crematorium	CEO	
relevant authority for cemetery or crematorium	section 51(1)	Deal with land used as a cemetery or natural burial ground in ordinary course of commerce	CEO	
relevant authority for cemetery or crematorium	section 51(2)	Discharge interment rights prior to dealing with land used as a cemetery or natural burial ground in ordinary course of commerce	CEO	
relevant authority for cemetery or crematorium	section 51(2)(a)	Provide refund to holder of an interment right on the discharge of that right in order to deal	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		with land used as a cemetery or natural burial ground in ordinary course of commerce		
relevant authority for cemetery or crematorium	section 51(2)(b)	Issue new interment right to holder of an interment right on the discharge of that right in order to deal with land used as a cemetery or natural burial ground in ordinary course of commerce	CEO	
council	section 52	Deal with land which was a cemetery or natural burial ground closed in accordance with the Burial and Cremation Act in ordinary course of commerce	CEO	
relevant authority for cemetery or crematorium	section 53(1)	Keep registers and plan prescribed by Burial and Cremation Act	CEO	
relevant authority for cemetery or crematorium	section 53(3)	Keep records prescribed by Burial and Cremation Act	CEO	
relevant authority for cemetery or crematorium	section 53(4)	Make registers prescribed by Burial and Cremation Act publicly available	CEO	
relevant authority for cemetery or crematorium	section 53(5)	Produce a register prescribed by Burial and Cremation Act for inspection	CEO	
relevant authority for cemetery or crematorium	section 56(1)	Request Public Trustee to act for interment right holder	CEO	

Burial and Cremation Act 2013				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 58(2)	Appoint authorised officers	CEO	
council	section 58(3)	Impose conditions on appointment of an authorised officer	CEO	
council	section 58(4)	Issue identity card to an authorised officer	CEO	
council	section 58(7)	Vary or revoke appointment or impose further conditions on an authorised officer	CEO	

Burial and Cremation Regulations 2014				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	regulation 12(1)	Ensure remains are placed in labelled container and stored in ossuary	CEO	
relevant authority for cemetery or crematorium	regulation 12(2)	Provide notice to the Attorney-General and Registrar of removal of remains to ossuary	CEO	
relevant authority for cemetery or crematorium	regulation 16	Fill interment site to level of natural surface	CEO	
relevant authority for cemetery or crematorium	regulation 17(2)	Approve manner of marking name plate attached to coffin or bodily remains	CEO	

Burial and Cremation Regulations 2014				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	regulation 18(1)(a)	Approve construction material for mausoleum or vault	CEO	
relevant authority for cemetery or crematorium	regulation 18(5)	Be satisfied that mausoleum or vault is sealed	CEO	
relevant authority for cemetery or crematorium	regulation 19(1)	Open and inspect mausoleum or vault	CEO	
relevant authority for cemetery or crematorium	regulation 19(2)	Give notice to take remedial action if mausoleum or vault does not comply with the Burial and Cremation Regulations or offensive odours or noxious gases or fluids have escaped or are escalating from the mausoleum or vault	CEO	
relevant authority for cemetery or crematorium	regulation 19(3)	Cause work to be undertaken if person fails to comply with notice provided under regulation 19(2)	CEO	
relevant authority for cemetery or crematorium	regulation 19(3)	Recover costs of undertaking work if person fails to comply with notice provided under regulation 19(2)	CEO	
relevant authority for cemetery or crematorium	regulation 21(1)	Dispose of name plate, metal or plastic fitting, any other object removed from the exterior of coffin or any other thing in possession due to cremation	CEO	

Burial and Cremation Regulations 2014				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority for cemetery or crematorium	regulation 21(3)	Ensure nameplate is provided to person holding the relevant cremation permit or a person authorised by that person	CEO	
relevant authority for cemetery or crematorium	regulation 22	Fence the cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	regulation 24(1)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the driving of the vehicle	CEO	
relevant authority for cemetery or crematorium	regulation 24(2)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the parking of the vehicle	CEO	
relevant authority for cemetery or crematorium	regulation 25	Authorise removal, damage, defacement or interference of fixtures, structure or grounds within the cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	regulation 26(a)	Cause removal of unattached ornament, empty flower container, broken masonry, decayed or broken wreath or dead flowers from the cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	regulation 26(b)	Cause pruning, cutting down or removal of plants within the cemetery or natural burial ground	CEO	
relevant authority for cemetery or crematorium	regulation 27	Require a person to leave the cemetery or natural burial ground	CEO	

Community Titles Act 1996				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant development authority	section 3(11)	Endorse scheme description	CEO	
council (as holder of a statutory encumbrance)	section 15A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	CEO	
council	section 27(1)(b)(i)	Consent to encroachment over land vested in, or under the control, of the council	CEO	
relevant development authority	section 30(4)	Require modification to a scheme description prior to endorsing the scheme description	CEO	
relevant development authority	section 31(3)	Endorse a certified copy of an amended scheme description	CEO	
council (as holder of a statutory encumbrance)	section 53A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	CEO	
relevant development authority	section 70(3)	Approve the retention of a primary or secondary lot	CEO	

Cost of Living Concessions Act 1986				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
rating authority	section 6(1)	Apply to the Treasurer for the amount of rates remitted under the Cost of Living Concessions Act to be paid to the rating authority	CEO	

Crown Land Management Act 2009				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 18A(1)	Seek the consent of the Minister to the exclusion of dedicated land from classification as community land	CEO	
Adelaide City Council	section 27(2)	Request the Minister to exercise power or functions under Division 4, Part 3 of the Crown Land Management Act in respect of the Adelaide Park Lands under the care, control and management of the council (other than land in relation to which a power to grant easements otherwise exists under the Act or the *Real Property Act 1886*).	CEO	

Disability Inclusion Act 2018				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
State authority	section 16(2)	Prepare a disability access and inclusion plan	CEO	
State authority	section 16(4)(b)	Consult with people with disability and person or bodies representing the interests of people with disability and other persons or bodies in preparing a disability access and inclusion plan	CEO	
State authority	section 16(4)(c)	Call for submissions from members of the public	CEO	
council	section 16(5)	Seek the approval of the Minister to prepare a single disability access and inclusion plan for the council and one or more other councils	CEO	
State authority	section 16(6)	Vary a disability access and inclusion plan	CEO	
State authority	section 16(7)	Publish a disability access and inclusion plan, and any variation to a plan, on a website	CEO	
State authority	section 17(1)	Report annually to the Chief Executive Officer on the operation of the disability access and inclusion plan	CEO	
State authority	section 18(1)	Review the disability access and inclusion plan at least once in every 4 year period and prepare a report of the review	CEO	
State authority	section 18(2)	Provide a copy of the report prepared under section 18(1) of the Disability Inclusion Act to the Minister	CEO	
State authority	section 26(1)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of	CEO	

Disability Inclusion Act 2018				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		the public service that is responsible for assisting a Minister in the administration of this Act		
State authority	section 26(2)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	CEO	
State authority	section 27(2)	Provide information or documents prescribed by section 27 of the Disability Inclusion Act to another person or body	CEO	

Attachment 5

Disability Inclusion Regulations 2019				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
State authority	regulation 9(2)	Determine the manner and form and time period for the calling of public submissions under section 16(4)(c) of the Disability Inclusion Act	CEO	
State authority	regulation 9(3)	Publish the disability access and inclusion plan on a website	CEO	
State authority	regulation 9(4)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for	CEO	

Disability Inclusion Regulations 2019				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		assisting a Minister in the administration of this Act		
council	regulation 10	Keep residents informed of the preparation by the council of a single disability access and inclusion plan which is for more than one council	CEO	
State authority	regulation 11(1)	Comply with the steps under regulation 9 in regard to the variation of a disability access and inclusion plan as if the variation were the plan	CEO	
State authority	regulation 11(2)	Vary a disability access and inclusion plan	CEO	
State authority	regulation 11(3)	Provide public notice of a variation to a disability access and inclusion plan	CEO	

Dog and Cat Management Act 1995				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 25A(1)	Appoint authorised persons	CEO	
council	section 25A(2)	Impose conditions on appointment of an authorised person	CEO	
council	section 25A(3)	Revoke appointment or revoke or vary conditions of an authorised person	CEO	
council	section 25B(1)	Issue identity card to an authorised person	CEO	

Dog and Cat Management Act 1995				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 25C(c)	Enter into an arrangement with another council in relation to the exercise of authorised officer powers	CEO	
council	section 26(1)(a)	Maintain a register of dogs	CEO	
council	section 26(1)(ab)	Provide information to the Dog and Cat Management Board	CEO	
council	section 26(1)(ac)	Maintain other registers	CEO	
council	section 26(1)(ad)	Make registers publicly available	CEO	
council	section 26(1)(ae)	Limit inspection of register	CEO	
council	section 26(1)(b)	Appoint a Registrar	CEO	
council	section 26(1)(c)	Make arrangements for the issue and replace certificates of registration and registration discs	CEO	
council	section 26(1)(d)	Make arrangements for the exercise of functions and powers of an authorised person	CEO	
council	section 26(1)(e)	Make arrangements for the detention of dogs and cats	CEO	
council	section 26(1)(f)	Make arrangements for fulfilling other obligations under the Dog and Cat Management Act	CEO	
council	section 26(3)	Expend money in the administration or enforcement of the Dog and Cat Management Act	CEO	

Dog and Cat Management Act 1995				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 26(4)	Keep separate account of moneys received and expended under the Dog and Cat Management Act	CEO	
council	section 26(5)	Pay moneys into the Dog and Cat Management Fund	CEO	
council	section 26(6)(a)	Charge fees for the provision of register extracts	CEO	
council	section 26(6)(ab)	Charge fees for receipt and management of information	CEO	
council	section 26(b)(i)	Charge fees for registration of dogs or businesses	CEO	
council	section 26(b)(ii)	Charge fees for late payment of registration	CEO	
council	section 26(b)(iii)	Charge fees for meeting requirements under the Dog and Cat Management Act	CEO	
council	section 26(7)	Provide a percentage rebate as provided for by the Dog and Cat Management Act	CEO	
council	section 26A(1)	Prepare a dog and cat management plan	CEO	
council	section 26A(3)	Present dog and cat management plan to Dog and Cat Management Board	CEO	
council	section 26A(5)	Amend dog and cat management plan	CEO	
council	section 33(4)(c)	Approve boarding kennel	CEO	
council	section 39	Rectify the register	CEO	

Dog and Cat Management Act 1995				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 41(1)(c)	Fix fee for application under Part 4, Dog and Cat Management Act	CEO	
council	section 47(5)	Recover cost of giving effect to order if an order has been contravened and authorised person takes steps to effect the order	CEO	
council	section 50(1)(a)	Make a Destruction Order	CEO	
council	section 50(1)(b)	Make a Control (Dangerous Dog) Order	CEO	
council	section 50(1)(c)	Make a Control (Menacing Dog) Order	CEO	
council	section 50(1)(d)	Make a Control (Nuisance Dog) Order	CEO	
council	section 50(1)(e)	Make a Control (Barking Dog) Order	CEO	
council	section 50(2)(b)	Approve a place to detain dogs	CEO	
council	section 52(a1)	Determine manner and form of application for the council to make an order under Division 3, Part 5, Dog and Cat Management Act	CEO	
council	section 52(1)(a)	Ascertain owners or persons responsible for a dog	CEO	
council	section 52(1)(b)	Provide notice of proposed order to each owner or person responsible for a dog	CEO	
council	section 52(2)(b)	Note order in register	CEO	
council	section 52(3)	Provide notice of order to each owner or person responsible for a dog	CEO	

Dog and Cat Management Act 1995				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 52(4)	Revoke order	CEO	
council	section 52(5)	Note revocation of order in register	CEO	
council	section 52(6)	Note order made by Dog and Cat Management Board in register	CEO	
council	section 53(1)	Issue directions to each owner or person responsible for a dog regarding complying with order	CEO	
council	section 56(1)	Receive prescribed information from an owner or person responsible for a dog subject to an order	CEO	
council	section 56(2)	Receive information from an owner or person responsible for a dog subject to an order regarding moving the dog into or out of the council area	CEO	
council	section 59A(1)	Make a Prohibition Order	CEO	
council	section 59A(2)	Approve place to detain dog	CEO	
council	section 59A(5)(b)	Record a Prohibition Order	CEO	
council	section 59A(6)	Revoke a Prohibition Order	CEO	
council	section 59A(7)	Note revocation of a Prohibition Order in register	CEO	
council	section 59A(8)(c)	Note order made by Dog and Cat Management Board in register	CEO	

Dog and Cat Management Act 1995				
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 61(4)	Consider making an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	CEO	
council	section 61(4)	Consider applying to Magistrates Court for an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	CEO	
council	section 61(6)	Recover cost of microchipping or desexing dog	CEO	
council	section 64(2)(c)	Nominate facility for the detention of cats	CEO	
council	section 64B(1)	Cause a detained dog or cat to be microchipped or desexed	CEO	
council	section 64B(2)	Recover cost of microchipping or desexing a dog or cat	CEO	
council	section 64D(1)(b)(ii)	Receive notice of destruction, injury, seizure or detention of dog or identified cat	CEO	
council	section 72	Responding to South Australian Civil and Administrative Tribunal review of council decision	CEO	
council	section 88A(4)	Receive a statutory declaration from the owner of a vehicle who has received an expiation notice or an expiation reminder	CEO	

	Dog and Cat Management Act 1995			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		given under the *Expiration of Offences Act 1996*		
council	section 89	Lay a complaint regarding offence under Dog and Cat Management Act	CEO	

	Dog and Cat Management Regulations 2017			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 6(3)(b)	Apply payment received under regulation 6(2) to furthering the objects of the Dog and Cat Management Act	CEO	
council	regulation 20(1)(a)	Receive notification of prescribed information regarding the keeping of guard dogs on premises	CEO	

	Electricity Act 1996			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 4(1)	Authorise a person to exercise powers conferred on a council officer under the Electricity Act	CEO	

	Electricity Act 1996			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 47(3)	Agree with an electricity entity to the carrying out of work on public land	CEO	
council	section 47(7)	Refer a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	CEO	
council	section 47(9)(a)	Make representations to the Minister in relation to a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	CEO	
council	section 47(9)(b)	Agree to settle a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work	CEO	
council	section 55(1a)	Comply with the requirements of a vegetation clearance scheme	CEO	
council	section 55(3)	Carry out vegetation clearance work in relation to vegetation planted or nurtured contrary to the principles of vegetation clearance.	CEO	
council	section 55(3)	Recover the cost of carrying out vegetation clearance work under section 55(3) from a person who planted or nurtured the vegetation	CEO	

	Electricity Act 1996			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 55A(1)	Agree a vegetation clearance scheme with an electricity entity	CEO	
council	section 55A(4)	Modify a vegetation clearance scheme by written agreement with the electricity entity	CEO	
council	section 55B(2)	Ask the Technical Regulator to determine a vegetation clearance scheme dispute under Division 2, Part 5	CEO	
council	section 55C(2)(c)	Apply to the Technical Regulator for a decision not to determine a vegetation clearance scheme dispute under Division 2, Part 5	CEO	
council	section 55D(2)(a)	Consent to the Technical Regulator conferring on the council the duty to keep vegetation clear of public powerlines	CEO	
council	section 55M	Enforce a vegetation clearance scheme with an electricity entity as a contract	CEO	
council	section 56(1)	Make an arrangement with an electricity entity conferring on the council a specified role in relation to vegetation clearance around public powerlines outside of prescribed areas	CEO	
council	section 58A(2)	Agree to contribute to the cost of undergrounding powerlines in the council area on the basis determined by the Minister	CEO	

	Electricity Act 1996			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 58A(5)	Participate in consultation with, and provide proposals to, the Minister in respect of the undergrounding of powerlines	CEO	
council	section 58A(8)	Participate in consultation with the Minister in respect of a variation of the program for undergrounding of powerlines	CEO	

	Electricity (Principles of Vegetation Clearance) Regulations 2021			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 4(1)	Take reasonable steps to keep vegetation clear of powerlines	CEO	
council	regulation 4(2)	Inspect overhead powerlines and clear vegetation	CEO	
council	regulation 4(4)	Seek approval of the Technical Regulator to keep vegetation clear of powerlines in accordance with the principles set out in regulation 4(2)(b)(ii)	CEO	
council	regulation 7(3)	Make submissions to the Technical Regulator regarding an exemption application	CEO	
council	regulation 8(2)	Agree a vegetation scheme with an electricity entity governing the way in which the entity	CEO	

	Electricity (Principles of Vegetation Clearance) Regulations 2021			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		will carry out its duty to clear vegetation in the council area or part of the council area		
council	regulation 8(5)(b)	Agree with the electricity entity to vary or revoke a vegetation scheme	CEO	
council	regulation 8(6)	Enforce a vegetation clearance scheme with an electricity entity as a contract	CEO	
council	regulation 10(5)(c)	Agree with an objector as to how an objection regarding the council's intention to enter land is to be resolved	CEO	
council	regulation 10(8)	Give notice of intention to enter private land to carry out work under Part 5 of the Act, including a statement of rights of the owner or occupier to lodge an objection under regulation 10	CEO	

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 14(c)	Approve the use by the Environment Protection Authority of the services of council officers or employees	CEO	

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 18A(2)	Request the Minister to declare the council as an administering agency under the Environment Protection Act	CEO	
council	section 18A(3)	Participate in consultation with the Minister as to whether the council will cease to be an administering agency under the Environment Protection Act	CEO	
council	section 18A(3)	Request the Minister to declare that the council will cease to be an administering agency under the Environment Protection Act	CEO	
administering agency	section 18B(1)	Administering and enforcing the Environment Protection Act in the council area	CEO	No sub-delegation
administering agency	section 18C(1)	Delegate a function conferred on the administering agency under Division 1A, Part 3	CEO	No sub-delegation
administering agency	section 18D	Report to the Environment Protection Authority on performance of functions under Division 1A, Part 3	CEO	No sub-delegation
public authority	section 59(1)	Enter into an environment performance agreement with the Minister	CEO	
council	section 59(4)	Approve provision for the remission of rates or taxed payable to the council in an environment performance agreement	CEO	
council	section 85(3)	Appoint authorised officers	CEO	

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 85(4)	Impose conditions on the appointment of an authorised officer	CEO	
council	section 85(5)	Revoke the appointment of an authorised officer	CEO	
council	section 85(5)	Vary or revoke the conditions applying to the appointment of an authorised officer	CEO	
council	section 87(8)(b)	Agree with another council that an authorised officer may exercise power in the other council's area	CEO	
council	section 87(9)	Make good any damage caused by an authorised officer exercising powers under section 87	CEO	
administering agency	section 93(1)	Issue an environment protection order	CEO	No sub-delegation
administering agency	section 93(2a)	Provide notice to the authority under the *Natural Resource Management Act 2004*	CEO	No sub-delegation
administering agency	section 93(5)	Confirm an emergency environment protection order by issuing and serving a written environment protection order	CEO	No sub-delegation
administering agency	section 93(7)	Revoke or vary an environment protection order	CEO	No sub-delegation
administering agency	section 94(1)	Apply to the Registrar General for registration of an environment protection order as a charge on land	CEO	No sub-delegation

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
administering agency	section 94(4a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	CEO	No sub-delegation
administering agency	section 94(6)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	CEO	No sub-delegation
administering agency	section 95(1)	Take action required by an environment protection order which has not been undertaken by the recipient of that order	CEO	No sub-delegation
administering agency	section 95(2)	Authorise a person to take action on behalf of the council under section 95(1)	CEO	No sub-delegation
administering agency	section 95(3)(a)	Issue an instrument of authority to a person authorised under section 95(2) who is not an authorised officer	CEO	No sub-delegation
administering agency	section 95(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 95 as a debt from the person who failed to comply with the environment protection order	CEO	No sub-delegation
administering agency	section 95(4a)	Recover from the person to whom an environment protection order was issued an amount prescribed by regulation as being recoverable in respect to the registration of an order as a charge on land or the cancellation of such registration	CEO	No sub-delegation

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
administering agency	section 95(5)(a)	Fix a period by notice within which an amount recoverable by the council under section 95 must be paid	CEO	No sub-delegation
administering agency	section 96(1)	Issue an information discovery order	CEO	No sub-delegation
administering agency	section 96(4)	Vary or revoke an information discovery order	CEO	No sub-delegation
administering agency	section 97(1)	Take action to obtain information required by an information discovery order or a condition of an environment authorisation if person to whom order was issued or condition applies fails to do so	CEO	No sub-delegation
administering agency	section 97(2)	Authorise a person to take action on behalf of the council under section 97(1)	CEO	No sub-delegation
administering agency	section 97(3)(a)	Issue an instrument of authority to a person authorised under section 97(2) who is not an authorised officer	CEO	No sub-delegation
administering agency	section 97(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 97 as a debt from the person who failed to provide the information	CEO	No sub-delegation
administering agency	section 99(1)	Issue a clean-up order	CEO	No sub-delegation
administering agency	section 99(2a)	Give notice to the relevant authority under the *Natural Resources Management Act 2004*	CEO	No sub-delegation

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		of proposed issuing or variation of a clean-up order		
administering agency	section 99(5)	Confirm an emergency clean-up order by issuing a written clean-up order	CEO	No sub-delegation
administering agency	section 99(7)	Vary or revoke a clean-up order	CEO	No sub-delegation
administering agency	section 101(1)	Apply to the Registrar General for registration of a clean-up order as a charge on land	CEO	No sub-delegation
administering agency	section 101(5a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	CEO	No sub-delegation
administering agency	section 101(8)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	CEO	No sub-delegation
administering agency	section 102(1)	Take action required by a clean-up order if the person to whom the order was issued fails to do so	CEO	No sub-delegation
administering agency	section 102(2)	Authorise a person to take action on behalf of the council under section 102(1)	CEO	No sub-delegation
administering agency	section 102(3)(a)	Issue an instrument of authority to a person authorised under section 102(2)	CEO	No sub-delegation
administering agency	section 103(1)	Recover reasonable costs and expenses incurred in council taking action on non-compliance with a clean-up order	CEO	No sub-delegation

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
administering agency	section 103(2a)	Recover an amount prescribed by regulation in respect of a registration of a clean-up order on land or the cancellation of that registration	CEO	No sub-delegation
administering agency	section 103(3)(a)	Fix a period by notice within which an amount recoverable by the council under section 103 must be paid	CEO	No sub-delegation
public authority	section 104(1)(d)	Application for an order from the Environment, Resources and Development Court against a person who committed a contravention of the Environment Protection Act or a repealed environment law for payment of the reasonable costs and expenses of the council in taking action to prevent or mitigate environmental harm	CEO	
administering agency	section 104(7)(a)	Apply for an order under section 104	CEO	No sub-delegation
council	section 104(7)(b)	Apply for an order under section 104	CEO	
administering agency	section 109(3a)	Provide details of actions taken by the council which must be included in the register to the Authority	CEO	No sub-delegation
administering agency	section 116(a)	Waive the payment of the whole or part of a fee or levy or refund the whole or part of a fee or levy	CEO	No sub-delegation
administering agency	section 116(b)	Allow the payment a fee or levy by instalments	CEO	No sub-delegation

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
administering agency	section 120	Require the verification of information by statutory declaration	CEO	No sub-delegation
administering agency	section 120A	Apply to the court for an order that a convicted person pay to the council the reasonable costs and expenses incurred in carrying out an investigation or taking action as a result of a false or misleading report	CEO	No sub-delegation
administering agency	section 130	Advise a person who submits a report to the council of the action which the council has taken or proposes to take in respect of the allegation	CEO	No sub-delegation
administering agency	section 135(1)	Issue a notice requiring a person who has contravened the Environment Protection Act to pay a fee fixed by, or calculated in accordance with, the regulations or the reasonable costs and expenses incurred by the council in taking action to ensure that the person has complied with requirements imposed as a consequence of the contravention or in taking sample or conducting tests, examination or analyses	CEO	No sub-delegation
administering agency	section 135(2)	Fix the period for payment of an amount under section 135	CEO	No sub-delegation
administering agency	section 135(3)(a)	Extend the period for payment of an amount under section 135	CEO	No sub-delegation
administering agency	section 135(3)(b)	Waive or reduce the amount for payment of an amount under section 135	CEO	No sub-delegation

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
administering agency	section 135(8)	Recover an unpaid amount under section 135 as a debt	CEO	No sub-delegation
administering agency	section 138(1)	Exercise the powers of a mortgagee under the *Real Property Act 1886* in regard to a default on the payment of money secured by the mortgage in the event that there is a default in the payment of an amount subject to a charge on land in favour of the council	CEO	No sub-delegation
administering agency	section 139(1)(a)	Execute a certificate certifying as to a matter relating to an environmental authorisation of other authorisation under the Environment Protection Act	CEO	No sub-delegation
administering agency	section 139(1)(b)	Execute a certificate certifying as to a matter relating to the appointment of non-appointment of a person as an authorised officer or analyst or otherwise under the Environment Protection Act	CEO	No sub-delegation
administering agency	section 139(1)(c)	Execute a certificate certifying as to a matter relating to a delegation or authority under the Environment Protection Act	CEO	No sub-delegation
administering agency	section 139(1)(d)	Execute a certificate certifying as to a matter relating to a notice, order, requirement or direction under the Environment Protection Act	CEO	No sub-delegation
administering agency	section 139(1)(e)	Execute a certificate certifying as to a matter relating to any other decision of the council	CEO	No sub-delegation

	Environment Protection Act 1993			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
administering agency	section 139(1)(f)	Execute a certificate certifying as to a matter relating to the receipt or non-receipt of a notification or information required to be given to the Environment Protection Authority or Minister under the Environment Protection Act	CEO	No sub-delegation
public authority	section 139(2)	Execute a certificate detailing the costs and expenses incurred by the council and the purpose for which the costs and expenses were incurred	CEO	
administering agency	section 140(3a)(b)	Certify a code, standard or other document for the purposes of legal proceedings	CEO	No sub-delegation

Attachment 5

	Environment Protection Regulations 2009			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 75(2)	Elect by written notice to the Environment Protection Authority not to comply with regulations 71 and 71(2) in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulations 75(2)(b)	CEO	

	Environment Protection (Air Quality) Policy 2016			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
administering agency (as the relevant council delegate)	clause 6(1)	Issue a burning permit	CEO	No sub-delegation
administering agency (as the relevant council delegate)	clause 6(2)	Determine the manner and form for applying for a burning permit	CEO	No sub-delegation
administering agency	clause 16(1)	Fix a testing point in premises to evaluate emissions from the premises	CEO	No sub-delegation

Attachment 3

	Environment Protection (Noise) Policy 2007			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 4(2)	Participate in consultation with the Environment Protection Authority regarding what land uses are principally promoted by relevant development Plan provisions	CEO	
council	clause 4(4)	Participate in consultation with the Environment Protection Authority regarding in what land use category a land use principally promoted by relevant Development Plan provisions falls	CEO	

	Environment Protection (Used Packaging Materials) Policy 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 9	Provide prescribed information to the Environment Protection Authority	CEO	

	Environment Protection (Waste to Resources) Policy 2010			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 10(1)(b)	Provide a receptacle or waste collection service for the kerbside collection of waste	CEO	
council	clause 10(2)	Provide a weekly general kerbside waste collection service (other than for recyclable waste or vegetative matter) to residential premises in the council area	CEO	
council	clause 15(2)(a)	Provide a receptacle or waste collection service for the kerbside collection of listed waste	CEO	
council	clause 16(1)(a)	Collect medical waste produced in the course of prescribed activity	CEO	
council	clause 17(2)	Comply with prescribed requirements in respect of medical waste received by the council	CEO	

	Environment Protection (Waste to Resources) Policy 2010			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 18(1)(a)	Provide a receptacle or service for the collection of sharps by a kerbside waste collection service	CEO	

	Expiation of Offences Act 1996			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
issuing authority	section 5(1)	Give an expiation notice to an alleged offender	CEO	
issuing authority	section 5(3)(a)	Provide that an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	CEO	
issuing authority	section 5(3)(b)	Fix an expiation fee for an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	CEO	
issuing authority	section 8(1)	Receive notice from alleged offender electing to be prosecuted for an offence	CEO	
issuing authority	section 8A(1)	Receive application from person in receipt of an expiation notice seeking review on grounds that offence is trifling	CEO	
issuing authority	section 8A(2)	Require applicant to provide further information	CEO	

	Expiation of Offences Act 1996			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
issuing authority	section 8A(3)	Require application to be verified by a statutory declaration	CEO	
issuing authority	section 8A(4)	Determine application	CEO	
issuing authority	section 8A(5)	Withdraw expiation notice if satisfied that the offence is trifling	CEO	
issuing authority	section 11(1)	Issue an expiation reminder notice to alleged offender	CEO	
issuing authority	section 11A(1)	Issue an expiation enforcement warning notice	CEO	
issuing authority	section 11A(2)	Assess acceptability of statutory declaration or other document provided by alleged offender	CEO	
issuing authority	section 12	Accept a later payment of amount due under an expiation notice	CEO	
issuing authority	section 16(1)	Withdraw an expiation notice in prescribed circumstances	CEO	
issuing authority	section 16(2)	Refund expiation fee or instalment paid if expiation notice is withdrawn	CEO	
issuing authority	section 16(5)	Prosecute offence following withdrawal of expiation notice	CEO	
issuing authority	section 16(6)	Withdraw expiation notice if alleged offender has not received notice during expiation period due to error of issuing authority, postal service or email	CEO	

	Expiation of Offences Act 1996			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
issuing authority	section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice	CEO	
issuing authority	section 17(3)	Pay half of expiation fee for offence reported by the police or another officer of the Crown into the Consolidated Account	CEO	
issuing authority	section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information	CEO	

Attachment 2

	Fines Enforcement and Debt Recovery Act 2017			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
issuing authority	section 9(2)	Pay prescribed fee to Chief Recovery officer for a determination under section 9	CEO	
issuing authority	section 20(4)	Receive notice of an arrangement between the Chief Recovery Officer and an alleged offender	CEO	
issuing authority	section 20(18)	Receive notice from the Chief Recovery Officer of the termination or an arrangement with an alleged offender	CEO	
issuing authority	section 20(19)(c)	Receive notice from the Chief Recovery Officer of the reinstatement of an arrangement with an alleged offender	CEO	

	Fines Enforcement and Debt Recovery Act 2017			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
issuing authority	section 22(1)	Provide to the Chief Recovery Officer prescribed particulars to enable enforcement of an expiation notice against an alleged offender	CEO	
issuing authority	section 22(2)	Pay prescribed fee to Chief Recovery Officer for enforcement of an expiation notice	CEO	
issuing authority	section 22(16)	Receive notice from the Chief Recovery Officer of an enforcement determination	CEO	
issuing authority	section 23(3)	Participate in proceedings reviewing an enforcement determination of the Chief Recovery Officer	CEO	

Attachment 5

	Fire and Emergency Services Act 2005			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 4A(3)	Participate in consultation with the South Australian Fires and Emergency Services Commission (**SAFES Commission**) regarding designation of an area of urban bushfire risk within council area	CEO	
council	section 71C	Enter an arrangement with the State Bushfire Coordination Committee for the use of council staff, equipment or facilities	CEO	

	Fire and Emergency Services Act 2005			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 72D	Enter an arrangement with a bushfire management committee for the use of council staff, equipment or facilities	CEO	
council	section 73A(7)(b)(iv)	Participate in consultation with a bushfire management committee regarding creation or amendment of a bushfire management area plan which includes the council area	CEO	
rural council councils with a designated urban bushfire risk area	section 81(13a)	Appoint a person to be an authorised officer to issue permits under section 81 of the *Fire and Emergency Services Act 2005*	Fire prevention officer (appointed under Division 2, Part 4A, *Fire and Emergency Services Act 2005*)	
rural council councils with a designated urban bushfire risk area	section 81(13b)	Apply to the Chief Officer of the South Australian Country Fire Service (**SACFS Chief Officer**) for an exemption from the requirement to appoint a person to be an authorised officer to issue permits under section 81 of the *Fire and Emergency Services Act 2005*	Fire prevention officer (appointed under Division 2, Part 4A, *Fire and Emergency Services Act 2005*)	
rural council councils with a designated urban bushfire risk area	section 87(1)	Require a person to remove flammable debris on or in the vicinity of, a road as a result of work carried on by that person	Fire prevention officer (appointed under Division 2, Part 4A, *Fire and Emergency Services Act 2005*)	
rural council councils with a designated urban bushfire risk area	section 87(2)(a)	Burn or remove flammable debris left on road in contravention of a requirement under section 87(1)	Fire prevention officer (appointed under Division 2, Part 4A, *Fire and Emergency Services Act 2005*)	

	Fire and Emergency Services Act 2005			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
rural council councils with a designated urban bushfire risk area	section 87(2)(b)	Recover costs of burning or removing flammable debris left on road in contravention of a requirement under section 87(1)	Fire prevention officer (appointed under Division 2, Part 4A, *Fire and Emergency Services Act 2005*)	
rural council councils with a designated urban bushfire risk area	section 94(3)	Participate in consultation with the SACFS Chief Officer with respect to a proposed withdrawal of council functions and powers	Fire prevention officer (appointed under Division 2, Part 4A, *Fire and Emergency Services Act 2005*)	
rural council councils with a designated urban bushfire risk area	section 94(4)(a)	Make a written submission to the Minister in relation to a recommendation of the SACFS Chief Officer to withdraw council function and powers	Fire prevention officer (appointed under Division 2, Part 4A, *Fire and Emergency Services Act 2005*)	
rural council councils with a designated urban bushfire risk area	section 94(4)(b)	Request and undertake a delegation to the Minister to discuss a recommendation of the SACFS Chief Officer to withdraw council function and powers	Fire prevention officer (appointed under Division 2, Part 4A, *Fire and Emergency Services Act 2005*)	
rural council councils with a designated urban bushfire risk area	section 94(6)	Receive written reasons for a decision of the Minister to withdraw the powers and functions of the council	Fire prevention officer (appointed under Division 2, Part 4A, *Fire and Emergency Services Act 2005*)	
council	section 103(1)	Request the SACFS Chief Officer to appoint a person as a fire control officer	CEO	
council	section 103(2)	Participate in consultation with the SACFS Chief Officer regarding proposed appointment of a fire control officer for a	CEO	

	Fire and Emergency Services Act 2005			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		designated area of the State which includes the council area		
council	section 105	Pay any fine recovered for a summary offence under Part 4A committed in the council area where the complaint has been laid by the council into the general revenue of the council	CEO	
council	section 105A	Appoint an authorised person for the purposed of Part 4A of the Fire and Emergency Services Act	CEO	
council	section 105B(1)	Appoint a fire prevention officer by a rural council or a council with a designated urban bushfire risk area	CEO	
council	section 105B(4)	Apply to a Chief Officer (appointed under the Fire and Emergency Services Act) for an exemption from requirement to appoint a fire prevention officer	CEO	
council	section 105D(1)(c)	Approve the delegation by a fire prevention officer of a power or function under the Act to another person or body	CEO	
council	section 105D(4)	Receive report from a fire prevention officer regarding delegation of a power or function under the Act to another person or body	CEO	
council	section 105E	Provide report regarding the exercise or discharge of the functions, power or responsibilities of a fire prevention officer for the council area to the SAFES Commission,	CEO	

	Fire and Emergency Services Act 2005			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		the State Bushfire Coordination Committee or a bushfire management committee for the council area		
authorised person	section 105F(5)	Issue notice to owner of land who has failed to take reasonable steps to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land to remedy the default or protect the land or property	CEO	
authorised person	section 105F(9)(c)	Publish notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property on website or a newspaper and leaving a copy of notice on land	CEO	
authorised person	section 105F(10)	Vary or revoke a notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property	CEO	
council	section 105G(1)	Take reasonable steps in regard to land under the care, control or management of the council which is situated in the country or in a designated urban bushfire risk area to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land	CEO	

	Fire and Emergency Services Act 2005			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 105G(5)	Participate in consultation with the Minister regarding a referral from the SACFS Chief Officer alleging a failure of the council to comply with section 105G(1)	CEO	
council	section 105G(6)	Receive notice of requirements from the Minister	CEO	
council	section 105G(7)	Comply with requirements of a notice issued to the council by the Minister under section 105G(6)	CEO	
authorised person	section 105J(1)(a)	Give notice of intended entry of land to the owner of land	CEO	
authorised person	section 105J(1)(b)	Use reasonable force to break into or open any part of, or anything on, the land with the authority of a warrant issued by a magistrate or if immediate action is required	CEO	
authorised person	section 105J(3)	Apply to a magistrate for a warrant to use reasonable force to break into or open any part of, or anything on, the land	CEO	
authorised person	section 105J(4)(a)	Give directions with respect to stopping, securing or movement of a vehicle, plant, equipment or other thing	CEO	
authorised person	section 105J(4)(b)	Take photographs, films, audio, video or other recordings	CEO	

	Fire and Emergency Services Act 2005			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
authorised person	section 105J(4)(a)	Give directions reasonably required in connection with the exercise of a power under Part 4A	CEO	
authorised person	section 105J(5)	Select assistants to accompany authorised person in exercise of power under Part 4A	CEO	
authorised person	section 105J(6)	Carry out requirements of a notice under section 105F(5) if the owner of land fails to comply	CEO	
council	section 105J(7)	Authorise a person to carry out requirements of a notice under section 105F(6) on behalf of an authorised person if the owner of land fails to comply	CEO	
authorised person	section 105J(8)	Recover the reasonable costs and expenses incurred in taking action under section 105J(6)	CEO	
council	section 129	Erect a siren for the purpose of giving warning of the outbreak or threat of fire or an emergency	CEO	

	Fire and Emergency Services Regulations 2021			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 30(4)	Participate in consultation with the South Australian Country Fire Service Chief Officer in	CEO	

	Fire and Emergency Services Regulations 2021			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		regard to a notice prohibiting or restricting the lighting or maintaining of a fire		
council	regulation 32(3)	Declare by notice in the *Gazette* that part of the council area is an area in which a person may operate a gas or electric element for cooking purposes in the open air contrary to the terms of a total fire ban	CEO	
council	regulation 32(4)(d)	Determine conditions to apply to a notice published under regulation 32(3)	CEO	
council	regulation 32(5)	Provide a copy of a notice published under regulation 32 to the South Australian Country Fire Service Chief Officer	CEO	
council	regulation 48(2)	Issue a certificate of identity to a fire prevention officer or assistant fire prevention officer	CEO	
council	regulation 48(4)	Accept the surrender of a certificate of identity on person ceasing to be a fire prevention officer or assistant fire prevention officer	CEO	
responsible authority	regulation 49(1)(a)	Light a fire on a road or on the verge of a road	CEO	
responsible authority	regulation 49(1)(b)	Direct or regulate the movement of persons, vehicles or animals along a road where a fire lit by the council under regulation 49(1)(a) is burning	CEO	

	Fire and Emergency Services Regulations 2021			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 64(b)	Make representations in relation to a fire or other emergency to the South Australian Fire and Emergency Services Commission or an emergency services organisation	CEO	

	Food Act 2001			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 29	Elect to charge a person with a summary offence	CEO	
enforcement agency	section 42(2)	Approve the removal or interference with a thing to which a seizure order relates	CEO	
enforcement agency	section 42(3)(a)(i)	Authorise the release of a thing seized under a seizure order	CEO	
enforcement agency	section 42(3)(a)(ii)	Order that food or any other perishable thing be forfeited to the enforcement agency	CEO	
enforcement agency	section 42(3)(a)(ii)	Receive food or any other perishable thing being forfeited to the enforcement agency by order of the enforcement agency	CEO	
enforcement agency	section 42(3)(b)(i)	Receive food or any other perishable thing being forfeited to the enforcement agency by court order	CEO	

	Food Act 2001			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
enforcement agency	section 42(3)(d)	Deal with food or any other perishable thing in accordance with a determination of the Minister	CEO	
enforcement agency	section 42(3)(e)	Dispose of a thing forfeited to the enforcement agency under pursuant to section 42	CEO	
enforcement agency	section 52(2)	Pay compensation if there were no grounds for the council's Chief Executive Officer to make a prohibition order under section 46	CEO	
enforcement agency	section 52(3)	Send written notification of determination as to the payment of compensation to each applicant for compensation	CEO	
enforcement agency	section 79(1)(a)	Determine the priority classification of individual food businesses in its council area for the application of any requirements of the regulations relating to food safety programs	CEO	
enforcement agency	section 79(1)(b)	Determine the frequency of auditing of any food safety programs required by the regulations in relation to food businesses in the council area	CEO	
enforcement agency	section 79(3)	Provide written notification to the proprietor of a food business in the council area of the priority classification of its business, the food safety audit frequency and the date by which a food safety program required by the regulations must be implemented	CEO	

	Food Act 2001			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
enforcement agency	section 79(4)	Change the priority classification of a food business in the council area	CEO	
enforcement agency	section 79(5)	Provide written notification to the proprietor of a change to the priority classification of the proprietor's food business	CEO	
enforcement agency	section 81(1)	Receive a report from a food safety auditor of the results of any audit or assessment carried out by the food auditor for the purposes of the Act	CEO	
enforcement agency	section 81(6)	Receive a report from a food safety auditor recommending that the priority classification of a food business be changed	CEO	
enforcement agency	section 81(7)	Provide a copy of any report received from a food safety auditor of the results of any audit or assessment carried out by the food auditor to the proprietor of the food business audited or assessed	CEO	
enforcement agency	section 86(1)	Receive written notice of information specified in the Food Safety Standards from a food business proposed to be conducted in the council area	CEO	
enforcement agency	section 86(2)	Receive written notice of information specified in the Food Safety Standards from a food business conducted in the council area	CEO	

	Food Act 2001			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
enforcement agency	section 86(3)	Receive written notice of transferred ownership or a change in name or address of a food business conducted in the council area	CEO	
enforcement agency	section 88(5)	Consent in writing to the delegation of a power of the relevant authority to the enforcement agency	CEO	
enforcement agency	section 89	Undertake the functions in relation to the administration of the Act conferred or imposed upon the enforcement agency by the Act or by delegation	CEO	
enforcement agency	section 90	Participate in consultation with the relevant authority in regard to proposed conditions or limitation on the exercise of functions of the enforcement agency under the Act	CEO	
enforcement agency	section 94(1)	Appoint persons with appropriate qualification or experience to be authorised officers	CEO	
enforcement agency	section 94(2)	Prepare and maintain a list of authorised officers	CEO	
enforcement agency	section 95(1)	Provide each authorised officer with a certificate of authority	CEO	
enforcement agency	section 95(2)	Limit the authority of an authorised officer	CEO	

	Food Act 2001			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
enforcement agency	section 104(1)	Send samples retained under the Act to an independent analyst in accordance with court order	CEO	

	Food Regulations 2017			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
enforcement agency	regulation 13(a)	Impose a fee for the carrying out of an inspection of food premises or food transport vehicles	CEO	
enforcement agency	regulation 13(b)	Recover a fee imposed under regulation 13(a) from the occupier of the premises or owner or operator of the vehicle	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
agency	section 9(1a)	Publish an up-to-date information statement containing the information listed in section 9(2) in the manner prescribed by the regulations	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
agency	section 10(1)	Cause copies of the most recent information statement and each policy document to be available for inspection and purchase by members of the public	CEO	
agency	section 15	Take reasonably practicable steps to assist the applicant to provide information to enable the document to which the application related be identified	CEO	
agency	section 16(1)	Transfer an application for access to a document to another agency	CEO	
agency	section 16(3)	Notify the applicant of the transfer of the application for access to a document to another agency	CEO	
agency	section 17(1)	Request the applicant to pay a reasonable amount by way of advance deposit if the cost of dealing with an application is likely to exceed the application fee	CEO	
agency	section 17(2)	Request the applicant to pay a reasonable amount by way of further advance deposit if the cost of dealing with an application is likely to exceed the application fee and advance deposit already paid	CEO	
agency	section 18(1)	Refuse to deal with an application if the work involved in dealing with the application would substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
agency	section 18(2)	Assist an applicant to amend the application so that the work involved in dealing with the application would not substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	CEO	
agency	section 18(2a)	Refuse to deal with an application if the application is part of a pattern of conduct that amounts to an abuse of the right of access or is made for a purpose other than to obtain access to information	CEO	
agency	section 18(3)	Refuse to deal with an application if the council has requested payment of an advance deposit and payment of the deposit has not been made within the period specified in the request	CEO	
agency	section 18(4)	Refund any amount of advance deposit which exceeds the council's costs of dealing with the application, if the council refuses to deal with the application	CEO	
agency	section 18(5)	Provide notice to the applicant that the council is refusing to deal with the application	CEO	
agency	section 19(1)	Determine: (a) whether access to a document is to be given, deferred or refused; (b) any charge payable in respect of giving access; and	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		(c) any charge payable for dealing with the application		
agency	section 20(1)	Refuse access to a document	CEO	
agency	section 21(1)	Defer access to a document	CEO	
agency	section 22(1)	Determine the form of access to a document	CEO	
agency	section 22(2)	Determine to provide access to a document in a form other than that requested by the applicant	CEO	
agency	section 22(4)	Agreeing with an applicant the form of access to a document	CEO	
agency	section 22(5)	Refuse to give access to a document if a charge payable in respect of the application, or giving access to the document, has not been paid	CEO	
agency	section 23(1)	Notify an applicant to the agency's determination or, if relevant, that the agency does not hold the document	CEO	
agency	section 25(2)	Obtain the views of the government of the Commonwealth or of another State or a council (including a council constituted under the law of another State) as to whether a document is an exempt document	CEO	
council	section 25(2)	Provide view as to whether a document is an exempt document	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
agency	section 25(3)	Notify the relevant government or council (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	CEO	
council	section 25(3)(d)	Apply for a review of a decision to provide access to a document under section 25(3)	CEO	
agency	section 26(2)	Notify a person that access to a document containing information concerning his or her personal affairs is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	CEO	
agency	section 26(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	CEO	
agency	section 26(4)(c)	Form the opinion that disclosure of information may have an adverse effect on	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		the physical or mental health, or emotional state, of the applicant		
agency	section 27(2)	Notify a person that access to a document concerning trade secrets, of a commercial value or concerning the business, professional, commercial or financial affairs of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	CEO	
agency	section 27(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	CEO	
agency	section 28(2)	Notify a person that access to a document containing information concerning research that is being, or is intended to be, carried out by or on behalf of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	CEO	
agency	section 28(3)	Notify the relevant person:	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		(a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review		
agency	section 29(3)	Confirm, vary or reverse a determination under Part 3 following an application for an internal review	CEO	
agency	section 29(4)	Refund any application fee paid in respect of the internal review if the agency varies or reverses a determination so that access to a document is given	CEO	
agency	section 33	Take reasonably practicable steps to assist an applicant to provide information to enable the identification of an agency's document to which access has been given	CEO	
agency	section 34(a)	Amend records in accordance with an application under section 30	CEO	
agency	section 34(a)	Refuse to amend records in accordance with an application under section 30	CEO	
agency	section 35	Refuse an application to amend records	CEO	
agency	section 36(1)	Notify applicant of determination regarding an application to amend records or that the agency does not hold the record	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
agency	section 37(2)	Add to the agency's record a notation specifying that the applicant claims that the record is incomplete, incorrect, out-of-date or misleading and including any information which the applicant claims is required to bring the record up-to-date	CEO	
agency	section 37(2)	Notify the applicant of the nature of the notation	CEO	
agency	section 37(3)(a)	Provide a statement to a person to whom the agency discloses information stating that the person to whom the information relates claims that the information is incomplete, incorrect, out-of-date or misleading and setting out the particulars of the notation added to its records in compliance with section 37(2)	CEO	
agency	section 37(3)(b)	Provide a statement as to the reasons for the agency's refusal to amend the records in accordance with the notation	CEO	
agency	section 38(3)	Confirm, vary or reverse a determination under Division 1, Part 4 following an internal review	CEO	
agency	section 39(5)(c)(i)	Participate in a settlement between the participants to a review	CEO	
agency	section 39(5)(c)(ii)	Request a suspension of the proceedings under section 39 to allow an opportunity for a settlement to be negotiated	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
agency	section 39(7)	Cooperate in a process proposed by a relevant review authority for the purposes of the conduct of an external review	CEO	
agency	section 39(9)(a)	Advise a relevant review authority for the purposes of the conduct of an external review that a determination of the agency was made on grounds of the public interest	CEO	
agency	section 40(1)	Apply to South Australian Civil and Administrative Tribunal for a review of a determination by the relevant review authority on an external review on a question of law	CEO	
agency	section 40(7)	Advise South Australian Civil and Administrative Tribunal that a determination of the agency was made on grounds of the public interest	CEO	
agency	section 41(1)	Apply to South Australian Civil and Administrative Tribunal to receive evidence and hear argument in the absence of the public, the other party to the review and the party's representative in respect of a restricted document	CEO	
agency	section 53(2a)	Waive, reduce or remit a fee or charge	CEO	
agency	section 53(3)	Review a fee or charge on application of the person required to pay the fee or charge and if appropriate reduce the fee or charge	CEO	

	Freedom of Information Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
agency	section 53(5)	Recover a fee or charge as a debt	CEO	
agency	section 54AA(a)	Furnish information to the Minister as required by notice in the *Gazette*	CEO	
agency	section 54AA(b)	Comply with requirement of the Minister regarding furnishing and keeping records	CEO	
council	clause 3(b), Schedule 1	Provide notice that information would be protected from disclosure under a corresponding law of the Commonwealth or another State	CEO	
agency	clause 13(2)(b)(iii), Schedule 1	Approve a term of a contract which contains matter the disclosure of which would constitute a breach of contract or found an action for breach of confidence	CEO	
agency	clause 13(6), Schedule 1	Notify the Minister of the approval of a term of a contract in accordance with clause 13(2)(b)(iii)	CEO	

	Freedom of Information (Fees and Charges) Regulations 2018			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
agency	regulation 5	Waive or remit fee or charge	CEO	

	Gas Act 1997			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 47(3)(b)	Agree to a gas entity carrying out work on public land owned by the council	CEO	
council	section 47(7)	Refer a dispute between the council and a gas entity regarding whether work should be permitted on public land of the conditions on which work should be permitted to the Minister	CEO	
council	section 47(9)(a)	Make representations to the Minister on questions at issue in the dispute	CEO	
council	section 47(9)(b)	Settle a dispute with a gas entity by agreement	CEO	

Attachment 5

	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
road manager	section 118(1)(b)	Consent to a mass or dimension exemption (notice) for a category of heavy vehicle	CEO	
road manager	section 124(1)(b)	Consent to a mass or dimension exemption (permit) for a heavy vehicle	CEO	
road manager	section 139(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (notice)	CEO	

	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
road manager	section 145(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (permit)	CEO	
road manager	section 156(2)	Request an extension to the time periods in section 156(1)	CEO	
road manager	section 156A(4)	Provide a written statement to the Regulator explaining the road manager's decision not to consent to the grant of a mass or dimension authority	CEO	
road manager	section 159(2)	Notify the regulator that a route assessment is required for the road manager determining whether to give consent and the fee payable under law (if any) for the route assessment	CEO	
road manager	section 159(4)(a)	Cease considering whether or not to provide consent pending the payment of a fee	CEO	
road manager	section 160(1)	Require a condition on the mass or dimension authority that: (a) except in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition is imposed on the authority; or (b) in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition of a type prescribed by the national regulations is imposed on the authority	CEO	

	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
road manager	section 160(2)(a)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition		
road manager	section 161(1)	Require a condition on the mass or dimension authority that a stated travel condition is imposed on the authority	CEO	
road manager	section 161(2)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition	CEO	
road manager	section 162(1)	Request the Regulator to impose a stated vehicle conditions on a mass or dimension authority	CEO	
road manager	section 167(2)(b)	Provide notice of objection to the Regulator in relation to a proposed replacement authority	CEO	
road manager	section 167(2)(b)	Seek an extension of time in which to lodge a notice of objection to a proposed replacement authority	CEO	
road manager	section 167(2)(b)	Provide notice to Regulator that the road manager gives or refuses consent to a proposed replacement authority	CEO	
road manager	section 169(1)	Consent to the grant of a mass or dimension authority for a trial period	CEO	

	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
road manager	section 170(3)	Lodge an objection with the Regulator in respect of the renewal of a mass or dimension authority for a further trial period	CEO	
road manager	section 174(2)	Request the Regulator to amend the mass or dimension authority or cancel the authority	CEO	
road manager	section 176(4)(c)	Consent to an amendment of a mass or dimension authority requested by the holder of the permit	CEO	
road manager	section 178(2)	Request the Regulator to amend or cancel a mass or dimension authority	CEO	
road manager	section 611(2)	Apply for a compensation order	CEO	
road manager	section 612(2)(c)	Issue a certificate for the purposes of the assessment of a compensation order	CEO	
public authority	section 613(1)	Provide a copy of a certificate to be submitted under section 612(2)(c) in a proceeding for a compensation order to the defendant at least 28 days prior to the date fixed for the hearing or the proceeding	CEO	
road manager	section 643(2)	Undertake an internal review of a reviewable decision	CEO	
road manager	section 645(5)	Provide notice of internal review decision and reasons for decision to the Regulator	CEO	

	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
road manager	section 646(6)(a)(ii)	Agree with the Regulator a longer period for undertaking an internal review	CEO	

	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW) (as applied as a law of South Australia by section 6 of the *Heavy Vehicle National Law (South Australia) Act 2013*)			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
road manager	regulation 13(1)(b)	Consent to the Regulator making an HML declaration	CEO	
road manager	regulation 14(3)	Require a condition on an HML declaration that stated intelligent access conditions are imposed on the use of a stated type of HML heavy vehicle under the higher mass limits in an area or on a route to which the declaration applies	CEO	
road manager	regulation 14(4)(a)	Provide to the regulator written reasons for the road manager's decision to give consent to the making of the declaration subject to the condition	CEO	
road manager	regulation 14(4)(a)	Provide to the regulator written reasons for the road manager's decision to give consent	CEO	

	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW) (as applied as a law of South Australia by section 6 of the *Heavy Vehicle National Law (South Australia) Act 2013*)			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		to the making of the declaration subject to the condition		
road manager	regulation 15(4)(b)	Consent to the amendment of a map or list	CEO	
road manager	regulation 18(2)	Request the Regulator to amend or cancel an HML declaration	CEO	
road manager	regulation 22(1)(b)	Consent to the Regulator granting an HML permit for an HML heavy vehicle	CEO	
road manager	regulation 29(4)(c)	Consent to an amendment to an HML permit sought by the holder of the permit	CEO	
road manager	regulation 31(2)	Request the Regulator to amend or cancel an HML permit	CEO	
road manager	regulation 41(1)	Consent to the declaration by the regulator of areas, roads and routes and major roads under regulation 40	CEO	

	Independent Commission Against Corruption Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
public authority	section 18B(4)(a)	Report to the Office for Public Integrity in accordance with the directions issued under	CEO	

	Independent Commission Against Corruption Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		section 18B of the Independent Commissioner Against Corruption Act		
public authority	section 18B(4)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption in public administration	CEO	
public authority	section 18E(3)(a)	Produce a specified document or document relating to specified matter	CEO	
public authority	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	CEO	
public authority	section 18F(1)(b)	Act on a referral from the Office for Public Integrity	CEO	
public authority	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	CEO	
public authority	section 34(1)	Undertake a joint investigation with the Independent Commission Against Corruption	CEO	
public authority	section 34(3)	Provide comments to the Independent Commission Against Corruption with respect to the terms of a notice issued under section	CEO	

	Independent Commission Against Corruption Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		34(1) of the Independent Commission Against Corruption Act		
public authority	section 36(1)(b)	Act on a referral from the Independent Commission Against Corruption	CEO	
public authority	section 36(4)	Comply with direction or guidance given by the Independent Commission Against Corruption	CEO	
public authority	section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption	CEO	
public authority	section 36(8)	Provide comments to the Independent Commission Against Corruption	CEO	
public authority	section 39A	Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter	CEO	
public authority	section 40(2)	Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council	CEO	
public authority	section 41(1)	Comply with recommendations of the Independent Commission Against Corruption	CEO	
public authority	section 41(4)	Provide comments to the Independent Commission Against Corruption	CEO	

	Independent Commission Against Corruption Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
public authority	section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commission Against Corruption Act	CEO	
public authority/ prosecution authority	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	CEO	
public authority	Clause 9(6), Schedule 4	Act on a referral of the inspector	CEO	

Attachment 5

	Labour Hire Licensing Act 2017			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
designated entity	section 16(1)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence under section 15 of the *Labour Hire Licensing Act 2017*	CEO	
designated entity	section 32(2)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence to which section 31 of the *Labour Hire Licensing Act 2017* applies	CEO	

	Labour Hire Licensing Act 2017			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
designated entity	section 42(2)	Appeal against the grant of a licence to the District Court	CEO	
designated entity	section 42(4)	Require the Commissioner for Consumer Affairs to provide reasons for the Commissioner's decision of grant a licence	CEO	

	Land and Business (Sale and Conveyancing) Act 1994			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 7	Respond to inquiries regarding prescribed matters by a vendor of land	CEO	
council	section 8	Respond to inquiries regarding prescribed matters by a vendor of a small business	CEO	
council	section 12	Provide information regarding any charge or prescribed encumbrance over land within the council's area of which the council has the benefit or insurance under Division 3 of Part 5 of the *Building Work Contractors Act 1995* in relation to a building on land within the council's area	CEO	

	Landscape South Australia Act 2019			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	*section 17(4)(a)*	*Provide an up-to-date copy of the voters roll for the area of the council to the person conducting an election for the members of the regional landscape board*	CEO	
council	section 25(4)	Work collaboratively with the regional landscape board	CEO	
council	section 32(7)	Consent to the Governor making a proclamation under sections 32(1), 32(2) or 32(6) in relation to infrastructure or land vested in or under the care, control or management of the council	CEO	
council	section 37(1)(c)	Approve the delegation by a regional landscape board of a function or power vested in the regional landscape board under any Act to the council or an officer of the council	CEO	
public authority	section 41(b)	Enter an arrangement with the regional landscape board to make use of the services of staff, equipment or facilities of the council	CEO	
council	section 47(7)	Consider any regional landscape plan in the performing of functions or the exercise of powers under any Act	CEO	
council	section 51(5)(b)	Participate in consultation with the regional landscape board in regard to a prescribed levy proposal to the extent required by regulations	CEO	

	Landscape South Australia Act 2019			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 66(1)	Contribute to the costs of the regional landscape board performing its functions	CEO	
council	section 67(1)	Pay contribution to the costs of the regional landscape board performing its functions	CEO	
council	section 67(2)	Pay contribution to the costs of the regional landscape board performing its functions	CEO	
council	section 69(10)	Apply to the regional landscape board for a refund of an amount of the regional landscape levy	CEO	
public authority	section 72(6)(a)	Enter an arrangement with the regional landscape board for service of a notice to be effected as part of any other notice serviced by the council	CEO	
public authority	section 72(6)(b)	Enter an arrangement with the regional landscape board for the collection of a levy to be effected by the council	CEO	
relevant authority	section 101(6)	Make a submission to the Minister regarding proposed declaration of a prescribed water resource	CEO	
relevant authority	section 103(3)	Appoint the Minister, a regional landscape board, a designated entity, a council or a council subsidiary in place of the council as the 'relevant authority'	CEO	
relevant authority	section 104(3)	Grant a person a water management authorisation or permit to undertake an	CEO	

	Landscape South Australia Act 2019			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		activity prescribed in sections 104(3)(e) or 104(3)(f) of the Landscape South Australia Act (except in the case of the discharge of water into a watercourse for the purpose of running the water down the watercourse for storage in a reservoir or other facility)		
relevant authority	section 107(1)	Issue a notice to the owner of land in respect of an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO	
relevant authority	section 107(2)(b)	Enter land and take action specified in a notice issued under section 107(1) of the Landscape South Australia Act	CEO	
relevant authority	section 112(1)	Approve a form of application in respect of a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO	
relevant authority	section 112(6)	Specify conditions on a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO	
relevant authority	section 112(9)	Vary, suspend or revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO	

	Landscape South Australia Act 2019			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	section 112(10)	Vary a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO	
relevant authority	section 112(11)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO	
relevant authority	section 112(12)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO	
relevant authority	section 112(13)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO	
relevant authority	section 112(14)	Serve notice of the variation or revocation of a permit	CEO	
relevant authority	section 113(2)	Give notice of an application for a permit in accordance with the regulations	CEO	
relevant authority	section 113(3)	Receive representations in relation to the granting or refusal of a permit	CEO	
relevant authority	section 113(4)	Forward a copy of representations in relation to the granting or refusal of a permit to the applicant and allow the applicant an opportunity to respond in writing	CEO	

	Landscape South Australia Act 2019			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	section 113(6)	Allow a person who made a representation regarding the granting or refusal of a permit the opportunity to appear personally or by representative before the authority	CEO	
relevant authority	section 113(7)	Allow an applicant to appear personally or by representative before the authority	CEO	
relevant authority	section 113(8)(a)	Give notice to each person who made a representation to the authority of the authority's decision and the person's appeal rights under the Landscape South Australia Act	CEO	
relevant authority	section 113(8)(b)	Give notice to the Environment, Resources and Development Court of the authority's decision and the names and addresses of persons who made representations under section 113 of the Landscape south Australia Act	CEO	
relevant authority	section 113(13)	Provide for inspection and purchase written representations made under section 113 of the Landscape south Australia Act and the written response of the applicant	CEO	
council	section 202(4)	Agree with the Minister that an officer of the council may be appointed as an authorised officer	CEO	
council	section 219(3)	Receive notice from the Minister of a proposed management agreement that provides for the remission of council rates	CEO	

	Landscape South Australia Act 2019			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		and provide submissions to the Minister on the proposed agreement		
authority	clause 89(4)(e) Schedule 5	Consent to property, assets, rights or liabilities vesting in or attaching to the Council	CEO	

	Landscape South Australia (General) Regulations 2020			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 10(1)(b)	Make submissions to the regional landscape board	CEO	
council	regulation 13(3)	Pay monies to the regional landscape board	CEO	
council	regulation 14(9)	Furnish a regional landscape board with a reasonable estimate of the costs that the council expects to claim under regulation 14 of the Landscape South Australia (General) Regulations 2019	CEO	
council	regulation 14(13)	Furnish a regional landscape board with an invoice setting out the amount the council is claiming and the calculations used by the council to determine the amount	CEO	

	Landscape South Australia (Water Management) Regulations 2020			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	regulation 22(2)	Determine the form of notice to be provided for the purpose of section 113(2)(c) of the Landscape South Australia Act	CEO	
relevant authority	regulation 24(2)	Increase the period of time for the purposes of section 113(5) of the Landscape South Australia Act from the period prescribed in regulation 24(1) of the Landscape South Australia (Water Management) Regulations	CEO	

Attachment 2

	Liquor Licensing Act 1997			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 22(1)	Apply to the Court for a review of a decision of the Commissioner in relation to an application for or in relation to a licence	CEO	
prescribed body	section 37(5)	Participate in consultation with the Minister in relation to any proposed regulations declaring an area to be a prescribed area for the purposes of section 37 of the Liquor Licensing Act	CEO	
council	section 69(3)(e)	Approval of an application for the extension of a trading area where the relevant area is under the control of the council	CEO	

	Liquor Licensing Act 1997			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 106(2)(b)	Lodge a complaint under section 106(1) regarding unduly offensive, annoying, disturbing or inconvenient activity, noise or behaviour relating to licensed premises	CEO	
council	section 106(4)	Request that the matter proceed direct to a hearing	CEO	
council	section 106(5)	Request that the Commissioner determine the matter	CEO	
council	section 106(6)(a)	Make submissions in regard to the matter to the Commissioner or Court	CEO	
council	section 120(2)(c)	Lodge a complaint under section 120(1) alleging that proper grounds for disciplinary action exist against a specified person	CEO	
council	section 128E(1)	Prepare a draft local liquor accord	CEO	
council	section 128H(3)	Request a variation of a local liquor accord	CEO	
council	section 128H(5)	Request the Commissioner to add or remove the council as a party to a local liquor accord	CEO	
council	section 128H(6)	Request the Commissioner to terminate a local liquor accord	CEO	
council	section 128H(7)	Seek the consent of the other parties to a local liquor accord prior to request the Commissioner to terminate the local liquor accord	CEO	

	Liquor Licensing Act 1997			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 131(1ab)	Prohibit the consumption or possess or both of liquor in a public place within the council area during a specified period by notice published in the *Gazette*	CEO	
council	section 131(1ad)	Provide a copy of notice published under section 131(1ab) to the Commissioner of Police	CEO	
council	section 131(1c)	Vary or revoke a notice published under section 131(1ab)	CEO	

Attachment 3

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	CEO	
council	section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	CEO	
council	section 7(ba)	Determine appropriate financial contribution to be made by ratepayers to resources of the council	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	CEO	
council	section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	CEO	
council	section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity	CEO	
council	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)	CEO	
council	section 7(g)	Promote the council area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism	CEO	
council	section 7(h)	Establish or support organisations or programs that benefit people in the council area or local government generally	CEO	
council	section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 7(j)	Manage, improve and develop resources available to the council	CEO	
council	section 7(k)	Undertake other functions and activities conferred by or under an Act	CEO	
council	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	CEO	
council	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	CEO	
council	section 12(3)	Undertake a review under section 12 of the Local Government Act	CEO	
council	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	CEO	
council	section 12(5)	Initiate the preparation of a paper	CEO	
council	section 12(7)(a)	Inform the public by public notice of the preparation of the representation options paper and inviting written submissions within	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		a period of not less than 6 weeks specified by the council		
council	section 12(7)(a)	Publish a copy of the public notice in a newspaper circulating in the council area	CEO	
council	section 12(8)	Make copies of the representation options paper available for inspection and purchase at the principal office of the council during the period for making written submissions	CEO	
council	section 12(8a)	Prepare a report addressing the prescribed matters	CEO	
council	section 12(9)(a)	Make copies of the council report available for inspection at the principal office of the council	CEO	
council	section 12(9)(b)	Inform the public by public notice of the preparation of the report and its availability and invite written submissions	CEO	
council	section 12(9)(c)	Publish a copy of the public notice in a newspaper circulating in the council area	CEO	
council	section 12(10)	Provide an opportunity to any person who makes a written submission an opportunity to appear personally or by representative to be heard on the submission	CEO	
council	section 12(11)	Finalise the council report	CEO	
council	section 12(11b)(a)	Separate a proposal to alter the composition of the council so that the council will have a	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		chairperson rather than a mayor or vice versa from any other proposal in the council's report		
council	section 12(11b)(b)	Determine to conduct a poll on the proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa either at the next general election or some other time	CEO	
council	section 12(11c)(b)(i)	Prepare a summary of the issues surrounding a proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa to assist persons who may vote at the poll	CEO	
council	section 12(11c)(b)(ii)	Obtain a certificate from the Electoral Commissioner that he or she is satisfied that the council has taken reasonable steps to ensure that the summary presents the arguments for and against the proposal in a fair and comprehensive manner	CEO	
council	section 12(11c)(b)(iii)	Make copies of the summary available for public inspection at the principal office of the council and on a website determined by the chief executive officer, and publish or distribute copies of the summary as directed by the Electoral Commissioner	CEO	
council	section 12(12)	Refer report finalised under section 12(11) to the Electoral Commissioner	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 12(15)(b)	Provide for the operation of any proposal recommended in the council's report by notice in the Gazette	CEO	
council	section 12(16)(a)	Take action on a report referred back to the council by the Electoral Commissioner	CEO	
council	section 12(16)(b)	Refer report back to the Electoral Commissioner	CEO	
council	section 12(17)	Comply with requirements of sections 12(9) and 12(1) (unless alteration of report is of a minor nature only)	CEO	
council	section 12(24)	Undertake a review within period specified by the Electoral Commissioner	CEO	
council	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	CEO	
council	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	CEO	
council	section 13(2)(b)	Invite written submissions	CEO	
council	section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 28(1)(c)	Refer a proposal for the making of a proclamation under Chapter 3 of the Local Government Act to the South Australian Local Government Grants Commission	CEO	
council	section 31(2)(b)	Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator	CEO	
council	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	CEO	
council	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	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 37(b)	Authorise an officer, employee or agent to enter into a contract on behalf of the council	CEO	
council	section 41(1)	Establish a committee	CEO	
council	section 41(2)	Determine the role of the committee	CEO	
council	section 41(3)	Determine the membership of the committee	CEO	
council	section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member	CEO	
council	section 41(6)	Appoint the principal member as an ex officio member of the committee	CEO	
council	section 41(8)	Determine the reporting and other accountability requirements applying to a committee	CEO	
council	section 42(3)	Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary	CEO	
council	section 43(3)	Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 44(6)	Cause a separate record to be kept of all delegations under section 44 of the Local Government Act	CEO	
council	section 44(6a)	Review the delegation in force under section 44 of the Local Government Act	CEO	
council	section 45(1)	Nominate a place as the council's principal office	CEO	
council	section 45(2)	Determine the hours during which the principal office of the council will be open for the transaction of business	CEO	
council	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	CEO	
council	section 46(1)	Engage in a commercial enterprise or activity in the performance of the council's functions	CEO	
council	section 46(2)(a)	Establish a business in connection with a commercial project	CEO	
council	section 46(2)(b)	Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		promote and advance the interests of an industry in which local government has an interest		
council	section 48(aa1)	Develop and maintain prudential management policies, practices and procedures for the assessment of projects	CEO	
council	section 48(1)	Obtain a report addressing the prudential issues set out in section 48(2)	CEO	
council	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)	CEO	
council	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	CEO	
council	section 49(1)	Prepare and adopt policies on contracts and tenders, including policies on the following: (a) the contracting out of services;	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		(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	section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act	CEO	
council	section 50(1)	Prepare and adopt a public consultation policy	CEO	
council	section 50(5)	Alter or substitute the public consultation policy	CEO	
council	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	CEO	
council	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	CEO	
council	section 50(6)(d)	Consider submissions	CEO	
council	section 50(7)	Determine that the alteration of a public consultation policy is of minor significance that would attract little (or no) community interest	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 50(9)	Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act	CEO	
council	section 54(1)(d)	Grant a leave of absence from council	CEO	
council	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	CEO	
council	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	CEO	
council	section 70(a1)	Publish prescribed details contained in the Register	CEO	
council	section 70(1))	Provide a copy of the Register for inspection at the principal office of the council	CEO	
council	section 70(2)	Provide for the purchase of a copy of the Register	CEO	
council	section 77(1)	Provide reimbursement of prescribed expenses of a member of council	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 80A(1)	Prepare a training and development policy for members	CEO	
council	section 80A(3)	Alter or substitute a training and development policy for members	CEO	
council	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	CEO	
council	section 87(1)	Determine the times and places at which ordinary meetings of a council committee will be held	CEO	
council	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	CEO	
council	section 89(1)(b)	Determine procedures to apply to a meeting of a council committee	CEO	
council	section 90(8a)(a)	Adopt a policy on the holding of informal gatherings	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 90(8c)	Alter or substitute a new policy	CEO	
council	section 90(8d)	Provide for inspection at the principal office of the council a copy of the policy under section 90(8a)	CEO	
council	section 90(8e)	Provide for the purchase of a copy of the policy under section 90(8a)	CEO	
council	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	CEO	
council	section 90A(4)	Order that an information or briefing session be closed to the public	CEO	
council	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)	CEO	
council	section 90A(7)	Comply with the requirements of the regulations regarding the publication of prescribed information	CEO	
council	section 91(3)	Supply each member of the council with a copy of council or council committee minutes within 5 days of the meeting	CEO	
council	section 91(9)(c)	Revoke an order made under section 91(7) of the Local Government Act	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 92(2)	Review code of practice	CEO	
council	section 92(3)	Alter or substitute a new code of practice	CEO	
council	section 92(5)	Undertake public consultation on proposed code, alterations or substitute code	CEO	
council	section 93(1)	Convene a meeting of electors of the council area or part of the council area	CEO	
council	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	CEO	
council	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	CEO	
council	section 94(6)	Make submissions to the Minister	CEO	
council	section 94(7)	Comply with a direction of the Minister under section 94(5) of the Local Government Act	CEO	
council	section 97(6)(b)	Determine a person has appropriate qualifications or experience in human resource management	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 98(3)	Invite applications including by advertising on website and take other action	CEO	
council	section 98(3)	Determine website to advertise invitation for applications	CEO	
council	section 98(4a)(a)	Appoint at least one person to selection panel not being a member or employee	CEO	
council	section 98(7)(b)	Determine a person has appropriate qualifications or experience in human resource management	CEO	
council	section 102A(3)(b)	Determine a person has appropriate qualifications or experience in human resource management	CEO	
council	section 106(2)	Pay contribution to another council	CEO	
council	section 106(3)	Recover a contribution from another council as a debt	CEO	
council	section 106(4)	Provide details of the service of an employees or former employee to another council	CEO	
council	section 106(5)	Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation	CEO	
council	section 111(b)	Declare that an officer or an officer of a class is subject to Division 2, Part 4, Chapter 7 of the Local Government Act	CEO	
council	section 122(1)	Develop a strategic management plan	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 122(1a)(a)	Develop a long-term financial plan	CEO	
council	section 122(1a)(b)	Develop an infrastructure and asset management plan	CEO	
council	section 122(4)	Review strategic management plans	CEO	
council	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	CEO	
council	section 123(3)(a)	Prepare a draft annual business plan	CEO	
council	)section 123(3)(b)	Follow relevant steps in the public consultation policy in regard to the draft annual business plan	CEO	
council	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	CEO	
council	section 123(5a)	Provide a facility for asking and answering questions and the receipt of submissions on the council's website	CEO	
council	section 123(9)(a)(i)	Prepare a summary of the annual business plan	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 123(9)(a)(ii)	Provide a copy of the summary of the annual business plan to ratepayers	CEO	
council	section 124(1)(a)	Keep accounting records	CEO	
council	section 125	Implement and maintain appropriate policies, practices and procedures of internal control	CEO	
council	section 127(1)	Prepare financial statements, notes and other statement or documents as required by the regulations	CEO	
council	section 127(3)	Provide statements to auditor	CEO	
council	section 127(4)	Submit a copy of audited statements to persons or bodies prescribed by the regulations	CEO	
council	section 128(2)	Appoint an auditor on the recommendation of the council's audit committee	CEO	
council	section 128(9)	Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report	CEO	
council	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	CEO	
council	section 131(1)	Prepare annual report	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 131(4)	Provide a copy of the annual report to each council member	CEO	
council	section 131(5)	Submit a copy of the annual report to the persons or bodies prescribed by regulation	CEO	
council	section 131(7)	Provide an abridged or summary version of the annual report to electors in the council area.	CEO	
council	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	CEO	
council	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	CEO	
council	section 132(1)(b)	Provide a printed copy of a document referred to in Schedule 5 of the Local Government Act	CEO	
council	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	CEO	
council	section 132A	Implement and maintain appropriate policies, practices and procedures to ensure compliance with statutory requirements and	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		achievement and maintenance of good public administration		
council	section 133	Obtain funds as permitted by the Local Government Act or other Act	CEO	
council	section 135(1)	Provide security	CEO	
council	section 135(2)(a)	Assign a distinguishing classification to a debenture	CEO	
council	section 135(2)(b)	Appoint a trustee for the debenture holders	CEO	
council	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	CEO	
council	section 139(1)	Invest money under the council's control	CEO	
council	section 139(5)	Obtain and consider independent and impartial advice regarding the investment of funds	CEO	
council	section 140	Review performance of investments at least annually	CEO	
council	section 141(1)	Accept a gift	CEO	
council	section 141(2)	Carry out the terms of a trust applying to a gift	CEO	
council	section 141(3)	Apply to the Supreme court for an order varying the terms of a trust for which the council is the trustee	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	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	CEO	
council	section 142(1)	Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations	CEO	
council	section 142(3)	Take out membership of the Local Government Association Mutual Liability Scheme	CEO	
council	section 143(1)	Write off bad debts	CEO	
council	section 144(1)	Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction	CEO	
council	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	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	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	CEO	
council	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	CEO	
council	section 156(10)	Extend the time period for lodging an objection	CEO	
council	section 156(11)	Decide an objection to attribution of a particular use to land	CEO	
council	section 156(12)	Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal	CEO	
council	section 156(14a)(a)	Prepare a report on a proposed change to the differentiating factor in relation to land	CEO	
council	section 156(14a)(b)	Follow the relevant steps in the public consultation policy with respect to a on a	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		proposed change to the differentiating factor in relation to land		
council	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	CEO	
council	section 159(1)	Determine the manner and form of an application for a rebate of rates	CEO	
council	section 159(3)	Grant a rebate of rates	CEO	
council	section 159(4)	Increase a rebate of rates	CEO	
council	section 159(10)	Determine that proper cause for a rebate of rates no longer applies	CEO	
council	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	CEO	
council	section 161(1)	Grant a rebate of rates greater than 75% on land used for service delivery or administration by a community service organisation	CEO	
council	section 165(1)	Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes	CEO	
council	section 165(2)	Grant a rebate of rates greater than 75% on land being used by a university or university	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		college to provide accommodation and other forms of support on a not-for-profit basis		
council	section 166(1)	Grant a rebate of rates or service charges in prescribed circumstances	CEO	
council	section 166(2)	Attach conditions to the grating of a rebate of rates or service charges under section 166(1) of the Local Government Act	CEO	
council	section 167(1)	Adopt valuations	CEO	
council	section 167(6)	Publish a notice of the adoption of valuations in the Gazette	CEO	
council	section 168(1)	Request the Valuer-General to value land in the council area	CEO	
council	section 168(2)	Furnish information to the Valuer-General requested information	CEO	
council	section 168(3)(b)	Enter valuation into the assessment record	CEO	
council	section 168(3)(c)	Provide notice to the principal ratepayer in respect of land of the valuation of that land	CEO	
council	section 169(3)(b)	Allow an extension of time in which to object to the valuation of land	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 169(7)	Provide written notice to an objector of the outcome of the objection	CEO	
council	section 169(10)	Refer request for a review of the valuation of land to the Valuer-General	CEO	
council	section 169(11)	Make representations to the valuer in regard to the valuation of land which is the subject of the objection	CEO	
council	section 169(15)	Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal	CEO	
council	section 169(16)	Pay the prescribed fee to the Valuer-General	CEO	
council	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	CEO	
council	section 173(5)	Determine a review of the outcome of a request to alter the assessment record	CEO	
council	section 173(6)	Provide written notice of decision on review	CEO	
council	section 173(7)	Participate in a review of decision of council	CEO	
council	section 174(1)	Provide the assessment record for inspection at the principal offices of the council	CEO	
council	section 174(2)	Provide for the purchase of an entry in the assessment record	CEO	
council	section 178(3)	Recover rates as a debt	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 178(4)	Provide written notice requiring a lessee or licensee of land to pay rent or other consideration to the council under the lease or licence in satisfaction of the liability for rates	CEO	
council	section 178(6)	Remit a charge payable under section 178(5) of the Local Government Act in whole or in part	CEO	
council	section 179(2)	Adopt a valuation of land	CEO	
council	section 179(5)	Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land	CEO	
council	section 180(1)	Provide a rates notice to the principal ratepayer	CEO	
council	section 181(2)	Determine the day on which an instalment of rates falls due	CEO	
council	section 181(3)	Adjust the months in which instalments of rates are payable	CEO	
council	section 181(4)(b)	Agree with a principal ratepayer the dates on which instalments of rates are payable	CEO	
council	section 181(5)	Provide rates notice to principal ratepayer	CEO	
council	section 181(7a)	Agree with a principal ratepayer to vary the period for the provision of a rates notice	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 181(9)	Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act	CEO	
council	section 181(11)	Grant discounts or other incentives in relation to the payment of rates	CEO	
council	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	CEO	
council	section 181(13)	Impose different requirements than those under section 181 of the Local Government Act in relation to the payment of separate rates or service rates	CEO	
council	section 181(15)	Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year	CEO	
council	section 182(1)(a)	Postpone payment of rates	CEO	
council	section 182(1)(b)	Remit the whole or part payment of rates	CEO	
council	section 182(2)(a)	Impose a condition that the ratepayer pay interest on postponed rates	CEO	
council	section 182(2)(b)	Impose other conditions on the postponement of rates	CEO	
council	section 182(2)(c)	Revoke a postponement of rates	CEO	
council	section 182(3)	Postpone the payment of rates	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 182(4)	Grant a remission of rates	CEO	
council	section 182(5)	Require a ratepayer to verify an entitlement to the remission of rates	CEO	
council	section 182(6)	Revoke a determination under section 182(4) of the Local Government Act to remit rates	CEO	
council	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	CEO	
council	section 182A(2)	Determine the manner and form of an application under section 182A(1) of the Local Government Act	CEO	
council	section 182A(3)(a)	Reject an application under section 182A(1) of the Local Government Act in accordance with the regulations	CEO	
council	section 182A(3)(b)	Impose conditions on the postponement of rates in accordance with the regulations	CEO	
council	section 183	Apply amount received in respect of rates in manner prescribed by section 183 of the Local Government Act	CEO	
council	section 184(1)	Sell land where an amount of rates in respect of the land has been in arrears for more than three years	CEO	
council	section 184(2)	Send a notice to the principal ratepayer	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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*.	CEO	
council	section 184(4)(a)	Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State	CEO	
council	section 184(4)(b)	Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land	CEO	
council	section 184(6)	Set a reserve price for the auction	CEO	
council	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	CEO	
council	section 184(8)	Advertise an auction to sell land under section 184 of the Local Government Act in a newspaper circulating throughout the State	CEO	
council	section 184(9)	Call off an auction	CEO	
council	section 184(10)	Sell land by private contract	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 184(11)	Apply money receive in respect of the sale of land under section 184 of the Local Government Act as prescribed in section 184(11)	CEO	
council	section 184(12)	Deal with money under the *Unclaimed Money Act 1891*	CEO	
council	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	CEO	
council	section 186(2)(a)	Repay an amount of overpaid rates	CEO	
council	section 186(2)(a)	Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates	CEO	
council	section 186(2)(b)	Take action to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	CEO	
council	section 186(2)(b)	Give notice to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	CEO	
council	section 186(5)	Refund an amount to a person ceasing to be a ratepayer	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		charges that is held in credit against future liabilities for rates or charges on the land		
council	section 187A(5)(b)	Receive a report from the Ombudsman	CEO	
council	section 187B(5)	Receive a report from the Ombudsman	CEO	
council	section 187B(6)	Provide a written response to the Ombudsman and complainant	CEO	
council	section 187B(7)	Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest	CEO	
council	section 188(1)(a)	Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council	CEO	
council	section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	CEO	
council	section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	CEO	
council	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;	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		(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	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	CEO	
council	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	CEO	
council	section 190	Agree to acquire land	CEO	
council	section 191(1)	Seek the Minister's consent to acquire land compulsorily	CEO	
council	section 191(1)	Acquire land compulsorily	CEO	
council	section 191(2)	Acquire land compulsorily	CEO	
council	section 192(4)	Publish a copy of a resolution under section 192(1) of the Local Government Act in the Gazette	CEO	
council	section 193(2)	Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land	CEO	
council	section 193(3)	Obtain approval of owner of land to exclude land from classification as community land	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 194(2)(a)	Prepare and make publicly available a report on a proposal to revoke the classification of community land	CEO	
council	section 194(2)(b)	Follow steps on public consultation policy in respect of a proposal to revoke the classification of land as community land	CEO	
council	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	CEO	
council	section 194(4)	Participate in consultation with the Minister	CEO	
council	section 195(2)	Giver notice of the revocation of the classification of land as community land to the Registrar-General	CEO	
council	section 196(1)	Prepare and adopt a management plan for community land	CEO	
Adelaide City Council	section 196(1a)	Prepare and adopt a management plan for the Adelaide Park Lands	CEO	
council	section 196(4)	Consult with the owner of land at an appropriate stage in the preparation of a management plan	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 197(1)(a)	Make copies of a proposed management plan available or inspection of purchase at the council's principal office	CEO	
council	section 197(1)(b)	Follow the relevant steps in the council's public consultation policy	CEO	
council	section 197(3)	Give public notice of the adoption of the management plan	CEO	
council	section 198(1)	Amend or revoke a management plan	CEO	
council	section 198(2)	Undertake public consultation of a proposal to amend or revoke a management plan	CEO	
council	section 198(4)	Give public notice of the adoption of a proposal to amend or revoke a management plan	CEO	
council	section 199	Manage community land in accordance with any relevant management plan	CEO	
council	section 200(1)	Approve the use of community land for a business purpose	CEO	
council	section 200(3)	Impose conditions on an approval to use community land for a business purpose	CEO	
council	section 201(1)	Sell or otherwise dispose of an interest in land	CEO	
council	section 202(1)	Grant a lease or licence over community land	CEO	
council	section 202(2)	Follow the relevant steps in the councils public consultation policy in regard to	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		granting a lease or licence relating to community land		
council	section 207(1)	Keep a register of community land in the council area	CEO	
council	section 207(2)(c)	Determine that the register of community land in the council area will consist of a computer record	CEO	
council	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	CEO	
council	section 209(3)	Enter an agreement in regard to the ownership of fixture and equipment installed on a public road	CEO	
council	section 210(1)	Declare a private road to be a public road	CEO	
council	section 210(2)(a)	Give written notice to the owner of the private road of a proposed declaration	CEO	
council	section 210(2)(ab)	Give written notice to the holder of a registered interest over the private road of a proposed declaration	CEO	
council	section 210(2)(b)	Give public notice to the owner of the private road of a proposed declaration	CEO	
council	section 210(5)	Publish a declaration under section 210 of the Local Government Act in the Gazette	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 210(7)	Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General	CEO	
council	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	CEO	
council	section 211(1)(b)	Act in accordance with a notice issued by the Commissioner of Highways	CEO	
council	section 212(1)	Carry out roadwork in the council area	CEO	
council	section 212(1)	Enter an agreement with another council to carry out roadwork in that other council's area	CEO	
council	section 212(2)	Do anything reasonably necessary for, or incidental to, roadwork	CEO	
council	section 212(3)(b)	Consult with the Commissioner of Highways	CEO	
council	section 212(3)(c)(i)	Obtain the agreement of the owner of a private road	CEO	
council	section 212(3)(c)(ii)	Give notice to the owner of a private road and a reasonable opportunity to make representations on proposed roadwork	CEO	
council	section 212(3)(c)(ii)	Consider any representations by the owner of a private road on proposed roadwork	CEO	
council	section 212(3)(d)	Obtain the agreement of the owner of private land	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 213(1)	Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement	CEO	
council	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	CEO	
council	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	CEO	
council	section 214(2)(a)	Agree the amount of contribution to roadwork with another council	CEO	
council	section 214(2)(b)	Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council	CEO	
council	section 214(3)	Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations	CEO	
council	section 215(2)	Carry out roadwork to allow water from a road to drain into adjoining property	CEO	
council	section 215(4)	Give notice to the owner of land in regard to the proposed action to drain water into the land	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 216(1)	Issue an order requiring the owner of private land to carry out specified road work or improve the road	CEO	
council	section 217(1)	Issue an order requiring the owner of a structure or equipment installed in, on, across, under or over a road to carry out specified road work by way of maintenance or repair or move the structure or equipment to allow the council to carry out roadwork	CEO	
council	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	CEO	
council	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	CEO	
council	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	CEO	
council	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	CEO	
council	section 219(1a)	Assign a name to a public road created by land division	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 219(2)(a)	Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council	CEO	
council	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	CEO	
council	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	CEO	
council	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	CEO	
council	section 219(4)	Provide public notice on the assigning or changing of a road name	CEO	
council	section 219(5)	Prepare and adopt a policy on the assigning of road names	CEO	
council	section 219(6)	Alter or substitute a policy on the assigning of road names	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 220(1)	Adopt a numbering system for buildings and allotments adjoining the road	CEO	
council	section 220(1a)	Assign a number to all buildings and allotments adjoining a public road	CEO	
council	section 220(2)	Alter or substitute a new numbering system	CEO	
council	section 220(3)	Give public notice of the adoption, alteration or substitution of a numbering system for a particular road	CEO	
council	section 220(4)	Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system	CEO	
council	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	CEO	
council	section 221(1)	Grant an authorisation to alter a public road	CEO	
council	section 222(1)	Grant a permit authorising the use of a public road for business purposes	CEO	
council	section 223(1)	Follow the relevant steps in the council's public consultation policy	CEO	
council	section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	CEO	
council	section 224(1)	Attach conditions to an authorisation or permit	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 225(1)	Cancel an authorisation or permit	CEO	
council	section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	CEO	
council	section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	CEO	
council	section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	CEO	
council	section 231(1)	Keep a register of public roads in the council area	CEO	
council	section 232	Plant vegetation on a road	CEO	
council	section 232	Authorise the planting of vegetation on a road	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 234(1)	Remove and dispose of any structure, object or substance from a road	CEO	
council	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	CEO	
council	section 234(3)	Clear a road of wreckage, objects or material on the road as a result of a vehicle accident	CEO	
council	section 234(3)	Recover the cost of clearing the road from a driver of a vehicle involved in the accident	CEO	
council	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	CEO	
council	section 234A(6)	Give public notice of a resolution under section 234A(1) or 234A(2) of the Local Government Act	CEO	
council	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	CEO	
council	section 237(4)(a)	Notify the owner of a vehicle of the removal of the vehicle by written notice	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 237(5)	Sell a vehicle by public auction or public tender	CEO	
council	section 237(6)	Dispose of a vehicle	CEO	
council	section 237(7)	Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act	CEO	
council	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	CEO	
council	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	CEO	
council	section 242(4)	Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 245A(1)	Require a person to enter into an agreement with the council in regard to work under an approval under the *Planning, Development and Infrastructure Act 2016* which could cause damage to any local government land (including a road) within the vicinity of the site of the development	CEO	
council	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	CEO	
council	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	CEO	
council	section 246(5)(b)	Fix an expiation fee for alleged offences against the by-laws	CEO	
council	section 249(1)(a)	Make copies of a proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection at the principal offices of the council and on the internet	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 249(1)(b)	Publish a notice in a newspaper circulating in the council area informing the public of the availability of the by-laws and the terms of the by-law, or describing the by-laws nature and effect	CEO	
council	section 249(2)	Consider submissions made on a proposed by-law	CEO	
council	section 249(4)	Obtain a certificate signed by a legal practitioner	CEO	
council	section 249(5)	Publish a by-law in the Gazette	CEO	
council	section 249(7)	Publish a notice of making a by-law	CEO	
council	section 250(5)	Publish a resolution adopting a model by-law in the Gazette	CEO	
council	section 250(7)	Publish a resolution adopting a model by-law in a newspaper circulating in the council area	CEO	
council	section 252(1)	Maintain a register of the by-laws made or adopted by the council	CEO	
council	section 252(5)	Provide for purchase a certified copy of a by-law	CEO	
council	section 254(1)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 255(1)	Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act	CEO	
council	section 255(2)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	CEO	
council	section 255(3)	Consider any representations made in response to a notice under section 255(1) of the Local Government Act	CEO	
council	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	CEO	
council	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	CEO	
council	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	CEO	
council	section 255(7)	Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	CEO	
council	section 255(8)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	CEO	
council	section 255(11)	Vary an order	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 255(12)	Make an order		
council	section 256(3)	Participate in a review of an order by the South Australian Civil and administrative Tribunal	CEO	
council	section 257(1)	Take action required by an order made under section 255 of the Local Government Act	CEO	
council	section 257(2)	Authorise a person to take action under section 257(1) of the Local Government Act	CEO	
council	section 257(3)	Recover the costs of taking action under section 257(1) of the Local Government Act	CEO	
council	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	CEO	
council	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	CEO	
council	section 259(1)	Prepare and adopt policies concerning the operation of Part2, Chapter 12 of the Local Government Act	CEO	
council	section 259(2)(a)	Prepare a draft policy	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		inspection and purchase and invite written submissions		
council	section 259(3)	Consider submissions	CEO	
council	section 259(4)	Amend a policy	CEO	
council	section 259(5)	Take steps in section 259(2) and 259(3) prior to amending a policy	CEO	
council	section 260(1)	Appoint an authorised person	CEO	
council	section 260(2)	Impose conditions or limitations on the appointment of an authorised person	CEO	
council	section 260(3)	Issue an identity card to an authorised person	CEO	
council	section 260(5)	Revoke the appointment of an authorised person	CEO	
council	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	CEO	
council	section 270(1)	Establish procedures for the review of decisions	CEO	
council	section 270(2a)(b)	Allow an application to be made more than 6 months after the reviewable decision	CEO	
council	section 270(3a)	Reduce, waive or refund a fee	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 270(4)	Refuse an application for the review of a decision	CEO	
council	section 270(5)	Provide for inspection copies if policies, practices and procedures applying under section 270 of the Local Government Act at the principal office of the council	CEO	
council	section 270(6)	Amend policies, practices and procedures applying under section 270 of the Local Government Act	CEO	
council	section 270(8)	Initiate and consider a report for the purpose of section 270(8) of the Local Government Act	CEO	
council	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	CEO	
council	section 271(2)	Constitute panels of mediators, conciliators and evaluators	CEO	
council	section 271(7)	Pay costs of mediation, conciliation and evaluation	CEO	
council	section 271A(1)	Provide requested information to the Minister	CEO	
council	section 271B(1)(a)	Obtain an independent assessment of the council's probity or compliance with any	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		requirements placed on the council under legislation		
council	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	CEO	
council	section 272(3)	Provide an explanation and make submissions to the Minister	CEO	
council	section 272(5)	Make submissions to the Minister in relation to the subject matter of an interim report	CEO	
council	section 273(3)	Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act	CEO	
council	section 275(2)	Make submissions to the Minister in relation to a report under section 274 of the Local Government Act	CEO	
council	section 276(2)(a)	Bring proceedings under section 276(1) of the Local Government Act	CEO	
council	section 276(5)(b)	Take necessary steps for and hold a ballot or poll in accordance with an order of the District Court	CEO	
council	section 276(5)(f)	Produce or deliver books, voting-paper or documents in accordance with an order of the District Court	CEO	
council	section 279(1)	Serve a document	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	section 281(2)(b)	Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act	CEO	
council	section 282(1)	Approve an occupier of land undertaking work	CEO	
council	section 294(1a)	Provide notice to an owner or occupier of land	CEO	
council	section 294(3)(a)	Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court	CEO	
council	section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for dame to any crops on land	CEO	
council	section 294(3)(c)(i)	Remedy damage to land caused by the council	CEO	
council	section 294(3)(c)(ii)	Pay compensation for any other loss or damage caused by the council	CEO	
council	section 294(5)	Erect a fence	CEO	
council	section 294(5)	Comply with the relevant requirements of the *Mining Act 1971*	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 296(1)	Recover the cost or a portion of the costs of works as a debt	CEO	
council	section 296(3)	Give notice of a valuation to the owner of land	CEO	
council	section 296(5)	Participate in an abjection or review to a valuation	CEO	
council	section 297	Sell or dispose of rubbish collected by the council	CEO	
council	section 298(1)	Order action in response to flooding or imminent flooding	CEO	
council	section 300(1)	Pay the cost of advertising	CEO	
council	clause 13(c), Schedule 1A	Enter an arrangement with the Stormwater Management Authority to make use of council staff, equipment or facilities	CEO	
council	clause 17(1), Schedule 1A	Prepare a stormwater management plan	CEO	
council	clause 18(1), Schedule 1A	Prepare a stormwater management plan or revise an existing stormwater management plan	CEO	
council	clause 18(2), Schedule 1A	Provide a stormwater management plan to the Stormwater Management Authority for approval	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 19(3), Schedule 1A	Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan	CEO	
council	clause 20(1), Schedule 1A	Comply with an order issued by the Stormwater Management Authority under clause 2091), Schedule 1A of the Local Government Act	CEO	
council	clause 20(5), Schedule 1A	Make submissions to the Stormwater Management Authority	CEO	
council	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	CEO	
council	clause 24(1), Schedule 1A	Take action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under clause 20(a), schedule 1B of the Local Government Act by: (a) entering and occupying any land; (b) constructing, maintaining or removing any infrastructure; (c) excavating any land; (d) inspecting, examining or surveying any land and for that purpose:	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		(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);		

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		(j) undertaking any testing, monitoring or evaluation; and (k) undertaking any other activity of a prescribed kind.		
council	clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	CEO	
council	clause 24(2)(b), Schedule 1A	Acquire an easement or other appropriate interest over land by agreement with the owner or in accordance with the *Land Acquisition Act 1969* and any other applicable laws	CEO	
council	clause 24(3), Schedule 1A	Acquire land by agreement for the purposes of constructing any infrastructure or performing any work	CEO	
council	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	CEO	
council	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	CEO	
public authority	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	CEO	
public authority	clause 26(4), Schedule 1A	Maintain and repair infrastructure and maintain land vested in the council	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 2(1), Schedule 1B	Enter a building upgrade agreement	CEO	
council	clause 2(4), Schedule 1B	Agree to other parties entering a building upgrade agreement	CEO	
council	clause 4, Schedule 1B	Agree to vary or terminate a building upgrade agreement	CEO	
council	clause 6(1), Schedule 1B	Declare a building upgrade charge	CEO	
council	clause 6(2), Schedule 1B	Provide written notice of the declaration of a building upgrade charge	CEO	
council	clause 6(4), Schedule 1B	Give notice of each payment of a building upgrade charge	CEO	
council	clause 7(2), Schedule 1B	Deduct and retain any service fee and late payment fee	CEO	
council	clause 7(3)(a), Schedule 1B	Hold money pending payment to the finance provider	CEO	
council	clause 7(3)(b), Schedule 1B	Pay money to the finance provider	CEO	
council	clause 9(1), Schedule 1B	Sell land if a building upgrade charge remains outstanding for more than 3 years	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 9(3), Schedule 1B	Deal with unclaimed money in accordance with the *Unclaimed Moneys Act 1891*	CEO	
council	clause 10(2)(a), Schedule 1B	Adjust a building upgrade charge	CEO	
council	clause 10(2)(a), Schedule 1B	Give notice to the building owner of the adjustment of a building upgrade charge	CEO	
council	clause 10(3)(d), Schedule 1B	Refund excess payments to the building owner	CEO	
council	clause 11(1), Schedule 1B	Recover a building upgrade charge in accordance with a building upgrade agreement	CEO	
council	clause 13(1), Schedule 1B	Keep a register of building upgrade agreements	CEO	
council	clause 13(3), Schedule 1B	Provide the register of building upgrade agreements for inspection at the principal office of the council	CEO	
council	clause 13(4), Schedule 1B	Provide an extract of the register of building upgrade agreements	CEO	
council	clause 1(4), Schedule 2	Publish a copy of the charter of a subsidiary in the Gazette	CEO	
council	clause 3(1), Schedule 2	Prepare a charter for a subsidiary	CEO	
council	clause 3(4), Schedule 2	Review a charter for a subsidiary	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 3(4)(a), Schedule 2	Furnish a copy of an amended charter for a subsidiary to the Minister	CEO	
council	clause 3(4)(b), Schedule 2	Publish a copy of an amended charter for a subsidiary on a website determined by the chief executive officer	CEO	
council	clause 3(4)(c), Schedule 2	Publish a notice in the Gazette of the fact of the amendment and website address at which the charter is available for inspection	CEO	
council	clause 4(1), Schedule 2	Determine the membership of the board of management of a subsidiary	CEO	
council	clause 4(2), Schedule 2	Appoint members of the board of management of a subsidiary	CEO	
council	clause 4(6), Schedule 2	Appoint a deputy of a board member	CEO	
council	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	CEO	
council	clause 5(9), Schedule 2	Act on advice of a board of management that the subsidiary owes a duty of confidence in regard to a matter	CEO	
council	clause 5(12), Schedule 2	Direct the board of management as to procedures	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 8(1), Schedule 2	Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan	CEO	
council	clause 8(4), Schedule 2	Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan	CEO	
council	clause 8(4), Schedule 2	Participate in consultation with a subsidiary on the amendment of the subsidiary's business plan	CEO	
council	clause 9(2)(d), Schedule 2	Fix a date by which a subsidiary's budget must be adopted	CEO	
council	clause 9(3), Schedule 2	Approve the amendment by a subsidiary of an adopted budget	CEO	
council	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	CEO	
council	clause 10(1), Schedule 2	Give a direction to a subsidiary	CEO	
council	clause 10(2), Schedule 2	Make a copy of a direction given to a subsidiary available at the principal office of the council	CEO	
council	clause 11(1), Schedule 2	Request a subsidiary to furnish information or records in the possession or control of the subsidiary	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 11(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	CEO	
council	clause 12(1), Schedule 2	Request a subsidiary to report on a matter to the council	CEO	
council	clause 12(2), Schedule 2	Receive a report on the work and operations of the subsidiary	CEO	
council	clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	CEO	
council	clause 13(3), Schedule 2	Determine or approve members of the audit committee of the subsidiary	CEO	
council	clause 14(2), Schedule 2	Approve borrowing by a subsidiary	CEO	
council	clause 16(1)(a), Schedule 2	Request the Minister wind up a subsidiary	CEO	
council	clause 17(4), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the charter of a subsidiary in the Gazette	CEO	
council	clause 19(1), Schedule 2	Prepare (in conjunction with the other constituent councils) a charter of a subsidiary	CEO	
council	clause 19(4), Schedule 2	Review (in conjunction with the other constituent councils) a charter of a subsidiary	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	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	CEO	
council	clause 20(1), Schedule 2	Determine (in conjunction with the other constituent councils) the membership of the board of management of a subsidiary	CEO	
council	clause 20(7), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility	CEO	
council	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	CEO	
council	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	CEO	
council	clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	CEO	
council	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	CEO	
council	clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in an annual review of the subsidiary's business plan	CEO	
council	clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on the amendment of the subsidiary's business plan	CEO	
council	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	CEO	
council	clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	CEO	
council	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	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	CEO	
council	clause 27(1), Schedule 2	Request the subsidiary to furnish information or records in the possession or control of the subsidiary to the council	CEO	
council	clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	CEO	
council	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	CEO	
council	clause 28(1), Schedule 2	Incorporate a report under clause 28(1), Schedule 2 of the Local Government Act in the annual report of the council	CEO	
council	clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	CEO	
council	clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary	CEO	
council	clause 2(1), Schedule 6	Deliver a notice to the Registrar-General for the purpose of registering a charge over land	CEO	

	Local Government Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	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	CEO	

Attachment 3

	Local Government (Building Upgrade Agreements) Regulations 2017			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 8(b)	Send a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act to any ratepayer in respect of the relevant land and any registered mortgagee of the land	CEO	
council	regulation 8(c)(i)	Place a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a newspaper circulating throughout the State	CEO	
council	regulation 8(c)(ii)	Leave a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a conspicuous place on the relevant land	CEO	
council	regulation 8(e)	Set a reserve price for the sale of land by auction	CEO	
council	regulation 8(f)	Advertise the auction in a newspaper circulating throughout the State	CEO	
council	regulation 8(g)	Cancel an auction	CEO	
council	regulation 8(h)	Sell land by private contract	CEO	

	Local Government (Financial Management) Regulations 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 9(1)	Prepare and consider the reports prescribed in regulation 9(1) of the Local Government (Financial Management) Regulations	CEO	
council	regulation 10(1)	Prepare and consider the report prescribed in regulation 10(1) of the Local Government (Financial Management) Regulations	CEO	
council	regulation 11(1)	Prepare and maintain all accounting records, accounts and financial statements in accordance with all relevant Australian Accounting Standards	CEO	
council	regulation 12	Revalue all material non-current assets in accordance with the requirements of Australian Accounting Standards AASB 116	CEO	
council	regulation 22(2)	Engage the council's auditor to certify that a grant or subsidy received by the council has been acquitted in accordance with any conditions required by the provider of the grant or subsidy	CEO	

	Local Government (General) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	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	CEO	
council	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	CEO	

	Local Government (Members Allowances and Benefits) Regulations 2010			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 5(3)	Aggregate claims for reimbursement of expenses and pay the claim on a quarterly or monthly basis	CEO	

	Local Government (Procedures at Meetings) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 6(3)	Review the operation of a code of practice under regulation 6 of the Local Government (Procedures at Meetings) Regulations	CEO	

	Local Government (Elections) Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 4(2)(d)	Fix a day for a poll	CEO	
council	section 8(1)	Appoint a person or persons to the office or offices not filled by a supplementary election which has wholly or partially failed or been declared void	CEO	
council	section 8(1a)	Appoint a person or persons to the office or officer that remain unfilled where not all vacancies are filled	CEO	
council	section 9(1)	Hold a poll	CEO	
council	section 9(3)	Fix a day as polling day for a poll by notice published on the council website	CEO	
council	section 9(4)	Fix a day as the day on which the voters roll for the purposes of the poll closes	CEO	
council	section 10(3)	Nominate a person as a deputy returning office of the council area	CEO	

	Local Government (Elections) Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 10(9)	Participate in consultation with the Electoral Commissioner regarding the proposed removal of a deputy returning officer nominated by the council	CEO	
council	section 12(b)	Provide information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area, and to advise its local community about the outcome of elections and polls conducted in its area	CEO	
council	section 13A(2)(a)	Inform potential electors in the council area of the requirements to be enrolled on the voters roll	CEO	
council	section 13A(2)(b)	Arrange advertising Informing potential electors in the council area of the requirements to be enrolled on the voters roll	CEO	
council	section 15(14)	Provide copies of the voters roll for the council area for inspection at the principal office of the council	CEO	
council	section 15(15)	Provide a copy of the voters roll to a nominated candidate for the election	CEO	
council	section 55(1)	Participate in consultation with the returning officer regarding the use of a computer program to carry out steps involved in the recording, scrutiny or counting of votes in an election or poll	CEO	

	Local Government (Elections) Act 1999			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 70(3)	Contest a petition to the Court by lodging a reply	CEO	
council	section 75(1)(a)	Participate in proceedings as a party pursuant to an order of the Court	CEO	
council	section 75(1)(b)	Apply to intervene in proceedings	CEO	
council	section 75(3)	Intervene in proceedings in the manner and to the extent directed by the Court and on such other conditions as the court directs	CEO	
council	section 76	Engage counsel to represent the council in proceedings	CEO	
council	section 77	Apply to the court to refer a question of law to the Court of Appeal	CEO	
council	section 91A(1)	Prepare and adopt a caretaker policy	CEO	
council	section 91A(3)	Apply in writing for an exemption from the prohibition against making a designated decision during an election period	CEO	

	Local Government (Forestry Reserves) Act 1944			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 4(1)	Establish and manage a forest on any local government forestry reserve	CEO	

	Local Government (Forestry Reserves) Act 1944			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 4(2)	Expend money of the council for the purposes of establishing and managing a forest or for any incidental purpose	CEO	
council	section 5(2)	Repay an advance of money in such a manner as the Minister directs	CEO	
council	section 5(2)	Expend an advance of money in accordance with any direction given by the Minister	CEO	
council	section 6(1)	Manage a forest established by the council	CEO	
council	section 6(1)	Sell or otherwise dispose of timber or other products derived for a forest established by the council	CEO	
council	section 7(2)	Carry out directions of the Minister regarding the management of a forest established by the council	CEO	

	Local Nuisance and Litter Control Act 2016			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 7(2)(a)	Take action to manage local nuisance and littering within the council area	CEO	

	Local Nuisance and Litter Control Act 2016			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 7(2)(b)	Cooperate with any other person or body in the administration of the Act	CEO	
council	section 7(2)(c)	Provide, or support the provision of, educational information within the council areas to help detect, prevent and manage local nuisance and littering	CEO	
council	section 8	Include in the council's annual report details of the performance of the council during the year of functions conferred on it under the Act	CEO	
council	section 12(3)	Appoint authorised officers	CEO	
council	section 12(4)(a)	Determine conditions to apply to the appointment of authorised officers	CEO	
council	section 12(6)	Revoke the appointment of an authorised officer	CEO	
council	section 12(6)	Vary or revoke a condition applying to the appointment of an authorised officer or impose a further condition	CEO	
council	section 13(2)	Issue an identity card to an authorised officer	CEO	
council	section 15(a)	Agree in writing that an authorised officer appointed by another council may exercise powers under the Act in the council area	CEO	

	Local Nuisance and Litter Control Act 2016			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 16(1)(a)	Hold a substance, material or thing seized under Division 3, Part 3 of the Act pending proceedings	CEO	
council	section 16(1)(a)	Authorise the release of a substance, material or thing seized under Division 3, Part 3 of the Act	CEO	
council	section 16(1)(d)	Receive a substance, material or thing forfeited pursuant to a court order	CEO	
council	section 16(1)(e)(i)	Request the person entitled to recover a substance, material or thing to collect the substance, material or thing	CEO	
council	section 16(1)(e)(ii)	Make reasonable attempts to locate the person entitled to recover a substance, material or thing to collect the substance, material or thing	CEO	
council	section 16(1)(f)	Dispose of any substance, material or things forfeited to the council under section 16	CEO	
council	section 19(1)	Declare a person to be exempt from the application of section 18	CEO	
council	section 19(2)	Receive an application for an exemption under section 19	CEO	
council	section 19(2)(b)	Specify any information the council requires to be provided with an application under section 19	CEO	

	Local Nuisance and Litter Control Act 2016			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 19(4)	Determine conditions to apply to a declaration under section 19		
council	section 19(5)	Vary or revoke a declaration under section 19	CEO	
council	section 19(6)	Specify a date of expiry in a declaration under section 19	CEO	
council	section 19(7)	Publish a declaration under section 19 or any variations to a declaration on a website determined by the council	CEO	
council	section 22(3)(a)(i)	Provide a bin or other receptacle for litter of a particular kind	CEO	
council	section 22(3)(a)(ii)	Approve or authorise the disposal of litter in a manner other than in a bin or receptacle provided by the council	CEO	
council	section 25(1)	Receive a citizen's notification from a person who reasonably suspects another person has committed an offence under Division 2, Part 4 of the Act	CEO	
council	section 26(3)	Issue a notice to the owner of a vehicle for an alleged offence	CEO	
council	section 29	Notify the Environment Protection Authority of a belief that an offence committed under section 18 of section 22 has, or may have, resulted in material environmental harm or serious environmental harm	CEO	

	Local Nuisance and Litter Control Act 2016			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 30(1)(a)	Issue a nuisance abatement notice	CEO	
council	section 30(1)(b)	Issue a litter abatement notice	CEO	
council	section 30(7)	Issue and serve a notice confirming an emergency notice	CEO	
council	section 30(8)	Vary or revoke a notice issued under section 30	CEO	
council	section 31(1)	Take action required by a nuisance abatement notice or a litter abatement notice if the requirements of the notice has not been fulfilled	CEO	
council	section 31(2)	Authorise a person to take action on behalf of the council if the requirements of a nuisance abatement notice or a litter abatement notice have not been fulfilled	CEO	
council	section 31(3)(a)	Issue an instrument of authority to a person other than an authorised officer taking action on behalf of the council under section 31(1)	CEO	
council	section 31(5)	Recover the reasonable costs and expenses incurred in taking action under section 31	CEO	
council	section 31(6)	Fix a period within which an amount under section 31(5) must be paid to the council	CEO	
council	section 32(4)	Participate as a party to any proceedings under section 32	CEO	

	Local Nuisance and Litter Control Act 2016			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 33(6)(a)	Make an application to the Environment, Resources and Development Court for an order under section 33(1)		
council	section 33(8)(a)	Serve a copy of an application under section 33 on the Minister	CEO	
council	section 33(9)(b)	Apply to the Environment, Resources and Development Court to join proceedings for an order under section 33(1) commenced by another person	CEO	
council	section 33(14)	Apply to the Environment, Resources and Development Court for an interim order under section 33	CEO	
council	section 33(19)	Apply to the Environment, Resources and Development Court to vary or revoke an order under section 33	CEO	
council	section 34(1)	Agree with a person who the council is satisfied has contravened the Act a civil penalty in respect of the contravention	CEO	
council	section 34(1)	Apply to the Environment, Resources and Development Court for an order for a civil penalty in respect of a contravention of the Act	CEO	
council	section 34(3)(a)	Serve a notice on a person who the council is satisfied has contravened the Act advising the person that they may elect to be prosecuted for the contravention	CEO	

	Local Nuisance and Litter Control Act 2016			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	CEO	
council	section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	CEO	
council	section 43(1)(d)	Commence proceedings for an offence against the Act	CEO	
council	section 48(1)	Serve notice on a person who has contravened the Act requiring the person to pay the reasonable costs of the council taking prescribed action under the Act	CEO	
council	section 48(3)(a)	Extend the time for payment of an amount payable under a notice under section 48(1)	CEO	
council	section 48(3)(b)	Waive or reduce payment of an amount payable under a notice under section 48(1)	CEO	
council	section 48(6)	Recover an amount payable under a notice under section 48(1) which is unpaid as a debt	CEO	
council	section 50(4)	Execute a certificate regarding the appointment or non-appointment of a person as an authorised officer; a delegation or authority under the Act; a notice, requirement or direction of the council; any other decision of the council; receipt or non-receipt of a notification, report or information	CEO	

	Local Nuisance and Litter Control Act 2016			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 50(5)	Execute a certificate detailing costs and expenses and the purpose for which they were incurred for the purposes of proceedings to recover the reasonable costs of the council	CEO	
council	section 51(9)	Participate in consultation with the Minister in regard to proposed regulations	CEO	

	Local Nuisance and Litter Control Regulations 2017			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 6(1)(a)(ii)(A)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period not exceeding 24 hours	CEO	
council	regulation 6(1)(a)(ii)(B)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period of 24 hours or longer	CEO	
council	regulation 6(1)(b)	Fix a fee for an application under section 19(2) of the Act	CEO	
council	regulation 6(2)	Refuse to consider an application for the purposes of section 19(2) of the Local Nuisance and Litter Control Act	CEO	

	Local Nuisance and Litter Control Regulations 2017			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 13(2)(a)	Give notice to the Registrar-General for the purposes of creating a charge on land	CEO	
council	regulation 13(2)(g)	Give notice to the Registrar-General for the purposes of cancelling a charge on land	CEO	
council	regulation 13(3)	Recover costs or expenses incurred by the council in relation to the creation or cancellation of a charge over land	CEO	
council	regulation 15(1)	Allow a fee payment under the Local Nuisance and Litter Control Act or regulations to be paid in instalments	CEO	
council	regulation 15(1)	Add a charge by way of interest or an administrative fee to the payment of a fee by instalments	CEO	
council	regulation 16	Waive or refund a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	CEO	
council	regulation 17	Recover a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	CEO	

	Magistrates Court Rules 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
public authority	rule 12	Lay an information	CEO	

	Mining Act 1971			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 9AA(1)	Enter into an agreement with a mining operator to waive the benefit of an exemption	CEO	
council	section 9AA(1a)	Advise a tenement holder of the council's position in relation to a waiver of the benefit of an exemption and the conditions which may apply to such a waiver	CEO	
council	section 9AA(4)	Give written notice to a mining operator rescinding an agreement to waive an exemption	CEO	
council	section 9AA(7)	Participate in proceedings before the Environment, Resources and Development Court brought by a mining operator seeking an order waiving the benefit of an exemption	CEO	
council	section 9AA(8a)	Apply for a court order under section 9AA(9) of the Mining Act	CEO	

	Mining Regulations 2020			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 74(3)(b)	Make submissions to the Director of Mines in regard to the draft objectives and criteria of a mine operations plan for a mine located in the council area	CEO	

	Ombudsman Act 1972			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
public authority	section 12D(1)	Comply with directions and guidelines prepared by Ombudsman governing reporting or misconduct or maladministration in public administration	CEO	
public authority	section 12D(3)	Report to the Ombudsman any matter the council reasonably suspects involves misconduct or maladministration in public administration	CEO	
public authority	section 12H(1)(b)	Act on a referral from the Ombudsman	CEO	
public authority	section 12H(2)(a)	Produce a specified document or a document relating to a specified matter	CEO	
public authority	section 12H(2)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so	CEO	

	Ombudsman Act 1972			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		requires, verify the statement by statutory declaration		
public authority	section 18(4)	To comment on the subject matter of a report	CEO	
agency	section 19A(1)	Comply with a notice of the Ombudsman	CEO	
agency	section 19A(5)	Advise the Ombudsman that the council's failure to comply with a notice is reasonable and justifiable	CEO	
public authority	section 25(2)	Act in accordance with a recommendation of the Ombudsman	CEO	
agency	section 28	Apply to the Supreme Court for a determination regarding the Ombudsman's jurisdiction	CEO	
public authority	section 28A(1)	Comply with directions of the Ombudsman	CEO	
public authority	section 28A(2)	Comply with varied or further directions of the Ombudsman	CEO	
public authority	section 28A(3)	Provide comments to the Ombudsman	CEO	
public authority	section 29(8)	Act on a referral of the inspector	CEO	
Agency/ prosecution authority	section 31(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty or disciplinary investigation or action	CEO	

	Private Parking Areas Act 1986			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 9(1)	Enter into an agreement with the owner of a private parking area for council to enforce Part 3 of the Act with respect to the private parking area	CEO	

	Real Property Act 1886			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
holder of statutory encumbrance	section 223LDA(b)(i)	Issue a certificate certifying compliance with the requirements of the Act under which the encumbrance was entered to, or is in force, as to the variation or termination of the statutory encumbrance	CEO	
holder of statutory encumbrance	section 223LH(1)(c)	Issue a certificate certifying the council's consent to the division of land	CEO	
council	section 252	Provide the Registrar-General with a map or plan showing particulars of the new street or road vested in the council	CEO	

	Roads (Opening and Closing) Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	section 4	Make a road process order	CEO	
council	section 5	Commence a road process in relation to a road or a proposed road	CEO	
council	section 9(1)	Cause to be prepared: (a) a preliminary plan of the land subject to the proposed road process in a form approved by the Surveyor-General; and (b) a statement in a form approved by the Surveyor-General containing the names and addresses of those persons affected who can be identified by reasonable inquiry and such information in relation to the land subject to the proposed road process as is required by the Surveyor-General	CEO	
council	section 9(2)	Deposit a copy of the preliminary plan and statement at the Adelaide office of the Surveyor-General with the prescribed fee	CEO	
relevant authority	section 10(1)(a)	Give public notice in accordance with the regulations of the proposed road process	CEO	
relevant authority	section 10(1)(b)	Serve notice of the proposed road process on each person affected who can be identified by reasonable inquiry	CEO	
relevant authority	section 10(2)	Deposit a copy of the notice at the Adelaide office of the Surveyor-General	CEO	

	Roads (Opening and Closing) Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 11(a)(ii)	Lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council	CEO	
council	section 11(b)(iii)	Lodge a copy of the notice of the proposed road opening at the General Registry Office	CEO	
council	section 11(b)(iii)	Serve a notice on any person requiring the person to deliver up to the Registrar-General any instrument evidencing the person's interest in the land	CEO	
council	section 12(1)	Make agreements for exchange or transfer in relation to land subject to a proposed road closure with the owners of land adjoining that land	CEO	
council	section 12(3)(a)	Endeavour to secure an agreement for exchange with a person who owns adjoining land and land subject to a proposed road opening	CEO	
council	section 12(3)(b)	Invite offers from the owners of land adjoining the land subject to the proposed road closure	CEO	
relevant authority	section 13(3)	Receiving an objection or application in respect of a proposed road process	CEO	
relevant authority	section 14(1)	Notify a person who has made an objection or application in relation to a proposed road process of the time and place at which the	CEO	

	Roads (Opening and Closing) Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		relevant authority will meet to consider all such objections and applications		
relevant authority	section 15(1)	Determine whether or not to make a road process order	CEO	
relevant authority	section 15(3)	Give notice of a decision that no road process order is to be made to the Surveyor-General, any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3 and, in the case of a proposed road opening, to any person who has an interest in land over which a road was proposed to be opened	CEO	
relevant authority	section 17	Make one or more of the orders listed in section 17 as part of a road process order dealing with land the subject of a road closure	CEO	
relevant authority	section 18(1)	Make an order as part of a road process order for the granting of an easement over land subject to the road closure	CEO	
relevant authority	section 19(a)	Give notice of the making of a road process order to any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3	CEO	
relevant authority	section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road will be opened	CEO	
relevant authority	section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in	CEO	

	Roads (Opening and Closing) Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		land over which a road was proposed to be opened, but which does not form part of the land over which the road will be opened, advising of the discontinuance of the road process in respect of that land		
relevant authority	section 19(c)	Deliver to the Adelaide Office of the Surveyor-General a copy of the minutes of all meetings held by the authority in relation to the proposed road process certified by the chief executive officer of the council	CEO	
council	section 20(1)	Deposit at the Adelaide Office of the Surveyor-General prescribed documents after making a road process order and any fee prescribed by regulation	CEO	
council	section 20(3)	Give notice of the lapsing of a road process to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened	CEO	
relevant authority	section 22(1)	Request that the Surveyor-General amend a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	CEO	
relevant authority	section 22(1)	Participate in consultation with the Surveyor-General regarding the amendment of a road process order to correct an error or deficiency	CEO	

	Roads (Opening and Closing) Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		prior to confirmation of the order by the Minister		
relevant authority	section 22(2)(a)	Receive notice of an amendment of a road process order from the Surveyor-General	CEO	
relevant authority	section 22(2)(b)	Give notice of an amendment of a road process order to any person who was required to be given notice of the road process order under sections 19(a) or 19(b) and, if the road authority is not the council, the council	CEO	
council	section 22(2)(b)	Receive notice from the relevant authority of an amendment of a road process order	CEO	
council	section 24(2)(b)	Give notice of a decision by the Minister to decline to confirm a road process order to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened	CEO	
council	section 31(1)(a)	Serve notice of the road process order on each person who had an interest in the land immediately before it vested in the council by virtue of the road opening and append to the notice an offer in writing stating the total amount of compensation that the council proposes to pay to the person and dividing that amount so far as practicable into sperate components	CEO	

	Roads (Opening and Closing) Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 31(1)(b)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	CEO	
council	section 32(3)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	CEO	
council	section 33(1)	Acquire additional land adjoining or near the land to which the proposed road opening relates with the approval of the Minister	CEO	
council	section 33(4)	Sell or otherwise deal with additional land acquired under section 33	CEO	
council	section 33(4)	Apply the proceeds from the sale of additional land to defraying expenses incurred by the council in connection with the road opening	CEO	
council	section 33(5)	Comply with conditions imposed by the Minister on the manner in which additional land may be dealt with by the council	CEO	
council	section 34(1)(b)	Receive a notice of a proposal to close a road from the Surveyor-General	CEO	
council	section 34(2)	Make a representation to the Surveyor-General regarding the proposed road closure	CEO	
council	section 34B(2)(a)(i)	Receive notice of a proposal to open or close a road in an environmental impact statement	CEO	

	Roads (Opening and Closing) Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 34B(2)(c)	Make written submissions on the proposal to open or close a road	CEO	
Adelaide City Council or council adjoining the City of Adelaide	section 34G(1)	Apply to the Minister to make a road wider, narrower, longer or shorter pursuant to section 6B of the Roads (Opening and Closing) Act	CEO	
Adelaide City Council or council adjoining the City of Adelaide	section 34G(4)(a)	Give public notice of the proposal, in accordance with the regulations, if the Minister determines that the application under section 34G(1) should be considered	CEO	
Adelaide City Council or council adjoining the City of Adelaide	section 34G(4)(b)	Give notice of the proposal to any State authority or council specified by the Minister	CEO	
Adelaide City Council or council adjoining the City of Adelaide	section 34G(4)(c)	Give notice of the proposal to the Adelaide Park Lands Authority	CEO	
Adelaide City Council or council adjoining the City of Adelaide	section 34G(6)	Forward to the Surveyor-General any representation in relation to the proposal made to the council within the period under section 34G(5) and any response that the council wishes to make in relation to those representations	CEO	
Adelaide City Council or council	section 34G(9)	Consult with the Surveyor-General regarding survey plans and other documents to be prepared as required by the Registrar-General	CEO	

	Roads (Opening and Closing) Act 1991			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
adjoining the City of Adelaide				
Adelaide City Council or council adjoining the City of Adelaide	section 34G(9)	Submit survey plans and other documents as required by the Registrar-General to the Minister	CEO	
Adelaide City Council or council adjoining the City of Adelaide	section 34G(14)	Provide any documentation required by the Registrar-General to the Registrar-General	CEO	
relevant authority	section 35(2)	Reserve any question of law for the consideration of the Supreme Court, prior to making any road process order	CEO	
council	section 36(2)(a)	Repay any amount paid to the council in pursuance of an agreement for exchange or transfer which is avoided by virtue of the operation of section 12(4)	CEO	
council	section 39	Fence along its boundaries a road as altered or diverted by the council with a substantial fence of the same nature as the fence previously in the boundary of the road and abutting the land	CEO	

	Road Traffic Act 1961			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
road authority	section 17(1)	Install, maintain, alter or operate, or cause to be installed, maintained, altered or operated, a traffic control device on, above or near a road	CEO	
road authority	section 17(2)	Remove a traffic control device or cause a traffic control device to be removed	CEO	
road authority	section 17(3)	Install, display, alter, operate or remove traffic control device: (a) in relation to an area where persons are engaged in work or an area affected by works in progress; (b) in relation to a part of a road temporarily closed to traffic under this or any other Act; or (c) for any temporary purposes.	CEO	
road authority	section 17(5)	Apply to the Minister for approval to take action under section 17 of the Road Traffic Act	CEO	
road authority	section 18(5)	Comply with a direction of the Minister to install, maintain, alter, operate or remove a traffic control device on, above or near a road	CEO	
council	section 18(6)	Carry out a direction with which a road authority has failed to comply at the direction of the Minister	CEO	

	Road Traffic Act 1961			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 18(7)	Recover as a debt from a defaulting road authority any expenses incurred in carrying out a direction under section 18(6)	CEO	
council	section 19(6)	Maintain a traffic control device for which the council is liable to bear the costs in good order	CEO	
road authority	section 19A(3)	Recover any amount due under a requirement under section 19A as a debt	CEO	
public authority	section 20(3)	Place speed limit signs on road	CEO	
public authority	section 20(4)(b)	Place speed limit signs on road	CEO	
public authority	section 20(5)	Close road pursuant to a permit	CEO	
public authority	section 20(6)	Apply to the Minister for a road works permit	CEO	
public authority	section 20(9)	Apply to the Minister for an extension of time	CEO	
public authority	section 20(13)	Engagement of a contractor to undertake works on behalf of the public authority	CEO	
public authority	section 20A(1)	Appeal a decision of the Minister under section 17 or section 20 to the District Court	CEO	
public authority	section 20A(2)	Request the Minister to provide reasons in writing for a decision under section 17 or section 20	CEO	
road authority	section 21(2)	Certify that there was not proper authority for the installation or display of a specified sign, signal, marking, structure or other	CEO	

	Road Traffic Act 1961			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		device or thing as a traffic control device on, above or near a specified part of a road		
road authority	section 21(3)	Comply with conditions of approval under section 17 or a permit under section 20	CEO	
road authority	section 31(2)	Remove any false traffic control device or any device, structure or thing that might constitute a hazard to traffic.	CEO	
public authority	section 32(1)	Cause a notice of a proposal to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be: (a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council; (b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal; (c) if the road is a prescribed road, to be given to each affected council; and (e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.	CEO	
public authority	section 32(2)	Consider written submissions made	CEO	
public authority	section 32(6)	Cause a notice of a decision to close a road or part of a road to all vehicles or vehicles of a	CEO	

	Road Traffic Act 1961			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		specified class or to cause a road as a through road for motor vehicles to be: (a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council; (b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal; (c) if the road is a prescribed road, to be given to each affected council; and (e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.		
council	section 33(2)	Consent to the closure of a road for an event	CEO	
council	section 40P(3)	Offer a vehicle for sale by public auction	CEO	
council	section 40P(4)	Dispose of a vehicle as the council thinks fit	CEO	
council	section 40P(6)	Make reasonable inquiries to locate the owner of a vehicle	CEO	
council	section 86(a)	Determine that a ticket must be obtained for parking in a length of road or area without the payment of a fee	CEO	
council	section 86(a)	Vary or revoke a determination under section 86(a)	CEO	
road authority	section 163ZC(2)	Apply for a compensation order	CEO	

	Road Traffic Act 1961			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
road authority	section 163ZD(2)(c)	Certify that the road authority maintains a road	CEO	
road authority	section 163ZD(2)(c)	Certify other matters including: (a) estimating the monetary value of all or any part of the road infrastructure or of the damage to it; (b) estimating the cost of remedying the damage; or (c) estimating the extent of the offender's contribution to the damage	CEO	
road authority	section 163ZE(1)	Serve a certificate referred to in section 163ZD on the defendant	CEO	
road authority	section 163ZH(1)(b)	Repay payments under an order to the extent that the order is void	CEO	
council	section 174A(4)	Issue notice inviting the owner of a vehicle issued with an expiation notice or expiation reminder notice under the *Expiation of Offences Act 1996* to provide a statutory declaration setting out the name and address of the driver or the details of the transfer of the vehicle	CEO	
council	section 174C(1)	Exempt a person or a person of a specified class or any vehicle or any vehicle of a specified class from compliance within the council areas with a prescribed provision of the Road Traffic Act	CEO	

	Road Traffic Act 1961			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 174C(2)	Specify conditions to apply to the granting of an exemption under section 174C(1)	CEO	

	Road Traffic (Miscellaneous) Regulations 2014			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 6(2)	Participate in consultation with respect to an event management plan	CEO	
council	regulation 7(1)(b)	Participate in consultation with respect to an order to close a road	CEO	
council	regulation 8	Provide information supplied by the Minister for the inspection of the public at the office of the council until the event causing a road closure has occurred	CEO	
council	regulation 66(1)	Designate an area for parking	CEO	

	Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 17(2)	Determine for the purposes of rule 185 of the Australian Road Rules:	CEO	

		(a) the class of permits required for vehicles to stop in the permit zone; (b) the persons entitled to such permits; (c) any fees to be paid for such permits; (d) the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles)		
council	regulation 17(2)	Vary a determination under regulation 17(2)	CEO	
council	regulation 17(3)	Issue for the purposes of rule 185 of the Australian Road Rules permits in respect of the permit zone to persons entitled to them	CEO	
council	regulation 17(3)	Determine conditions to apply to permits issued under regulation 17(3)	CEO	
council	regulation 22(2)	Determine for the purpose of rule 207(2) of the Australian Road Rules the fees payable for parking in the length of a road or area by operation of a parking ticket-vending machines or parking meter installed or to be installed in or near the length of road or area	CEO	
council	regulation 22(2)	Vary a fee determined under regulation 22(2)	CEO	
			CEO	

	Safe Drinking Water Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
drinking water provider	section 7(1)	Notify the Minister if the council ceases to be engaged in the supply of drinking water	CEO	
drinking water provider	section 8(3)	Apply to the Minister for a variation in a condition on the council's registration as a drinking water provider	CEO	
drinking water provider	section 8(5)	Comply with a condition on the council's registration as a drinking water provider	CEO	
drinking water provider	section 9(3)	Receive notice from the Minister proposing the suspension of the council's registration as a drinking water provider	CEO	
drinking water provider	section 9(5)	Lodge a written objection with the Minister regarding a proposed suspension of the council's registration as a drinking water provider	CEO	
drinking water provider	section 9(6)	Make submissions to the Minister regarding a proposed suspension of the council's registration as a drinking water provider	CEO	
drinking water provider	section 9(10)	Apply to the Minister for the cancellation of a suspension to the council's registration as a drinking water provider	CEO	
drinking water provider	section 10(1)	Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* of:	CEO	

	Safe Drinking Water Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		• a condition imposed by the Minister in relation to a registration under Part 2 of the Act; • a variation of a condition of registration made by the Minister on the Minister's own initiative; • a decision of the Minister to refuse to grant an application to vary a condition of registration; • a decision of the Minister to suspend a registration under Part 2.		
council	section 11(3)	Receive a notice of registration of a drinking water provider from the Minister	CEO	
drinking water provider	section 12(1)(a)	Prepare a risk management plan in relation to the supply of drinking water	CEO	
drinking water provider	section 12(1)(b)	Keep the risk management plan in relation to the supply of drinking water under continuous review	CEO	
drinking water provider	section 12(1)(c)	Revise the risk management plan	CEO	
drinking water provider	section 12(3)	Adopt a standard risk management plan published for the purposes of section 12	CEO	
drinking water provider	section 14(2)	Furnish a copy of its monitoring program and incident identification and notification protocol to the Minister	CEO	

	Safe Drinking Water Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
drinking water provider	section 14(3)(b)	Participate in consultation with the Minister in regard to proposed alterations to the program or protocol	CEO	
drinking water provider	section 14(4)	Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* of proposed alterations to the program or protocol	CEO	
drinking water provider	section 14(7)	Implement the council's risk management plan	CEO	
drinking water provider	section 20(4)	Ensure that an audit or inspection is carried out by an approved auditor or approved inspector in accordance with a determination of the Chief Executive of the State government department administering the Act	CEO	
drinking water provider	section 22(6)	Receive a copy of a report provided to the Chief Executive of the State government department administering the Act under section 20(1) or 20(4)	CEO	
drinking water provider	section 23(1)	Comply with a reasonable request or requirement of an auditor or inspector in or in connection with an audit or inspection under Division 2, Part 4	CEO	
drinking water provider	section 25(1)	Ensure drinking water supplied by the council is collected and tested in accordance with prescribed requirements	CEO	

	Safe Drinking Water Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
drinking water provider	section 27(1)	Make available to the public the results of any monitoring program that the drinking water provider conducts on drinking water for the purpose of the council's risk management plan	CEO	
enforcement agency	section 34(1)	Appoint a person with appropriate qualification or experience to be an authorised officer	CEO	
enforcement agency	section 34(2)	Prepare and maintain a list of authorised officers	CEO	
enforcement agency	section 35(1)	Provide each authorised officer with a certificate of authority	CEO	
enforcement agency	section 35(2)	Determine limits on the powers of an authorised officer	CEO	
enforcement agency	section 35(4)	Receive a surrendered certificate of authority	CEO	
enforcement agency	section 37(2)	Approve the removal or interference with a thing subject to a seizure order under section 37	CEO	
enforcement agency	section 37(3)(a)	Hold a thing subject to a seizure order pending proceedings	CEO	
enforcement agency	section 37(3)(a)(i)	Authorise the release of a thing subject to a seizure order ending proceedings subject to conditions which the council thinks fit	CEO	

	Safe Drinking Water Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
enforcement agency	section 37(3)(a)(ii)	Order that a thing subject to a seizure order be forfeited to the council	CEO	
enforcement agency	section 37(3)(b)(i)	Receive a thing forfeited to the council by court order	CEO	
enforcement agency	section 37(3)(d)	Dispose of a thing forfeited to the council under section 37	CEO	
enforcement agency	section 38(1)	Issue a notice to secure compliance with a requirement imposed by or under the Act or to avert, eliminate or minimise a risk, or a perceived risk, to the public in relation to drinking water	CEO	
enforcement agency	section 38(5)	Issue a notice confirming an emergency notice issued by an authorised officer	CEO	
enforcement agency	section 38(6)	Vary or revoke a notice to secure issued under section 38	CEO	
enforcement agency	section 39(1)	Take action required by a notice issued under Division 3, Part 7 which has not been undertaken	CEO	
enforcement agency	section 39(2)	Authorise a person to take action under section 3991) on behalf of the council	CEO	
enforcement agency	section 39(3)	Enter relevant land in order to take action under section 39	CEO	
enforcement agency	section 39(4)	Recover the reasonable costs and expenses in taking action under section 39	CEO	

	Safe Drinking Water Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
enforcement agency	section 39(5)	Fix a period from the date of a notice issued under section 39 within which an amount under section 39(4) must be paid	CEO	
enforcement agency	section 40(5)	Recover the reasonable costs and expenses incurred by an authorised officer taking action under section 40	CEO	
enforcement agency	section 41(1)	Require a person to furnish information relating to the quality or supply of drinking water or any other matter associated with the administration or operation of the Act	CEO	
enforcement agency	section 42(3)	Act as a party in proceedings under section 42	CEO	
enforcement agency	section 52(1)	Furnish a report to the Minister on or by 30 September on the activities of the council under the Act during the financial year ending on the preceding 30 June	CEO	

	Safe Drinking Water Regulations 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
drinking water provider	regulation 4	Observe the *Australian Drinking Water Guidelines 2011* prepared by the national Health and Medical Research Council and the Natural Resources Management Ministerial	CEO	

	Safe Drinking Water Regulations 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		Council in relation to the quality and supply of drinking water		
drinking water provider	regulation 9(5)	Keep copies of each risk management plan prepared or adopted by the council and all documents generated in the implementation of the risk management plan	CEO	
enforcement agency	regulation 15(2)	Determine the fee payable for an authorised officer appointed by the council carrying out an inspection of any premises or vehicle reasonably required in connection with the administration or enforcement of the Safe Drinking Water Act	CEO	

Attachment 5

	South Australian Public Health Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
designated authority	section 18(2)	Provide a report as required by the Minister on any matter relevant to the administration or operation of the Act	CEO	
public authority	section 22(2)	Respond to a request from the Chief Public Health Officer under section 22(1)	CEO	
public authority	section 36	Enter an arrangement with the South Australian Public Health Council for the use of the staff, equipment or facilities of the council	CEO	

	South Australian Public Health Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
local public health authority	section 37(2)(a)	Take action to preserve, protect and promote public health in the council area	CEO	
local public health authority	section 37(2)(b)	Cooperate with other authorities involved in the administration of the Act	CEO	
local public health authority	section 37(2)(c)	Ensure that adequate sanitation measures are in place in the council area	CEO	
local public health authority	section 37(2)(d)	Implement adequate measures in the council area (insofar as reasonably practicable) to ensure that activities do not adversely affect public health	CEO	
local public health authority	section 37(2)(e)	Identify risks to public health within the council area	CEO	
local public health authority	section 37(2)(f)	Take remedial action to reduce or eliminate adverse impacts or risks to public health	CEO	
local public health authority	section 37(2)(g)	Assess activities and development, or proposed activities or development, within the council area in order to determine and respond to public health impacts (or potential public health impacts)	CEO	
local public health authority	section 37(2)(h)	Provide, or support the provision of, educational information about public health and to provide or support activities within the council area to preserve, protect or promote public health	CEO	

	South Australian Public Health Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
local public health authority	section 38(1)	Provide, or support the provision of, immunisation programs within the council area	CEO	
local public health authority	section 39(1)	Act in conjunction or partnership with , or cooperate or coordinate the council's activities, with one or more other councils	CEO	
local public health authority	section 39(3)	Furnish a written report to the Chief Public Health Officer responding to a request from the Chief Public Health Officer to cooperate with one or more other councils	CEO	
local public health authority	section 40(2)	Participate in consultation with the Chief Public Health Officer regarding the Chief Public Health officer exercising powers of the council under the Act	CEO	
local public health authority	section 41(1)	Participate in consultation with the Minister regarding the Minister's opinion that the council has failed to perform a function under the Act	CEO	
local public health authority	section 41(6)(a)(ii)	Make submissions to the Minister regarding the proposed withdrawal of council powers under the Act	CEO	
local public health authority	section 42(1)	Request that a function of the council under the Act be performed by the Chief Public Health Officer	CEO	
local public health authority	section 42(10)	Enter into an agreement with the Chief Public Health Officer	CEO	

	South Australian Public Health Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
local public health authority	section 42(11)	Request that a notice issued by the Minister under section 42(4) vesting a council function in the Chief Public Health Officer be varied or revoked	CEO	
local public health authority	section 42(11)	Participate in consultation the Minister regarding the proposed variation or revocation of the vesting of a council function in the Chief Public Health Officer	CEO	
local public health authority	section 44(1)	Appoint a suitably qualified person as a local authorised officer	CEO	
local public health authority	section 44(2)	Impose conditions on the appointment of a local authorised officer	CEO	
local public health authority	section 44(4)	Issue directions to a local authorised officer	CEO	
local public health authority	section 44(6)	Vary or revoke the appointment of a local authorised officer	CEO	
local public health authority	section 44(7)	Notify the Chief Public Health Officer of an appointment or the revocation of an appointment of a local authorised officer	CEO	
local public health authority	section 46(1)	Issue an identity card of a local authorised officer	CEO	
local public health authority	section 49(1)	Require a person to furnish information relating to public health as may be reasonably required for the purposes of the Act	CEO	

	South Australian Public Health Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
local public health authority	section 51(1)	Prepare and maintain a regional public health plan	CEO	
local public health authority	section 51(10)	Amend a regional public health plan	CEO	
local public health authority	section 51(11)(a)	Prepare a draft regional public health plan	CEO	
local public health authority	section 51(11)(b)(i)	Provide a copy of a draft regional public health plan to the Minister, any incorporated hospital established under the *Health Care Act 2008* that operates a facility within the region, any relevant public health partner authority and any other prescribed body or group	CEO	
local public health authority	section 51(11)(b)(ii)	Consult with the public in regard to a draft regional public health plan	CEO	
local public health authority	section 51(12)	Participate in consultation with the Minister, or any other person or body specified by the Minister, before releasing a draft regional health plan under section 51(12)	CEO	
local public health authority	section 51(13)	Submit a regional public health plan to the Chief Public Health Officer for consultation before bringing the plan into operation	CEO	
local public health authority	section 51(15)	Take into account any comments of the Chief Public Health Officer, South Australian Public Health Council and any other body determined by the Chief Public Health Officer	CEO	

	South Australian Public Health Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
local public health authority	section 51(16)	Adopt a regional public health plan either with or without amendment	CEO	
local public health authority	section 51(17)	Incorporate a regional public health plan into the councils strategic management plan under the *Local Government Act 1999*	CEO	
local public health authority	section 51(19)	Review a regional public health plan at least every 5 years	CEO	
local public health authority	section 52(1)	Prepare a report to the Chief Public Health Officer that contains a comprehensive assessment of the extent to which the council has in the reporting period succeeded in implementing its regional public health plan	CEO	
local public health authority	section 64(3)	Receive a report from the Chief Public Health Officer regarding a suspected death from a notifiable condition in the council area	CEO	
local public health authority	section 65(a)	Receive a report from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area and any problems or issues caused by or arising on account of such diseases of medical conditions in the council area	CEO	
local public health authority	section 65(b)	Receive information from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the	CEO	

	South Australian Public Health Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		council area that constitutes, or may constitute, a threat to public health		
local public health authority	section 66(6)	Recover costs and expenses reasonably incurred in an authorised officer taking action in accordance with a direction or requirement issued under section 66(1) which has not been complied with by the person subject to the direction or requirement	CEO	
local public health authority	section 66(9)	Take action reasonably open to the council to prevent the spread of a disease constituting a notifiable condition	CEO	
relevant authority	section 92(1)	Issue a notice for the purpose of securing compliance with the Act or averting, eliminating or minimising a risk, or a perceived risk, to public health	CEO	
relevant authority	section 92(2)(b)	Give a preliminary notice to a person to whom it is proposed that a notice under section 91(1) will be given	CEO	
relevant authority	section 92(8)	Confirm an emergency notice given by an authorised officer under section 92(6)	CEO	
relevant authority	section 92(9)	Vary or revoke a notice issued by the council under section 92	CEO	
relevant authority	section 93(1)	Take action required by a notice issued under Part 12 if the requirements of the notice have not been fulfilled	CEO	

	South Australian Public Health Act 2011			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	section 93(2)	Authorise a person to take action on behalf of the council under section 93(1)	CEO	
relevant authority	section 93(3)	Enter any relevant premises at any reasonable time to take action under section 93	CEO	
relevant authority	section 93(4)	Recover the reasonable costs and expenses incurred by the council in taking action under section 93 from the person who failed to comply with the requirements of the notice	CEO	
relevant authority	section 93(5)	Fix a period from the date of a notice issued under section 93 within which an amount under section 93(4) must be paid	CEO	
local public health authority	section 94(5)(b)	Recover the reasonable costs and expenses of a local authorised officer taking action under section 94 from any person who caused the risk to which the action relates	CEO	
local public health authority	section 96(5)	Apply to the South Australian Civil and Administrative tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for a review of the outcome of review proceedings by the Review panel under section 95	CEO	
relevant authority	section 96(5)	Participate as a party to proceedings under section 96	CEO	

	South Australia Public Health (General) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
local public health authority	regulation 5B(2)	Deliver a notice to the Registrar-General setting out the amount recoverable under section 93 of the South Australian Public Health Act, setting out the land in relation to which the relevant action was taken and requesting the registrar-General to make a notation under regulation 5B in relation to the relevant land		
local public health authority	regulation 5B(7)	Recover an amount under section 93 of the South Australian Public Health Act as if it were a rate constituting a charge on land under section 144(2) of the Local Government Act	CEO	
public pool/spa pool operator	regulation 8(1)	Operate and maintain a public pool in accordance with regulation 8(1)	CEO	
public pool/spa pool operator	regulation 8(2)	Take prescribed steps to monitor compliance with regulation 8(1)	CEO	
public pool/spa pool operator	regulation 8(3)	Maintain records made under regulation 8(2)	CEO	
public pool/spa pool operator	regulation 8(4)	Close public pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration ion the water exceeds 10mg/L	CEO	
public pool/spa pool operator	regulation 9(1)	Operate and maintain a public spa pool in accordance with regulation 9(1)	CEO	

	South Australia Public Health (General) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
public pool/spa pool operator	regulation 9(2)	Take prescribed steps to monitor compliance with regulation 9(1)	CEO	
public pool/spa pool operator	regulation 9(3)	Maintain records made under regulation 9(2)	CEO	
public pool/spa pool operator	regulation 9(4)	Close public spa pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration ion the water exceeds 10mg/L	CEO	
relevant authority under *South Australian Public Health (Legionella) Regulations 2013* or *South Australian Public Health (Wastewater) Regulations 2013*	regulation 11A(1)	Refund, reduce or remit payment of a prescribed fee	CEO	
relevant authority under *South Australian Public Health (Legionella) Regulations 2013* or *South Australian Public Health (Wastewater) Regulations 2013*	regulation 11A(2)	Recover a prescribed fee as a debt in a court of competent jurisdiction	CEO	

	South Australia Public Health (Legionella) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	regulation 5(3)	Approve the manner and form for applying to register a high risk manufactured water system	CEO	
relevant authority	regulation 5(3)	Receive fee for registration of a high risk manufactured water system	CEO	
relevant authority	regulation 5(3)	Register a high risk manufactured water system	CEO	
relevant authority	regulation 5(6)	Approve the manner and form for applying to renew the registration of a high risk manufactured water system	CEO	
relevant authority	regulation 5(6)	Receive fee for renewal of registration of a high risk manufactured water system	CEO	
relevant authority	regulation 5(6)	Register a renewal of the registration of a high risk manufactured water system	CEO	
relevant authority	regulation 6(1)	Keep a register of high risk manufactured water system	CEO	
relevant authority	regulation 6(2)	Determine manner and form of keeping a register of high risk manufactured water system	CEO	
relevant authority	regulation 6(4)	Receive notice of a change in particulars from the owner of premises on which a high risk manufactured water systems registered with the council	CEO	

	South Australia Public Health (Legionella) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	regulation 6(5)	Receive notice of the permanent decommissioning or removal of a high risk manufactured water systems registered with the council	CEO	
relevant authority	regulation 15(1)(a)	Cause an inspection of a high risk manufactured water systems registered with the council	CEO	
relevant authority	regulation 15(1)(b)	Arrange for a NATA accredited laboratory to conduct microbiological testing of water taken from each cooling water system and each warm water system	CEO	
relevant authority	regulation 15(2)(a)	Notify the owner of premises on which a high risk manufactured water systems registered with the council of inspection and microbiological testing requirements	CEO	
relevant authority	regulation 15(2)(b)	Receive reports from the owner of premises on which a high risk manufactured water systems registered with the council in regard to inspection of the system and microbiological testing	CEO	
relevant authority	regulation 16(1)	Notify the owner of premises with a high risk manufactured water system of microbiological testing requirements	CEO	
relevant authority	regulation 16(1)(d)	Receive report from the owner of premises on which a high risk manufactured water	CEO	

	South Australia Public Health (Legionella) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		system is installed regarding microbiological testing		
relevant authority	regulation 17(1)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	CEO	
relevant authority	regulation 17(2)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	CEO	
relevant authority	regulation 17(3)	Forward a report regarding detection of Legionella under regulation 17 to the Department of Health and Wellbeing	CEO	
relevant authority	regulation 21(3)	Notify a person liable to pay a fee of a period in which the fee must be paid	CEO	

	South Australia Public Health (Wastewater) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 6(1)(b)	Agree to act as a relevant authority in respect of a wastewater systems or wastewater	CEO	

	South Australia Public Health (Wastewater) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		works being undertaken by another council or a person in conjunction with another council		
council	regulation 8(1)	Give notice to the owners of land in the area affected by the proposed establishment of a community wastewater management system by the council	CEO	
council	regulation 8(2)	Consider any submissions received regarding the proposed establishment of a community wastewater management system by the council	CEO	
council	regulation 8(3)	Obtain a wastewater works approval from the Minister	CEO	
council	regulation 9(1)	Require the operator of an on-site wastewater system to connect the system to a community wastewater management system and submit an application for the connection to the relevant authority	CEO	
relevant authority	regulation 9(1)(b)	Receive an application for connection of an on-site wastewater system to a community wastewater management system	CEO	
relevant authority	regulation 9(4)	Grant approval for wastewater works for the connection of an on-site wastewater system to a community wastewater management system	CEO	

	South Australia Public Health (Wastewater) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	regulation 9(6)	Cause the requirements of an approval under regulation 9 for wastewater works to be carried out	CEO	
relevant authority	regulation 9(7)	Recover the costs and expenses reasonably incurred in exercising power under regulation 9(6) and the application fee which would have been payable	CEO	
council	regulation 10(1)	Determine application for an exemption from regulation 9	CEO	
council	regulation 10(3)	Impose conditions on an exemption from regulation 9	CEO	
council	regulation 10(4)	Vary or revoke an exemption granted under regulation 10(3)	CEO	
CWMS operator	regulation 11(1)	Ensure that the requirements of regulation 11(1) are met	CEO	
relevant authority	regulation 11(2)	Receive a certificate indicating that wastewater works have been undertaken in accordance with the wastewater works approval and detailed drawings as prescribed	CEO	
CWMS operator	regulation 12(1)	Ensure that the wastewater system is operated, maintained and serviced in accordance with the conditions of any wastewater works approval and any prescribed code	CEO	

	South Australia Public Health (Wastewater) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
CWMS operator	regulation 13(1)	Ensure that wastewater from the wastewater system is not reused or disposed of to land unless authorised by conditions of the wastewater works approval	CEO	
relevant authority	regulation 15(1)	Receive an application for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes	CEO	
CWMS operator	regulation 15(1)	Apply for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes	CEO	
relevant authority	regulation 15(3)	Determine conditions to apply to an exemption from a prescribed code	CEO	
relevant authority	regulation 15(5)	Vary or revoke an exemption from a prescribed code	CEO	
relevant authority	regulation 23(1)	Receive an application for a wastewater works approval	CEO	
relevant authority	regulation 23(2)	Request applicant for a wastewater works approval to provide further technical specifications, information or documents	CEO	
CWMS operator	regulation 23(1)	Apply for a wastewater works approval	CEO	
CWMS operator	regulation 23(2)	Provide further technical specifications, information or documents requested by the relevant authority	CEO	

	South Australia Public Health (Wastewater) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	regulation 24(1)	Refuse to grant a wastewater approval	CEO	
relevant authority	regulation 24(2)	Provide SA Water with a reasonable opportunity to comment on an application for a wastewater works approval involving the connection of a community wastewater management system to SA Water sewerage infrastructure	CEO	
relevant authority	regulation 25(1)	Specify conditions applying to a wastewater works approval	CEO	
CWMS operator	regulation 25(1)	Comply with conditions applying to a wastewater works approval	CEO	
relevant authority	regulation 25(4)	Provide a copy of a code referred to in a condition of approval for inspection and the council's office	CEO	
relevant authority	regulation 25(6)	Vary or revoke a condition of a wastewater approval	CEO	
CWMS operator	regulation 25(6)	Apply for a variation or revocation of a condition of a wastewater approval	CEO	
relevant authority	regulation 25(7)	Vary or revoke a condition of a wastewater approval or impose a further condition	CEO	
CWMS operator	regulation 25(7)	Consent to the variation or revocation of a condition of a wastewater approval or the imposition of a further condition	CEO	

	South Australia Public Health (Wastewater) Regulations 2013			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
relevant authority	regulation 26(2)	Postpone the expiry of a wastewater approval	CEO	
relevant authority	regulation 27(1)	Keep a register of wastewater approvals	CEO	
relevant authority	regulation 27(5)	Enable the inspection of the register of wastewater works approvals at the council's offices and the provision of extracts of the register by electronic means	CEO	
council	regulation 29(1)	Notify the operator of a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health to provide a report from an independent wastewater engineer	CEO	
CWMS operator	regulation 29(1)	Provide a report from an independent wastewater engineer to the Minister or relevant authority as requested under regulation 29(1)	CEO	
council	regulation 29(3)	Obtain a report from an independent wastewater engineer regarding a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health	CEO	
council	regulation 29(3)	Recover the costs and expenses reasonably incurred in obtaining a report from an independent wastewater engineer	CEO	

	State Records Act 1997			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
agency	section 13	Maintain official records in the council's custody in good order and condition	CEO	
agency	section 15(2)	Afford the manager of State records reasonable cooperation and assistance in conducting surveys of the official records and record management practices of agencies	CEO	
agency	section 18(1)	Deliver records voluntarily into the custody of State Records	CEO	
agency	section 19(1)	Deliver records into the custody of State Records on the earlier of the council ceasing to require access to the record for current administrative purposes or during the year occurring 15 years after the creation of the record	CEO	
agency	section 19(3)(c)	Participate in consultation with the Manager of State Records in regard to the postponement of delivery of records into the custody of State Records on the basis that the records are required for the administrative purpose of the council or should be retained by the council for another special reason	CEO	
agency	section 19(5)(a)	Apply to the Manager of State Records for the variation or revocation of an exemption granted under section 19(4)	CEO	
agency	section 20(1)	Advise the Manager of State Records of any restriction on the disclosure of contents of a	CEO	

	State Records Act 1997			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		record delivered into the custody of State Records		
agency	section 22(2)	Determine conditions reasonably required in regard to an arrangement under section 22(1)	CEO	
agency	section 23(1)	Dispose of official records in accordance with a determination of the Manager of State Records	CEO	
agency	section 23(2)	Request the Manager of State Records to make a determination as to the disposal of official records	CEO	
agency	section 23(4)	Apply to the Minister to determine a dispute as to a determination under section 23	CEO	
agency	section 24(3)	Consent to the disposal of a record under section 24(1)	CEO	
agency	section 25(3)	Apply to the Minister to determine a dispute as to access under section 24	CEO	
agency	section 26(1)	Determine in consultation with the Manager of State Records that access to a record delivered by the council into the custody of State Records is not subject to any restrictions other than those determined by the Manager	CEO	
agency	section 26(2)	Determine in consultation with the Manager of State Records conditions excluding or restricting access to the record delivered by the council into the custody of State Records	CEO	

	Strata Titles Act 1988			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council (as holder of a statutory encumbrance)	section 12(2)(c)	Consent to an amendment of a deposited strata plan	CEO	
council	section 12(3a)(d)(i)	Consent to an encroachment over public land	CEO	
council (as holder of a statutory encumbrance)	section 12A(b)	Issue a certificate certifying compliance with the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance	CEO	
council	section 28(1)(c)	Specify work to be carried out by a unit holder	CEO	

Attachment 5

	Supported Residential Facilities Act 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 9(1)(a)	Administer and enforce the Supported Residential Facilities Act in the council area	CEO	
council	section 9(1)(b)	Licence supported residential facilities situated in the council area	CEO	
council	section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	CEO	

	Supported Residential Facilities Act 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	CEO	
council	section 9(2)	Delegate a power or function under the Supported Residential Facilities Act	CEO	
council	section 9(5)	Participate in consultation with the Minister regarding a perceived failure of council to discharge duties under the Supported Residential Facilities Act	CEO	
council	section 9(8)(a)(ii)	Make submissions to the Minister regarding the vesting of council powers or functions in another person or body	CEO	
council	section 9(8)(b)	Undertake a delegation to discuss with the Minister the vesting of council powers or functions in another person or body	CEO	
council	section 21(1)	Appoint an authorised officer	CEO	
council	section 21(2)	Issue an identity card to an authorised officer	CEO	
council	section 21(4)	Revoke the appointment of an authorised officer	CEO	
licensing authority	section 24(1)	Receive an application from a proprietor of a supported residential facility for a licence	CEO	
licensing authority	section 24(3)	Issue a notice to the applicant for a licence requiring further information to determine the application for a licence	CEO	

	Supported Residential Facilities Act 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
licensing authority	section 24(5)	Require information provided by an applicant to be verified by statutory declaration	CEO	
licensing authority	section 24(9)	Conditionally approve the issue of a licence	CEO	
licensing authority	section 24(9)	Grant a licence	CEO	
licensing authority	section 24(10)	Refuse and application for a licence	CEO	
licensing authority	section 24(10)	Notify the applicant of a refusal of an application for a licence	CEO	
licensing authority	section 25(1)	Determine matters to be taken into account in determining an application for a licence	CEO	
licensing authority	section 25(2)	Determine matters to be taken into account in determining whether the applicant is suitable to be granted a licence	CEO	
licensing authority	section 25(3)	Determine matters to be taken into account in determining whether the premises are suitable to be used as a supported residential facility	CEO	
licensing authority	section 27(3)	Determine to consider a late application for renewal of a licence	CEO	
licensing authority	section 27(4)	Notify the applicant of a decision on an application for the renewal of a licence	CEO	
licensing authority	section 28	Refuse to renew a licence	CEO	
licensing authority	section 29(1)(b)	Impose conditions on a licence	CEO	

	Supported Residential Facilities Act 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
licensing authority	section 29(3)(b)	Vary or revoke a condition on a licence	CEO	
licensing authority	section 30(1)	Receive an application for the transfer of a licence	CEO	
licensing authority	section 30(3)	Request further information from an applicant for a transfer of a licence	CEO	
licensing authority	section 30(4)	Transfer a licence	CEO	
licensing authority	section 30(5)	Receive a surrendered licence	CEO	
licensing authority	section 31(1)	Cancel a licence	CEO	
licensing authority	section 31(2)(a)	Notify the holder of a licence of a proposed cancellation of the licence	CEO	
licensing authority	section 31(2)(b)	Receive submissions from the holder of a licence regarding a proposed cancellation of the licence	CEO	
licensing authority	section 31(3)	Impose conditions pending the cancellation of a licence to protect the interests of residents of the facility	CEO	
licensing authority	section 31(4)(a)	Appoint an administrator to a facility	CEO	
licensing authority	section 31(4)(b)	Take steps to secure the proper care of the residents of a facility	CEO	
licensing authority	section 31(6)(a)	Determine whether or not the imposition of conditions pending the cancellation of a licence would adequately protect the interests of residents of the facility	CEO	

	Supported Residential Facilities Act 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
licensing authority	section 31(6)(g)(ii)	Revoke the appointment of an administrator	CEO	
licensing authority	section 32(1)	Participate in the review of a decision of the licensing authority by the South Australian Civil and Administrative Tribunal	CEO	
licensing authority	section 32(3)	Order that a licence subject to an application to review decision regarding renewal remain in force until the determination of the review	CEO	
licensing authority	section 32(4)(a)	Impose conditions on an order given under section 32(3)	CEO	
licensing authority	section 32(4)(b)	Vary or revoke an order given under section 32(3)	CEO	
licensing authority	section 33(1)	Grant licence	CEO	
licensing authority	section 34(1)	Approve a manager of a facility	CEO	
licensing authority	section 34(2)	Determine a time period after which the proprietor of a facility will be guilty of an offence if no approved person is managing the facility	CEO	
licensing authority	section 35	Approval of a person to be the licence holder if a licence holder dies	CEO	
licensing authority	section 37	Receive a copy of the prospectus and any alterations to the prospectus	CEO	
licensing authority	section 39(2)(b)	Approve an alternative to the prescribed means of serving a notice of termination of a	CEO	

	Supported Residential Facilities Act 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		resident contract by the proprietor of a facility		
licensing authority	section 43(1)(a)	Receive an application in regard to disputes between a resident of a supported residential facility and the proprietor	CEO	
licensing authority	section 43(1)(b)	Receive an application if a resident of a support residential facility objects to a decision of the proprietor of the facility to terminate his or her residential contract	CEO	
licensing authority	section 43(1)(c)	Receive an application if a resident of a support residential facility believes that the proprietor has failed to comply with the terms or their resident contract or a provision of the Support Residential facilities Act or the proprietor has acted in any unauthorised manner	CEO	
licensing authority	section 43(2)	Explore avenues of conciliation between the resident and the proprietor	CEO	
licensing authority	section 43(3)(a)	Make recommendations as to the settlement of a dispute between a resident and the proprietor	CEO	
licensing authority	section 43(3)(b)	Order the proprietor to vary or reverse a decision or take such actions necessary to remedy the breach or reverse the effect of any act of the proprietor	CEO	
licensing authority	section 43(3)(c)	Order the resident to refrain from any future action of a kind specified in the order or take	CEO	

	Supported Residential Facilities Act 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		action appropriate in the circumstances of the case		
licensing authority	section 43(3)(d)	Order the resident or proprietor to take action to remedy any default or to correct any unauthorised act	CEO	
licensing authority	section 43(3)(e)	Take any action appropriate in the circumstances	CEO	
licensing authority	section 43(6)(a)	Require an applicant to furnish further information in relation to the subject matter of the application	CEO	
licensing authority	section 43(6)(b)	Require an applicant to verify aby information by statutory declaration	CEO	
licensing authority	section 43(7)	Notify the applicant and respondent of the time and place of any hearing of the application	CEO	
licensing authority	section 43(8)	Investigate or determine the subject matter of an application	CEO	
licensing authority	section 43(9)	Make an interim order pending final resolution of the matter	CEO	
licensing authority	section 43(10)(a)	Determine the time period (not exceeding 2 months) during which the interim order will operate	CEO	
licensing authority	section 43(11)	Vary or revoke an order	CEO	

	Supported Residential Facilities Act 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
licensing authority	section 43(12)(a)	Specify procedures for the resolution of the dispute	CEO	
licensing authority	section 43(12)(a)	Decline to proceed with an application until reasonable steps have been taken to resolve the dispute pursuant to procedures specified by the licensing authority	CEO	
licensing authority	section 43(12)(b)	Decline to proceed with an application if it would be more appropriate for the proceedings to be taken in a court or tribunal constituted by law	CEO	
licensing authority	section 43(12)(b)	Decline to proceed (or further proceed) with an application if proceedings have been commenced in a court or tribunal constituted by law	CEO	
licensing authority	section 44(1)	Participate in proceedings for a review of a decision or order of the licensing authority by the South Australian Civil and Administrative Tribunal	CEO	
licensing authority	section 47(1)	Approve a person to enter any premises that comprise a support residential facility, or any residential-only premises, for the purpose of visiting or attending on any person residing at those premises	CEO	
licensing authority	section 49(1)(a)	Receive complaints regarding the management of a supported residential facility or any residential-only premises	CEO	

	Supported Residential Facilities Act 1992			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
licensing authority	section 49(1)(b)	Receive complaints regarding the conduct of a resident of a supported residential facility or any residential-only premises	CEO	
licensing authority	section 49(2)	Determine whether a complaint must be reduced to writing	CEO	
licensing authority	section 49(3)	Take appropriate action in regard to a complaint	CEO	
licensing authority	section 49(4)	Appoint an authorised officer to investigate the circumstances surrounding the complaint and to attempt to resolve the matter as expeditiously as possible	CEO	
licensing authority	section 56(4)	Pay prescribed percentage of licence fees into the Supported Residential Facilities Indemnity Fund	CEO	
licensing authority	section 57(5)	Exempt a proprietor of a facility from a regulation that applies to the facility	CEO	
licensing authority	section 57(6)	Attach conditions to an exemption granted under section 57(5)	CEO	
licensing authority	section 57(7)(a)	Revoke an exemption granted under section 57(5)	CEO	
licensing authority	section 57(7)(b)	Vary or revoke condition applying to an exemption granted under section 57(5)	CEO	

	Supported Residential Facilities Regulations 2009			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
licensing authority	regulation 17(2)	Approve an acting manager of a facility	CEO	
licensing authority	regulation 18(1)	Approve a registered nurse to oversee the provision of nursing care at a facility	CEO	
licensing authority	regulation 18(2)	Revoke the approval of a registered nurse to overseeing the provision of nursing care at a facility	CEO	
licensing authority	regulation 18(2)	Require a new appointment of a registered nurse to oversee the provision of nursing care at a facility	CEO	
licensing authority	regulation 21(1)(b)	Approve a kitchen at a facility which does not meet the prescribed requirements	CEO	
licensing authority	regulation 21(3)(e)	Require the fitting of handrails, ramps and lifts at a facility	CEO	
licensing authority	regulation 24(1)	Direct a proprietor of a supported residential facility to install a communication system at the facility	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
applicant for a licence	section 19(1)	Apply for a licence	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
applicant for a licence	section 19(2)	Pay the application fee	CEO	
applicant for a licence	section 19(4)	Provide further information requested by the Commission with respect to an application for a licence	CEO	
water industry entity	section 22(1)	Provide services or carry on operations or activities in accordance with the terms and conditions of the licence	CEO	
applicant for a licence	section 24(1)	Pay the annual licence fee	CEO	
water industry entity	section 24(2)(a)	Provide annual return to the Commission	CEO	
water industry entity	section 24(2)(b)	Pay the annual licence fee	CEO	
water industry entity	section 25(2)	Participate in consultation with the Commission	CEO	
water industry entity	section 28(2)(a)	Apply to the Commission for a variation in the terms and conditions applying the licence	CEO	
water industry entity	section 28(2)(a)	Agree with the Commission a variation in the terms and conditions applying the licence	CEO	
water industry entity	section 28(2)(b)	Make submissions to the Commission regarding a proposed variation to the terms and conditions applying to a licence	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 29(1)	Transfer licence with the Commission's agreement	CEO	
water industry entity	section 29(4)	Apply to the Commission for the transfer of a licence	CEO	
water industry entity	section 29(5)	Pay to the Commission the application fee for the transfer of a licence	CEO	
water industry entity	section 29(6)	Provide to the Commission further relevant information requested by Commission in respect of the application fee for the transfer a licence	CEO	
water industry entity	section 32(1)	Surrender a licence to the Commission	CEO	
water industry entity	section 32(3)	Agree with the Commission a shorter notice period than the prescribe period for the surrender of a licence	CEO	
water industry entity	section 33(3)(b)	Make submissions to the Commission in relation to a proposed suspension or cancellation of licence	CEO	
water industry entity	section 36(1)	Fix standard terms and conditions governing the provision of services by the entity	CEO	
water industry entity	section 36(2)	Publish standard terms and conditions governing the provision of services by the entity in the *Gazette*	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 36(3)	Publish notice in a newspaper circulating generally in the State regarding the standard terms and conditions	CEO	
water industry entity	section 36(5)	Agree with a customer to exclude a standard term or condition	CEO	
water industry entity	section 36(6)(a)	Supply a copy of the standard terms and conditions to the Commission	CEO	
water industry entity	section 36(6)(b)	Publish a copy of the standard terms and conditions on the entities website	CEO	
water industry entity	section 37(3)(a)	Adopt a customer hardship policy published by the Minister	CEO	
water industry entity	section 37(3)(b)	Seek the approval of the Commission to adopt a customer hardship policy published by the Minister with modifications	CEO	
water industry entity	section 37(3)(b)	Adopt a customer hardship policy published by the Minister with modifications in accordance with approval of the Minister	CEO	
water industry entity	section 38(2)	Make submissions to the Commission as to proposed proclamation to take over the water industry entity's operations	CEO	
water industry entity	section 39(2)	Accept an appointment to take over relevant operations of a water industry entity subject to a proclamation under section 38	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 39(3)	Facilitate the take-over of relevant operations by the operator	CEO	
water industry entity	section 41(1)	Appoint a person to be a water industry officer	CEO	
water industry entity	section 41(2)	Impose conditions of appointment of a water industry officer	CEO	
water industry entity	section 42(1)	Impose time period for the appointment of a water industry officer	CEO	
water industry entity	section 42(2)	Remove a water industry officer from office	CEO	
water industry entity	section 43(1)	Issue a water industry officer with an identity card	CEO	
water industry entity	section 44(1)	Agree with the occupier of land to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure	CEO	
water industry entity	section 44(1)	Seek the authorisation of the Minister to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure	CEO	
water industry entity	section 44(3)(a)	Enter and remain on land to undertake prescribed works	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
authorised entity	section 45(1)	Give notice of proposed entry on land under section 44 to the occupier	CEO	
authorised entity	section 45(3)(a)	Give notice of proposed entry on public land under section 45 to the authority responsible to the management of the public land	CEO	
council	section 45(3)(b)	Agree with an authorised entity to enter onto public land within the care, control and management of the council	CEO	
council	section 45(4)	Impose conditions on the entry of an authorised entity onto public land within the care, control and management of the council	CEO	
council authorised entity	section 45(7)	Refer a dispute regarding whether work should be permitted on public land within the care, control and management of the council by an authorised entry of the conditions applying to that work to the Minister	CEO	
council authorised entity	section 45(9)(a)	Make submissions to the Minister in relation to a dispute referred under section 45(7)	CEO	
council authorised entity	section 45(9)(b)	Settle a dispute referred under section 45(7)	CEO	
authorised entity	section 45(11)	Notify the occupier of public land of the reason and the date and time of proposed entry	CEO	
authorised entity	section 45(14)	Use reasonable force to enter any land under section 45	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 45(16)	Request an authorised entity undertaking work on public land within the care, control and management of the council to separate the land on which the work is being undertaken from other parts of the land by a fence		
authorised entity	section 45(16)	Separate the public land on which the work is being undertaken from other parts of the land by a fence	CEO	
council	section 45(16)	Refer a dispute regarding the separation of a land by a fence to the Magistrates Court	CEO	
authorised entity	section 45(17)	Make good any damage caused by exercise of powers under section 45	CEO	
authorised entity	section 45(19)	Exercise of powers under section 45 in an emergency without prior notice or agreement	CEO	
water industry entity	section 45(22)	Comply with conditions imposed by the Minister of the exercise of powers under section 45	CEO	
water industry entity	section 46(1)	Acquire land in accordance with the *Land Acquisition Act 1969*	CEO	
water industry entity	section 46(2)	Seek authorisation of the Minister to acquire land by compulsory acquisition under the *Land Acquisition Act 1969*	CEO	
water industry entity	section 48(2)	Apply to the Minister for approval of a scheme under section 48	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	section 48(3)(c)	Approve a scheme as being fit and adequate for the provision of the services that are proposed to be offered under the scheme	CEO	
council	section 48(3)(d)	Participate in consultation for the development of a scheme for sewerage services in the council area	CEO	
water industry entity	section 48(6)	Issue a notice requiring the connection of drains, equipment or works to prescribed infrastructure in order to provide for the discharge of sewerage into the infrastructure	CEO	
water industry entity	section 48(9)	Take action required by a notice served under section 48(6), if the recipient fails to take that action	CEO	
water industry entity	section 48(10)	Authorise a person to take action under section 48(9) on the water industry entities behalf	CEO	
water industry entity	section 48(12)	Recover the reasonable costs of taking action under section 48(9) as a debt	CEO	
water industry entity	section 48(13)	Apply to the Minister for approval to vary a scheme under section 48	CEO	
water industry entity	section 48(13)	Vary a scheme under section 48	CEO	
water industry entity	section 49(1)	Consent to a person: (a) constructing or placing a building, wall, fence or other structure on or over any	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		water/sewerage infrastructure, or creating some other form of encroachment over any water/sewerage infrastructure (or any land directly associated with such infrastructure); (b) creating any form of encroachment over any easement that exists for the purposes of any water service or sewerage service; (c) obstructing, filling in, closing up or diverting any water/sewerage infrastructure; or (d) excavating or altering any land or structure supporting any water/sewerage infrastructure		
water industry entity	section 49(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on reasonable grounds that a person has contravened section 49(1)	CEO	
water industry entity	section 49(2)(b)	Serve a notice requiring a person to take action to remedy a contravention of section 49(1)	CEO	
water industry entity	section 49(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land	CEO	
water industry entity	section 49(4)	Take action required by a notice served under section 49(2)(b), if the recipient fails to take that action	CEO	
water industry entity	section 49(6)	Recover the reasonable costs of taking action under section 49(4) as a debt	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 49(7)	Authorise a person to take action under section 49(4) on the water industry entities behalf	CEO	
water industry entity	section 50(1)	Authorise a person to: (a) attach any equipment or other thing, or make any connection, to water/sewerage infrastructure; (b) interfere with: (i) the collection, storage, production, treatment, conveyance, reticulation or supply of water through the use of water infrastructure; or (ii) the collection, storage, treatment, conveyance or reticulation of sewage through the use of sewerage infrastructure; (c) disconnect or interfere with any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure; or (d) damage any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure.	CEO	
water industry entity	section 50(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		reasonable grounds that a person has contravened section 50(1)		
water industry entity	section 50(2)(b)	Disconnect, close, turn off or remove anything that has been attached or used in connection with a contravention section 50(1)	CEO	
water industry entity	section 50(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land	CEO	
water industry entity	section 50(4)	Authorise a person to take action under section 50 on the water industry entities behalf	CEO	
water industry entity	section 50(7)	Recover compensation from a person guilty of a contravention of section 50(1) on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	CEO	
water industry entity	section 51(1)	Receive notice from a person proposing to do work near water/sewerage infrastructure	CEO	
water industry entity	section 51(3)(b)	Specify requirements to apply for the protection of the infrastructure or the safety of person carrying out the work	CEO	
water industry entity	section 51(4)	Recover compensation from a person guilty of a contravention of section 51 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 52(1)	Receive notice from a person proposing to: (a) to first lay the pavement or hard surface in any road; (b) to relay the pavement or hard surface in any road; (c) to widen or extend the pavement or hard surface in any road; (d) to alter the level of any road; (e) to construct or alter any footpaths, gutters, kerbing or water tables in any road; or (f) to construct or alter any drainage work in any road in which water/sewerage infrastructure is laid		
water industry entity	section 52(2)	Advise the person giving notice under section 52(1) of any new water/sewerage infrastructure proposed in the relevant road and of any interference that is expected to be caused to the existing water/sewerage infrastructure	CEO	
water industry entity	section 52(4)	Confer with a person giving notice under section 52(1) with respect to variations to the proposed work	CEO	
water industry entity	section 52(6)	Waive the requirement to provide notice under section 52(1)	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 53(2)(b)	Approve the installation or maintenance of a pipe capable of conveying water beyond the boundaries of a site occupied by the person	CEO	
water industry entity	section 53(1)	Authorise a person to: (a) abstract or divert water from any water infrastructure; or (b) abstract or divert any sewage from any sewerage infrastructure	CEO	
water industry entity	section 53(3)	Recover compensation from a person guilty of a contravention of section 53 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	CEO	
water industry entity	section 54(1)(a)	Require a person supplied water by the water industry entity to allow a person authorised by the entity to enter land and fix a meter supplied by the entity	CEO	
water industry entity	section 54(1)(b)	Require a person supplied water by the water industry entity to ensure that a meter of a kind specified by the entity is fixed and used for the purposes of measuring water supplied to the person	CEO	
water industry entity	section 54(3)	Supply a water meter	CEO	
water industry entity	section 54(4)	Issue a direction or requirement in regard to the installation or use of a meter	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 54(10)	Serve a notice on a person who fails to ensure that access to the meter or fitting for the purpose of reading, replacement, repair or maintenance is not obstructed requiring the person to take specified action to provide access to the meter or fitting	CEO	
water industry entity	section 54(11)	Enter land and take action to provide access to the meter or fitting	CEO	
water industry entity	section 54(12)	Recover compensation from a person guilty of a contravention of section 54 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	CEO	
water industry entity	section 54(13)	Recover costs of taking action under section 54(11) as a debt	CEO	
water industry entity	section 55(1)	Authorise a person to discharge any solid, liquid or gaseous materials, or any other item or thing, into water infrastructure	CEO	
water industry entity	section 55(3)	Recover compensation from a person guilty of a contravention of section 55 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	CEO	
water industry entity	section 56(1)	Authorise a person to discharge into any sewerage infrastructure any solid, liquid or gaseous material, or any other item or thing that is likely to damage the infrastructure	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 56(3)(a)	Authorise a person to discharge specific waste material into sewerage infrastructure	CEO	
water industry entity	section 56(3)(b)	Enter into a contract with a person in regard to the provision of a sewerage service authorising the discharge specific waste material into sewerage infrastructure	CEO	
water industry entity	section 56(5)	Authorise a person to cause, permit or allow any rainwater, stormwater or surface water to flow into, or to otherwise enter, any sewerage infrastructure	CEO	
water industry entity	section 56(7)	Attach conditions to an authorisation under section 56(5)	CEO	
water industry entity	section 56(7)	Vary or revoke an authorisation under section 56(5)	CEO	
water industry entity	section 56(9)	Recover the reasonable costs and expenses incurred by the water entity in addressing any damage or loss caused as a result of, on in remedying circumstances caused by, a contravention of section 56 as a debt	CEO	
water industry entity	section 57(1)	Issue a notice requiring an owner or occupier of land to carry out specified work	CEO	
water industry entity	section 57(3)	Vary or revoke a notice issued under section 57(1)	CEO	
water industry entity	section 57(5)	Take action required by a notice if the recipient of the notice fails to take the action	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 57(6)	Authorise a person to take action under section 57(5) on the entity's behalf	CEO	
water industry entity	section 57(8)	Recover the reasonable costs and expenses incurred by the water industry entity taking action under section 57(5) as a debt	CEO	
water industry entity	section 58(1)	Close off or disconnect from the sewerage infrastructure one or more drains on the land that are connected to the sewerage infrastructure or restrict the provision of any sewerage service to the land	CEO	
water industry entity	section 58(2)	Reopen or reconnect a drain closed off or disconnected under section 58(1)	CEO	
water industry entity	section 58(2)	Require the owner or occupier of land to pay the prescribed fee prior to reopening or reconnecting a drain closed off or disconnected under section 58(1)	CEO	
water industry entity	section 59(3)(a)	Lessen the supply through any infrastructure	CEO	
water industry entity	section 59(3)(b)	Prohibit the use of water in a specified purpose or purposes, or restrict or regulate the purposes for which water can be used	CEO	
water industry entity	section 59(3)(c)	Prohibit the use of water in a specified manner or by specified means, or restrict or regulate the manner in which, or the means by which, water may be used	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 59(3)(d)	Prohibit specified uses of water during specified periods, or restrict or regulate the times at which water may be used	CEO	
water industry entity	section 59(3)(e)	Discontinue the supply of water	CEO	
water industry entity	section 59(4)	Impose a requirement that a permit of the water industry entity must be held to undertake an activity involving the use of water	CEO	
water industry entity	section 59(4)	Issue a permit authorising an activity involving the use of water	CEO	
water industry entity	section 59(5)(b)	Publish or serve a notice regarding a prohibition or notice under section 59(3)	CEO	
water industry entity	section 59(5)(b)	Vary or revoke a prohibition or notice under section 59(3)	CEO	
water industry entity	section 60(1)	Serve notice on the owner or occupier of land that is connected to water infrastructure operated by the entity directing the owner or occupier to install a flow reducing device of a specified kind and to use the device to reduce flow in the pipes on the land which are connected to the water infrastructure	CEO	
water industry entity	section 60(5)	Install a flow reducing device if the owner or occupier has failed to comply with the requirements of a notice under section 60(1)	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 60(6)	Recover the reasonable costs and expenses incurred by the water industry entity as a debt from the person who failed to comply with the notice under section 60(1)	CEO	
water industry entity	section 63(3)(a)	Disconnect the supply of water or the collection of sewage, or restrict the supply of services	CEO	
water industry entity	section 63(3)(b)	Obtain a warrant under Part 10 to enter a place for the purpose of disconnecting the supply of water or the collection of sewage, or restricting the supply of services	CEO	
water industry entity	section 63(5)(b)	Restore a connection for the supply of water or the collection of sewage	CEO	
water industry entity	section 64	Cut off the supply of water to any region, area, land or place if it is necessary to do so to avert danger to any person or property	CEO	
water industry entity	section 68	Comply with prescribed technical and safety requirements or any technical and safety requirements of the Technical Regulator	CEO	
water industry entity	section 69(3)	Disconnect the supply of water or the collection of sewerage, or restrict the supply of services	CEO	
water industry entity	section 84(1)(b)	Make an application to the Commission for a review of a decision of the Commission under Part 4 to suspend or cancel the entity's	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		licence or vary the terms or conditions of the entity's licence		
water industry entity	section 85(1)(a)	Make an application for a review of a decision or an enforcement notice under Part 8, Division 4 under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013*	CEO	
water industry entity	section 88(1)	Provide information requested by the Minister	CEO	
water industry entity	section 98(1)	Provide and maintain fire plugs, maintain various standards, and comply with any other requirements relating to the provision of water for fire-fighting purposes, in accordance with any scheme determined by the Minister	CEO	
water industry entity	section 102(2)	Commence proceeding for an office under the Water Industry Act	CEO	
water industry entity	section 111(7)	Certify a plan delineating the position of any equipment, plant or drain connected to any water/sewerage infrastructure	CEO	
water industry entity	section 111(8)	Certify a date on and from which the water industry entity was prepared to supply water by means of a direct service to land specified in the certificate or could by means of drains or other infrastructure, be drained or serviced by a sewer	CEO	

	Water Industry Act 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	section 111(9)	Certify a copy or extract of a register of readings of meters maintained by the water industry entity	CEO	
water industry entity	section 113(1)	Cause a ventilating shaft, pipe or tube for any sewerage infrastructure or drain to be attached to the exterior wall of a building	CEO	

Attachment 3

	Water Industry Regulations 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	regulation 9	Enter into an agreement with a person undertaking work which would involve the alteration of any water/sewerage infrastructure to share the cost of the work	CEO	
water industry entity	regulation 11(1)	Provide a statement of the amount paid to a person who has paid an amount for the provision of retain services	CEO	
water industry entity	regulation 11(2)	Provide a consumer with a statement of the quantity of water supplied by the entity to the consumer in the financial year	CEO	
water industry entity	regulation 11(3)	Provide a statement of the amount paid for retail services or the quantity of water supplied by the entity financial year to any other person acting with the consent of the person referred to in regulations 11(1) and 11(2)	CEO	
water industry entity	regulation 12(1)	Provide a statement as the existence or non-existence of encumbrances in relation to the land to which the application relates that are prescribed encumbrances for the purposes of the *Land and Business (Sale and Conveyancing) Act 1994*	CEO	
council	regulation 13(a)(i)	Seek the approval of a water industry entity (that owns or operated sewerage infrastructure that may be affected by the planting) to plant trees and shrubs (except	CEO	

	Water Industry Regulations 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
		those listed I Schedule 2 and Schedule 3) on public land		
water industry entity	regulation 13(a)(i)	Grant approval to plant trees and shrubs on public land	CEO	
water industry entity	regulation 13(b)	Grant approval to plant trees and shrubs on a road closer than 1 metre to any water infrastructure	CEO	
council	regulation 14(1)	Receive and comply with a notice from water industry entity directing action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure	CEO	
water industry entity	regulation 14(1)	Direct a council or other person with care, control or management of land to take action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure	CEO	
water industry entity	regulation 14(2)	Take action specified in a notice under regulation 14(1) if the recipient fails to comply with the notice	CEO	

	Water Industry Regulations 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	regulation 14(3)	Recover costs of taking action specified in a notice under regulation 14(2) as a debt	CEO	
water industry entity	regulation 15	Recover costs of taking action specified in a notice under regulation 14 as a debt	CEO	
water industry entity	regulation 16(3)(b)	Authorise a person to enter infrastructure owned or operated by the entity	CEO	
water industry entity	regulation 17(1)(a)	Obtain the approval of ESCOSA prior to taking action under sections 59(3)(a) to 59(3)(e) (inclusive)	CEO	
water industry entity	regulation 17(1)(b)(i)	Notify the public of the intention to exercise a power under sections 59(3)(b) to 59(3)(d) (inclusive) by notice in the Gazette	CEO	
water industry entity	regulation 17(1)(b)(ii)	Notify the public of the intention to exercise a power under sections 59(3)(a) to 59(3)(e) (inclusive) by a notice of a website, in a newspaper circulating throughout the area of the State in which person affected by the exercise of the power are situated and in any other manner considered appropriate	CEO	
water industry entity	regulation 18	Issue a permit for the purposes of section 59(4) of the Water Industry Act	CEO	

	Water Industry Regulations 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
council	regulation 23(2)(a)	Give notice in writing to the water industry entity that owns, manages or uses the entry point, inspection point or other fitting of the alteration to the surface height of a road, footpath or easement to a water industry entity	CEO	
water industry entity	regulation 23(2)(b)	Alter the height of an entry point, inspection point or other fitting	CEO	
water industry entity	regulation 23(3)	Recover costs under regulation 23(2)(b) as a debt from entity which altered the height of the road, footpath or easement	CEO	
water industry entity	regulation 34(1)(b)	Direct a person to disconnect a pipe which is intersected by the boundary of adjoining allotments from water/sewerage infrastructure	CEO	
water industry entity	regulation 34(4)	Direct a person to disconnect a pipe which lies across the boundary of adjoining allotments from water/sewerage infrastructure	CEO	
water industry entity	regulation 34(7)	Enter land and undertake work required by a notice under regulation 34 if the recipient has failed to undertake the required work	CEO	
water industry entity	regulation 36	Estimate the quantity of water supplied through a meter	CEO	

	Water Industry Regulations 2012			
Capacity of council	**Statutory provision**	**Power/function**	**Delegate**	**Sub-delegate**
water industry entity	regulation 38	Impose a charge in respect of land a kind specified by the Minister by notice in the *gazette* despite the fact that the land is not connected to infrastructure by which a retail service is provided by the water industry entity or the provision of a retail service to the land by the water industry entity has been reduced or discontinued	CEO	

Attachment 3

WATTLE RANGE COUNCIL

Instrument of authorisation

1. The Minister for Transport and Infrastructure granted:

   (a) approvals to the Council for the purposes of specific powers under sections 17 and 20 of the *Road Traffic Act 1961*; and

   (b) appointed the Council as the Minister's delegate in respect of specific powers under sections 17 and 33(1) of the Road Traffic Act,

   by the Instrument of General Approval and Delegation (dated 22 August 2013) (**General Approval**).

2. Pursuant to the General Approval, the Council authorises the employees of the Council named in the attached table to exercise the powers under sections 17 and 20 of the Road Traffic Act conferred on or delegated to the Council by the General Approval subject to the conditions set out in the General Approval and any additional conditions noted in the table with respect to the exercise of the power.

Attachment 4

_____
Signature of the Chief Executive Officer

_____
Benjamin Gower

_____
Date

Council authorisations for the purposes of the General Approval

Road Traffic Act	Approval granted to Council (as set out in the General Approval)	Authorised employee	Conditions
sections 17(1) and 17(2)	**A. Traffic control devices** Install, maintain, alter, operate or remove, or cause to be installed, maintained. altered, operated or removed, any traffic control device on, above or near a road which is under the care, control and management of the Council (except those traffic control devices specified in clause A.8 of the General Approval or dealt with in other clauses of the General Approval)	Peter Halton	As set out in clause A of the General Approval
section 20(2)	**B. Speed limits at works on roads** Place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards a work area or a work site where workers are engaged, or works are in progress at the direction of the Council	Peter Halton	As set out in clause B of the General Approval

Attachment 4

Road Traffic Act	Approval granted to Council (as set out in the General Approval)	Authorised employee	Conditions
section 17(3)	**C. Traffic control devices at works on roads** Install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the *Road Traffic Act 1961* or any other Act	Peter Halton	As set out in clause C of the General Approval
section 17(3)	**D. Temporary parking controls** Install, display, alter, operate or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road which is under the care, control and management of the Council	Peter Halton	As set out in clause D of the General Approval
section 17	**F. Grant approval to another road authority** Specifically approve the installation, maintenance, alteration, operation or removal of a traffic control device in the Council area by a road authority on, above or near a road under the care, control and management of the road authority	Peter Halton	As set out in clause F of the General Approval

Attachment 4

WATTLE RANGE COUNCIL

Wattle Range
COUNCIL

Instrument of sub-delegation

1. The Minister for Transport and Infrastructure granted:

   (a) approvals to the Council for the purposes of specific powers under sections 17 and 20 of the *Road Traffic Act 1961*; and

   (b) appointed the Council as the Minister's delegate in respect of specific powers under sections 17 and 33(1) of the Road Traffic Act,

   by the Instrument of General Approval and Delegation (dated 22 August 2013) (**General Approval**).

2. Pursuant to the General Approval, the Council sub-delegates to the Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing:

   (a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose of the event) be closed to traffic for a specified period; and

   (b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the following provisions of the *Australian Road Rules*:

      (i) rule 221: using hazard warning lights;

      (ii) rule 230: crossing a road – general;

      (iii) rule 231 crossing a road at pedestrian lights;

      (iv) rule 232: crossing a road at traffic lights;

      (v) rule 234: crossing a road on or near a crossing for pedestrians;

      (vi) rule 237: getting on or into a moving vehicle (provided that the speed of the vehicle does not exceed 5 km/h);

      (vii) rule 238: pedestrians travelling along a road (except in or on a wheeled recreational device or toy);

      (viii) rule 250: riding on a footpath or shared path;

      (ix) rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h);

Attachment 5

(x) rule 265: wearing of seat belts by passengers 16 years old or older (provided that the speed of the vehicle does not exceed 25 km/h);

(xi) rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h);

(xii) rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h)

(xiii) rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and

(xiv) rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).

3. The delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval and the following conditions:

(a) the sub-delegate must ensure that the delegated powers are exercised in accordance with relevant legislative requirements and relevant policies and guidelines adopted by the Council.

Attachment 5

By resolution of the Council

on:……

5.2 Confidential Meeting of Council - 10 May 2022 (CM 983 - CM 984) - Released Immediately

Report Type	Minutes from Previous Meeting
File Reference	GF/9.24.1/1
Attachments	1. coumin con council 100522 - Released Immediately [**5.2.1** - 2 pages]

RECOMMENDATION

That the Minutes of the Confidential Meeting dated 10 May 2022 be taken as presented and confirmed.

WATTLE RANGE COUNCIL

Minutes of the Confidential Meeting of Wattle Range Council held in the Supper Room, Millicent War Memorial Civic & Arts Centre, Ridge Terrace, Millicent on 10 May 2022 at 5.00 pm.

1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY / RECORDING OF MEETINGS

2. PRESENT

His Worship the Mayor D Noll
Cr D Agnew
Cr C Brodie [arrived at 5.18 pm]
Cr D Burrow
Cr S Cox
Cr J Drew
Cr P Dunnicliff
Cr K McGrath
Cr D Muhovics
Cr M Neagle
Cr D Price

Mr BJ Gower (Chief Executive Officer)
Mr PA Duka (Director Corporate Services)
Mr PA Halton (Director Engineering Services)
Ms EF Clay (Director Development Services)
Ms CP Allen (Executive Assistant)

19. ITEMS FOR CONSIDERATION IN CONFIDENCE

19.1 Revised Tender Evaluation for Beachport Drainage Project

Cr Price moved that:

1. Pursuant to Sections 90(2) and 90(3)(k) of the *Local Government Act, 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.1, excepting the following persons:

   - Mr BJ Gower – Chief Executive Officer
   - Mr PA Duka – Director Corporate Services
   - Mr PA Halton – Director Engineering Services
   - Ms EF Clay – Director Development Services
   - Ms C Allen – Executive Assistant / Minute Taker

   To enable the Council to consider Item 19.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.1 tenders for the provision of services and the carrying out of works.

   Specifically, the present matter relates to a tender for kerb and stormwater upgrades on South Terrace, Foster Street and French Street in Beachport.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Muhovics seconded **CARRIED**

Cr Dunnicliff moved that Council:

1. Receive and note the report.

Cr McGrath seconded **CARRIED**

Cr Drew moved that Council:

2. Enter into an Agreement for Services with Gambier Earth Movers Pty Ltd (ABN: 97 007 644 126) for the Beachport Drainage Project.

Cr Brodie seconded **CARRIED**

Cr Dunnicliff moved that:

1. Pursuant to Section 91(7) of the *Local Government Act, 1999*, **Council orders that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(k) of the Act:

   - **The Report and Attachment of Item 19.1 of 10 May 2022**

   On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services or the carrying out of works.

   Specifically, the present matter relates to a tender for South Terrace Kerbing, Beachport.

   This order shall operate until **10 May 2023** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Brodie seconded **CARRIED**

Taken as presented and confirmed.

…… ……

MAYOR **DATE**

5.3 Audit & Risk Committee Meeting - 7 June 2022 (Folio 10199 - Folio 101200)

Report Type	Minutes from Previous Meeting
File Reference	GF/9.24.1/1
Attachments	1. audit & risk committee minutes 070622 [**5.3.1** - 2 pages]

RECOMMENDATION

That the Minutes of the Audit & Risk Committee dated 7 June 2022 be taken as presented and confirmed.

WATTLE RANGE COUNCIL

Minutes of the Audit & Risk Committee Meeting of Wattle Range Council held in the Supper Room, Millicent War Memorial Civic & Arts Centre, Ridge Terrace, Millicent on Tuesday, 7 June 2022 at 2:17 pm.

1. PRESENT

Committee Members

Mr Michael Schultz (Chairperson)
His Worship the Mayor (Des Noll)
Cr Dean Burrow [arrived at 2:19 pm]
Cr John Drew

Council Staff

Mr Paul Duka (Director Corporate Services)
Mr Aaron Peek (Finance Manager)

Attendees

Mr Kyle Harrison (Dean Newbery)

2. APOLOGIES

Cr Sharon Cox
Mr Ben Gower (Chief Executive Officer)

3. DISCLOSURE OF INTERESTS

NIL

[Cr Burrows attended the meeting at 2:19 pm]

4. CONFIRMATION OF THE MINUTES

4.1 Audit & Risk Committee Meeting Minutes – 23 March 2022 (Folio 9913 – Folio 9915)

Cr Drew moved that the Minutes of the Audit & Risk Committee held on 23 March 2022 be taken as presented and confirmed.

Mayor Noll seconded **CARRIED**

5. MATTERS ARISING FROM THE MINUTES

NIL

6. REPORTS

6.1 2022/23 Draft Annual Business Plan and Budget

Cr John Drew moved that the Audit & Risk Committee:

1. Receive and note the Report

Cr Dean Burrow seconded **CARRIED**

Short Term Suspension of Proceedings

The Chairperson, with the approval of two-thirds of the Committee members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period sufficient to facilitate informal discussion in relation to the 2022/23 Draft Annual Business Plan and Budget due to the Committee not having had the opportunity to view the Report prior to the Meeting.

Michael Schultz moved that the meeting be suspended until 3:30 pm

Mayor Noll seconded **CARRIED**

The meeting adjourned at 2:43 pm.

[Cr Drew let the meeting at 2.45 pm]

[Cr Drew resumed the meeting at 2.46 pm]

The meeting reconvened at 3:50 pm.

Cr John Drew moved that the Audit & Risk Committee:

2. Recommend to Council that it commences public consultation on the amended Draft Annual Business Plan 2022/23 as presented.

Cr Dean Burrow seconded **CARRIED**

7. RISK MANAGEMENT REPORTS FROM OFFICERS

NIL

8. CORRESPONDENCE

NIL

9. GENERAL BUSINESS

9.1 Dean Newbery

Kyle Harrison from Dean Newbery gave an update on the current audit.

[Kyle Harrison left the meeting at 2:42pm]

10. ITEMS FOR CONSIDERATION IN CONFIDENCE

NIL

11. MEETING CLOSURE

Meeting closed at 3:58 pm.

Taken as presented and confirmed.

…… ……

CHAIRPERSON DATE

5.4 Special Council Meeting - 7 June 2022 (Folio 101201 - Folio 101202)

Report Type	Minutes from Previous Meeting
File Reference	GF/9.24.1/1
Attachments	1. coumin council 070622 - Special [**5.4.1** - 2 pages]

RECOMMENDATION

That the Minutes of the Special Council Meeting dated 7 June 2022 be taken as presented and confirmed.

Folio 101201

WATTLE RANGE COUNCIL

Minutes of the Special Meeting of Wattle Range Council held in the Supper Room, Millicent War Memorial Civic & Arts Centre, Ridge Terrace, Millicent on 7 June 2022 at 5.00 pm.

1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY / RECORDING OF MEETINGS

2. PRESENT

His Worship the Mayor D Noll
Cr D Agnew
Cr C Brodie
Cr D Burrow
Cr J Drew
Cr P Dunnicliff
Cr D Muhovics
Cr M Neagle
Cr D Price
Cr K McGrath

Mr PA Duka (Director Corporate Services) (Minute Taker)
Mr PA Halton (Director Engineering Services)
Ms EF Clay (Director Development Services)
Ms CP Allen (Executive Assistant)

3. APOLOGIES

Cr S Cox
Mr BJ Gower (Chief Executive Officer)

4. DISCLOSURE OF INTERESTS

NIL

5. QUESTIONS WITH NOTICE

NIL

6. REPORTS FROM COUNCIL OFFICERS

6.1 Director Corporate Services

6.1.1 2022/23 Draft Annual Business Plan and Budget

Cr Agnew moved that Council:

1. Receive and note the Report.

Cr Muhovics seconded **CARRIED**

Short Term Suspension of Proceedings

The Mayor, with the approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period sufficient to facilitate informal discussion in relation to the 2022/23 Draft Annual Business Plan and Budget due to the Elected Members not having had the opportunity to view the Report prior to the Meeting.

Folio 101202

Cr Price moved that the meeting be suspended until 6.30 pm

Cr Burrow seconded **CARRIED**

The meeting adjourned at 5.03 pm.

[Cr Neagle left the meeting at 6.05 pm]

[Cr Neagle resumed the meeting at 6.07 pm]

[Cr Agnew left the meeting at 6.32 pm]

The meeting reconvened at 6.32 pm.

Cr Dunnicliff moved that Council:

2. Commence public consultation on the Draft Annual Business Plan 2022/23 as amended.

Cr Drew seconded **CARRIED**

[Cr Agnew resumed the meeting at 6.34 pm]

Meeting closed at 6.39 pm.

Taken as presented and confirmed.

…… ……

MAYOR **DATE**

6 Matters Arising From The Minutes

No matters have been presented at the point of publishing the Agenda.

7 Adjournments

No adjourned reports are included in this Agenda.

8 Mayoral Communications

8.1 Mayoral Communications

Report Type	{report-type}
Author	Mayor Noll
File Reference	GF/9.24.1/2
Attachments	1. Mayoral Communication - June 2022 [**8.1.1** - 4 pages]

RECOMMENDATION

That the Mayoral Communications be taken as presented and confirmed.

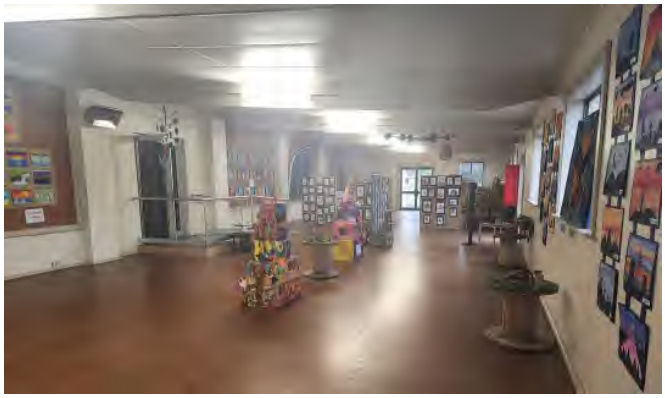
Mayoral Communication – June 2022

Wattle Range Unemployment Rate: Average unemployment rate is currently 3.6% down from 5.7% this time last year.

Penola Coonawarra Arts Festival: Had the privilege of attending various events at the Penola Coonawarra Arts Festival supported by Gold Sponsors, **Stand Like Stone Foundation, Wattle Range Council and City of Mount Gambier**. An engaging four days of art experience and catching up with many locals and visitors from afar. Shari and I attended: Official Opening and the John Shaw Neilson Acquisitive Art Prize and Exhibition; Co-Opera – A night of Opera featuring Gianni Schicchi – Opera Sung in English by Giacomo Puccini; Coonawarra Vignerons Shenanigans; Penola Primary School Art Exhibition Official Opening; "My Life is a Dot" Art Exhibition - Chelsea Kuhl @ Moss and Wild; Portraits of Penola Women; Our Willsy in Conversation with Peter Goers; LCFG Farmers and Makers Market; Petticoat Lane Stroll.

Penola Coonawarra Arts Festival celebrated its 30th Anniversary this year. A real economic stimulus to the local community. Wattle Range Council must continue to support this event. It has significant economic benefits to the community.

Penola Primary School: Congratulations to the Penola Primary School students for their art exhibition at Rymill Hall during the Arts Festival. The students' artwork reflected Respect, Responsibility, and Inclusivity. Shari and I enjoyed the exhibition. Well done.



South Australian 2022 Volunteer Awards Presentation: The Excellence in Volunteer Management - Peter Seebohm & Jenny Herbert received a nomination for this category. Awards presented by the Hon. Nat Cook MP, Minister for Human Services.

Millicent Real Estate Growth: Millicent has had the largest real estate growth across regional South Australia in a 12-month period according to the 2022 March quarter figures recently released by the Real Estate Institute of South Australia (REISA).

Australia Rare Earths – Koppamurra Project: Australian Rare Earths currently hold six Exploration Licences, four covering the area between Comaum and Keith in South Australia and two covering the area between Apsley and Minimay in Western Victoria. I recently attended a presentation in relation to the Koppamurra Project by Prof. Dudley Kingsnorth who gave an overview of the project. Spoke to representatives from the SA Department for Energy and Mining compliance team who were also present.

Understanding Coastal Processes Across Rivoli Bay Report: The Wattle Range Council engaged coastal consultants, Baird, to collect local metocean data that can be used for better informed decision making around coastal infrastructure in Beachport and Southend. This technical study confirmed various coastal processes are at play within Rivoli Bay. A comprehensive and scientific report with various management options. The report is well worth a read. This project was co-funded by the Coastal Protection Board.

Penola Football & Netball Club: Congratulations to the Penola Football & Netball Clubs for their recent fundraising Dinner Auction. Final total for the fund raiser is $105,000. I spoke to both Marcus Devereux and Sally Skeer congratulating them both. Thank you to all sponsors involved. This is a fantastic effort from the entire community. Penola Football Club is the oldest football club in Country South Australia being established in 1865.

What is Happening: Southern Ports Highway
It was very welcoming to see the Southern Ports Highway just west of Millicent two weeks ago having some significant road repair, re-sheeting being done.

I drove along the new re-sheeted section over the weekend to find a large pothole that has appeared within the last week. When I examined the pothole, I found it had gone all the way through the underneath bitumen surface.

How does this happen?

Attended

- Wattle Range Suicide Prevention Network meeting – 5/5/22
- Meeting with Dr Ruth Schubert – Education Director – 6/5/22
- Nangwarry Football Club – Official Club Rooms Opening by Hon Tony Pasin – 7/5/22

A proud moment for the Nangwarry Football Club

- Meeting with Local Police (SAPOL) – S/Sgt Rick Errington – 9/5/22
- Ordinary Wattle Range Council meeting – 10/5/22
- Coonawarra Presentation by Prof. Dudley Kingsnorth – Chair of Australian Rare Earths – regarding Koppamurra Project - 11/5/22
- Penola Coonawarra Arts Festival – 12/5/22 to 15/5/22
- Penola Primary School Student Art Exhibition Official Opening – Rymill Hall – 13/5/22
- Portraits of Penola Women Exhibition – 15/5/22
- WRC Special Council Meeting – LCLGA Executive Officer Re-Business Plan - Draft Budget Meeting for Public Consultation - 17/5/22
- LCLGA Mayor's Zoom Meeting – 20/5/22
- Rendelsham funeral of the Late Mrs Beryl Foster – 23/5/22
- Meeting with Coonawarra Viniculturist Re Local Government & Coonawarra Rail Trail – 25/5/22
- Mayor/CEO Community Meeting – Mt Burr and Glencoe – 27/5/22
- Millicent Racing Club – 2022 3MP Millicent Cup – Allan Scott Glenburnie Racecourse – 29/5/22
- Noorla Yo-Long Youth Program – Visiting local volunteers and Police Member - 30/5/22
- Millicent Men's Shed Diabetes Awareness Program – 31/5/22
- Sealing of the Time Capsule at the Millicent Library – 31/5/22
- Mt Burr Walking Trail – Community Tree Planting – 3/6/22
- Maya Linnell Book Launch "Paperbark Hill" at Millicent Library – 3/6/22
- Southend Community Consultation – Coastal Management – 6/6/22
- Celebration of Reinvented Penola Library Space at Penola High School – 7/6/22
- Wattle Range Council Audit & Risk Committee Meeting – 7/6/22
- Wattle Range Council Special Council Meeting – Draft Budget Adoption – 7/6/22
- Wattle Range Council Information Briefing Session – Strategic Land Use Plan Zoning – 7/6/22
- Country Cabinet Council LCLGA Presentation – City of Mount Gambier Council Chambers – 9/6/22
- Green Triangle Timber Industry Awards – Mount Gambier – 10/6/22

9 Deputations

No deputations have been requested at the point of publishing the Agenda.

10 Petitions

No petitions have been presented at the point of publishing the Agenda.

11 Reports From Council Members

No reports have been submitted at the point of publishing the Agenda.

12 Questions With Notice

12.1 Cr Dean Burrow - Questions with Notice - Deed of Trust - Greenrise Commonage

Report Type	Questions on Notice
Author	Cr Dean Burrow
File Reference	GF/9.24.1/2 / GF/14.16.4/1 EN2022/24034
Attachments	1. Greenrise Commonage - Declaration of Trust [**12.1.1** - 2 pages]

Cr Dean Burrow submitted the following Question(s) with Notice:

Question

1. Please provide details of each occasion when the legality of the Deed of Trust has been challenged, and the written legal advice, given in 2021 reaffirmed that it may not have been entered into legally.

Answer

Legal advice was obtained in 2021 and provided to Council as part of a formal report that related to a community request to access landfill from the Penola Commonage:

Implications Arising from Existence of Trust

The Trust, which was executed in 1998, purports to require the Council:

> To hold the Subject Land for the public use of the residents of the former District Council of Penola (in its configuration as at 30 June 1997) for sporting, agricultural, educational, recreational, community or like purposed [sic] but subject to the conditions specified in or contemplated by this instrument.

The Trust then specifies certain conditions which are not relevant for the purposes of this advice.

The Trust was the subject of significant litigation from 2009 to 2012, relating to the proposed construction of the Penola bypass road through the Land.[1] There is accordingly a substantial amount of judicial analysis of this particular Trust. We have had regard to that analysis in formulating this advice.

The Supreme Court in fact expressed some doubt as to whether the Council was empowered to enter into the Trust at all. However, neither party to the litigation sought to impugn the Trust's validity and so the Court proceeded on the basis that the Trust is valid.[2]

The recent Supreme Court decision of *Duke Unley Pty Ltd v The Corporation of the City of Unley*[3] casts more doubt upon whether the Council was empowered to make the Trust in 1998. In that case, the Court determined that the relevant council was not empowered under the *Local Government Act 1934* (which, relevantly, also applied at the time the Trust was purportedly made) to impress a trust upon land it already owned and which was not gifted or otherwise conveyed to the Council.

It is relevant to observe that the Trust was purportedly made in 1998 and, in 2002, the Council resolved to exclude the Land from being community land under the LG Act. However, we note that by 2006 - when the Council commenced public consultation with respect to the proposed revocation of community land status over part of the Land - the Council was proceeding on the basis that community land status of the Land was *not* revoked in 2002. This was presumably because the Council took the position the Trust is valid and so prevented the purported exclusion of community land status in 2002. The Council conducted itself in the Supreme Court litigation from 2009 to 2012 on the same basis, ie on the basis the Trust is valid.

Given the parties to the Supreme Court litigation proceeded on the basis the Council *was* empowered to make the Trust, and the Supreme Court also proceeded on this basis (despite expressing doubts), we consider senior counsel advice (potentially from the counsel who conducted the Supreme Court litigation on the Council's behalf, namely Mr Michael Roder QC) would be necessary if the Council now wishes to explore taking the position that it was in fact *not* empowered to make the Trust in 1998. We would also seek that the Council learn as much as possible about the history of this Land (including locating all resolutions made with respect to the Land at the time of, and subsequent to, the making of the Trust) before seeking such advice.

Question

2. Please provide conclusive legal advice as to whether or not the Deed of Trust is legally binding on the Wattle Range Council.

Answer

Legal advice was obtained in 2021 and provided to Council as part of a formal report that related to a community request to access landfill from the Penola Commonage:

……. in light of the previous Supreme Court proceedings relating to the Land and the Trust, it would, in our view, ***be necessary to obtain senior counsel advice before the Council decides whether to take such a position****.*

DECLARATION OF TRUST

WATTLE RANGE COUNCIL ("the Council") of George Street, Millicent SA 5280 **HEREBY DECLARES** that it holds the land referred to in Item 1 of the Schedule upon and subject to the trust created by this instrument referred to in Item 2 of the Schedule but subject nevertheless to the further conditions specified in Item 3 of the Schedule.

Dated the 6 day of May 1998.

THE COMMON SEAL of the WATTLE RANGE COUNCIL was hereunto affixed the day of 1997)

WATTLE RANGE COUNCIL Common Seal

Mayor

Chief Executive Officer

SCHEDULE

Item 1 – The Land

1.1 The whole of the estate of the Council as successor to the District Council of Penola as Crown Lessee in the whole of the land comprised in Crown Lease Register Book Volume 618 Folio 14 pursuant to Perpetual Crown Lease Number 12719.

1.2 The whole of the estate of the Council as successor to the District Council of Penola as freehold owner in the whole of the land comprised in Certificate of Title Volume 4147 Folio 809 other than the 2.461 hectares of land marked Caravan Park in the plan forming Annexure 1 to this instrument surveyor's reference 4442 LD029 ("the Excluded Land");

and which remainder is, in this instrument, referred to as "the Subject Land" and includes any freehold interest in the Subject Land held or obtained by the Council in the manner contemplated by this instrument.

Item 2 – The Trust

To hold the Subject Land for the public use of the residents of the former District Council of Penola (in its configuration as at 30 June 1997) for sporting, agricultural, educational, recreational, community or like purposed but subject to the conditions specified in or contemplated by this instrument.

Item 3 – Further Conditions

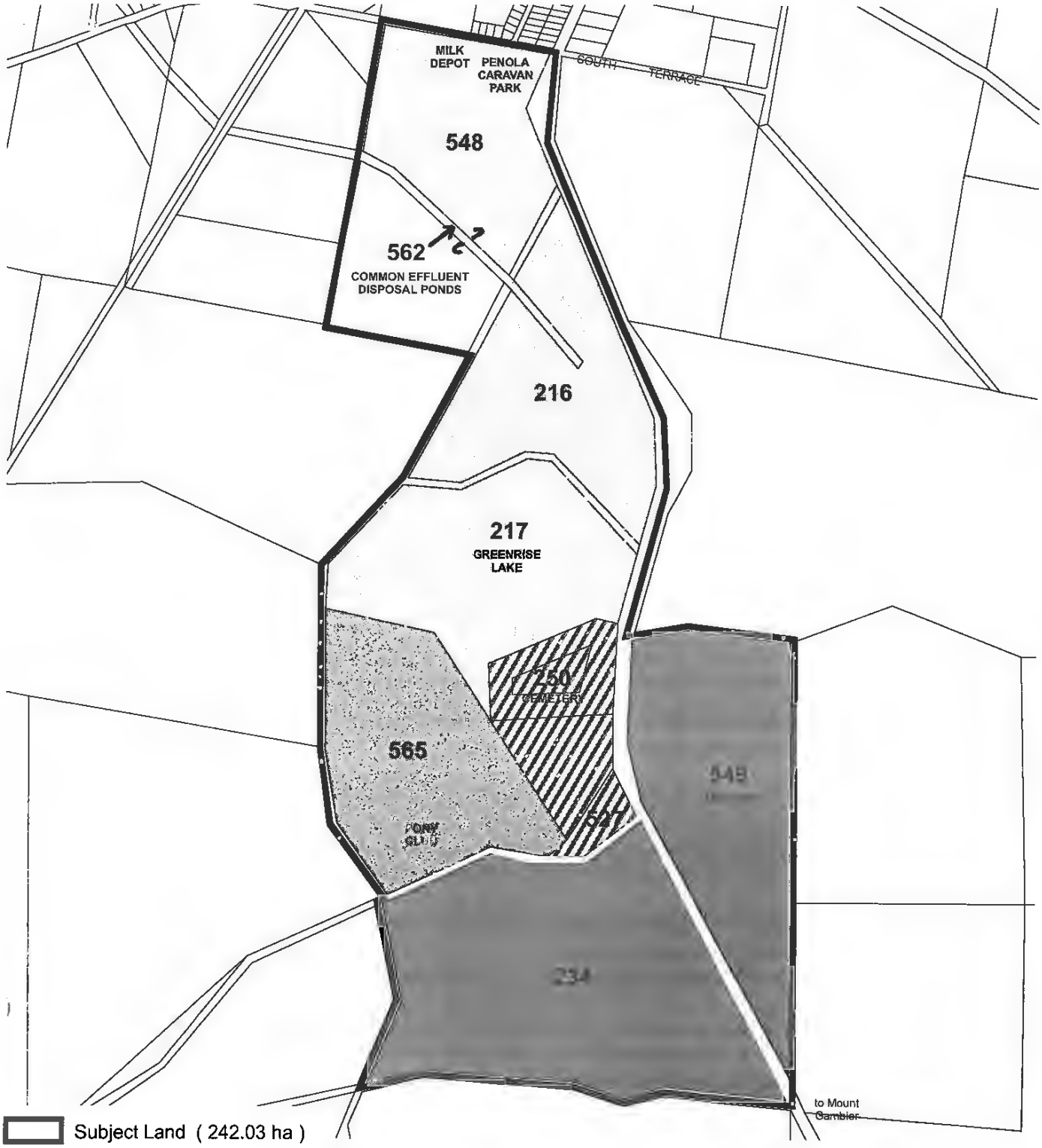
3.1 Use or access to the Subject Land by any person shall be subject to:

(i) such restrictions, regulations or prohibitions as the Council (or its successors) may apply from time to time to such use or access consistent with achieving an appropriate level, type and mix of uses of the Subject Land and, specifically, to avoid or otherwise best manage conflicting uses of the Subject Land;

(ii) the continuation of the existing licensed use on the subject land for the disposal of septic tank effluent.

(iii) such other by-laws and regulations as the Council (or its successors) may legally make for the proper management of the Subject Land.

3.2 The Council shall take such steps as may be reasonably available to it in order to obtain a freehold title to the Subject Land (whether together with or separate from the Excluded Land).



Subject Land (242.03 ha)

565 Section numbers

Lions Club of Penola Lease (85.15 ha)

Penola Club Inc Lease (32.05 ha)

Apex Club of Penola / Kalangadoo Lease (93.08 ha)

Excluded (16.65 ha)

Figure 2
EXISTING LEASES

PENOLA COMMONAGE LAND
MANAGEMENT PLAN
WATTLE RANGE COUNCIL

Scale 1:15 000
0 300 m

MasterPlan
Town & Country Planner

Master Plan SA Pty Ltd
ACN 007 755 277

33 Carrington Street Adelaide
South Australia 5000

Telephone (08) 8221 6000
Facsimile (08) 8221 6001

email: plan@masterplan.com.au
www.masterplan.com.au

April 2000 Number 7456

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13 Questions Without Notice

Questions without Notice from Elected Members may be forthcoming at this point in the Meeting.

14 Reports From Council Committees

14.1 Rendelsham Community Hall Management Committee

Report Type	Reports from Council Committees
Committee	Rendelsham Community Hall Management Committee
File Reference	GF/16.14.1/21
Attachments	1. Rendelsham Hall Committee 31 5 2022 [**14.1.1** - 3 pages]

RECOMMENDATION

That the Minutes of the Meeting dated 31 May 2022 of the Rendelsham Community Hall Management Committee be received and noted.

GF 16.14.1/21

RENDELSHAM COMMUNITY HALL MANAGEMENT COMMITTEE

Minutes of the Rendelsham Community Hall Management Committee Meeting held at Rendelsham Community Hall, Julia Moore Street, Rendelsham on Tuesday, May 31st 2022 at 7.30pm.

PRESENT: Garth Huppatz, Eddie Hann, Iain & Sandra Stewart, Cherie Foran, Lynette Brooks, Dawn Williams

Councillors: Wattle Range Council Staff: Nil

1. APOLOGIES: Randall Stiles

2. CONFIRMATION OF THE MINUTES:

2.1 Rendelsham Community Hall Management Committee Meeting held on 15/2/2022 were read and confirmed.

Lynette Brooks moved that the minutes be taken as presented and confirmed.

Seconded, by Eddie Hann CARRIED

3. MATTERS ARISING FROM THE MINUTES:

3.1 Budget items. Table provided by Lauren Oxlade, of action for issues to be addressed by June 2022 and further maintenance to Rendelsham Community Hall with costings submitted to WRC for consideration in the 2022-23 budget was discussed. The committee has not been advised what was finally included in the proposed budget for 2022-23 despite the Chairperson and Secretary waiting on an email indicating what has been completed or the progress of repairs due by the end of June 2022.

3.2 Asbestos in the foyer floor tiles. Eddie checked the Asbestos Register and confirmed that in May 2021, the status was recorded as Negative

3.3 Safety ramp – deferred to General Business

4. CORRESPONDENCE:

4.1 Correspondence In:

Wattle Range Council email – Kaitlin Creek advising of her contact details pertaining to the Management Committee

4.2 Correspondence Out:

Minutes of the meeting on 15/2/2022 were emailed to Wattle Range Council and Committee members

Dawn Williams moved that the minutes be accepted.
Seconded Cherie Foran CARRIED

5. BUSINESS ARISING FROM CORRESPONDENCE

NIL

6. GENERAL BUSINESS:

6.1. Secretary: Garth Huppatz acknowledged Dawn William's resignation from Secretary position and thanked her for her input over time. Sandra Stewart offered to take the Minutes for this meeting.

6.2 New committee member: Garth Huppatz welcomed Cherie Foran who indicated a willingness to become involved o the Management Committee and registered her nomination to WRC on 18/2/2022. To date there has been no indication that her nomination has been accepted by WRC. Cherie is prepared to take on the role of Secretary.

6.3 Rendelsham Hall Centenary Celebration: The Management Committee will advise the community of this event which falls on 17th May 2024 and encourage local people to organise a celebration.

The question was raised as to what the Management Committee can do or be responsible for as a 'Section 41 Committee'

6.5 Hall Maintenance: The committee request an indication of the current status of progress of the following issues which are tabled for completion by 30th June 2022

Rewiring above the stage
Painting the stage area / recovering of stage side panels

6.6 **Matters for urgent attention:**

Safety ramp into the Hall- As previously advised, the 'non-slip' coating painted onto the tiles is lifting and flaking causing the recurrence of a slip hazard

Tiles in Male Toilet- Tiles on the floor under the hand basin have lifted and buckled

Possible trip hazard

Hinge on Hall entrance doors – Fitting on top of the door which enables the door to be held open requires attention. Loose screws possibly

7. NEXT MEETING:

The next meeting of the Rendelsham Community Hall Management Committee will be held on Tuesday August 30th at the Rendelsham Community Hall Julia Moore Street, Rendelsham at 7.30pm

15 Reports From Council Officers

15.1 Chief Executive Officer

15.1.1 Monthly Project Status Report

Report Type	Officer Report
Department	Executive
Author	Mr. Muni Krishna SR., Project Manager, Engineering Services
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Medium
Strategic Plan Reference	**Theme 1 - Community Vibrancy & Presentation** 1.1 Enhance public space areas including parks, public places, car parking, street lighting and streetscapes to provide vibrant, attractive areas. 1.2 Through appropriate planning, develop vibrant, presentable townships throughout the Wattle Range area. 1.3 Provide sustainable, vibrant community facilities. **Theme 4 - Infrastructure & Asset Sustainability** 4.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use. 4.2 Plan and provide for a safe local road network that meets the future and current needs of our community. 4.4 Plan for and optimise Council's stock of building assets whilst meeting the future and current needs of community. 4.5 Plan and provide for the expansion and replacement of Council's stock of footpaths, walkways, and trails to meet the future and current needs of our community. **Theme 5 - Organisational Excellence** 5.2 Govern in a responsible and responsive way.
File Reference	GF/7.73.1/4
Attachments	1. 2021-22 Capital Projects List [**15.1.1.1** - 2 pages]

Purpose of Report

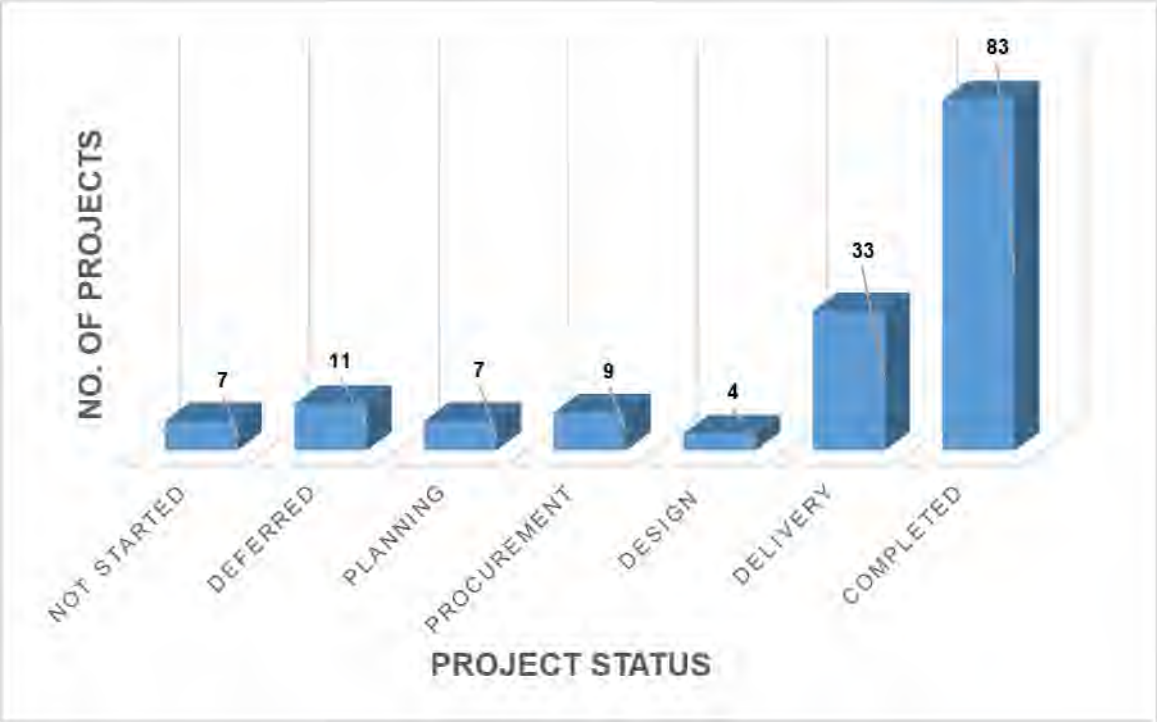
To provide an update on the progress of works and financial status of Council's capital projects.

Report Details

For the 2021/22 financial year, 154 capital projects have been listed in the Annual Business Plan with a capital works budget of $12.78M (an increase from $12.672M) as at BR1. Within this budget, $6.23M (an increase from $6.122M) has been allocated for the renewal of a wide range of existing facilities and infrastructure, $2.29M for the upgrade of existing assets and $4.26M for the acquisition of new assets.

As of 7 June 2022, the capital project completion rate was 72% (excluding deferred projects) with an expenditure rate of 58% (cash) and 72% (including accrued expenditure).

The status of all capital projects is shown in the chart below:



Capital Projects Status

Council's Administration Building – The architectural design is at concept stage. An endorsement from the Council on the architectural design and cost report will be sought in June 2022. This will allow the project team to commence the detailed design development stage of the project. The completion of prudential management and tender documentation is anticipated by the end of 2022. The procurement of a major civil contractor is planned in early 2023. These stages of the project will be subject to Council decision to proceed to detail design.

Planning approval is underway. The public consultation period for development application #21039290 commenced on 10 May 2022 and ended on 30 May 2022. The details and opportunity to submit a representation relating to this application, was made available on the 'Applications on Public Notice' register. At the close of public notice, Council received 4 valid representations and 1 late representation and has provided responses to all 5 representations on the PlanSA portal. The responses to representations will be tabled at the Council Assessment Panel (CAP) meeting on 15 June 2022.

Pictures below show Public Notice signage installed on North Terrace and Williams Road:

Coonawarra Rail Trail – The construction of the rail trail is progressing in Coonawarra and Penola townships. The contractor has attended to defect concerns raised following an inspection of rail trail in Coonawarra. The section of the rail trail between Memorial Drive and McBain Road (half of Stage 2) is now planned for sealing in June 2022.

Council engaged Cato Brand Partners Pty Ltd to develop concept designs for the rail trail signage. At its meeting in May 2022, Council shortlisted a couple of preferred concept designs and resolved to undertake public consultation on them. The public consultation is currently open and will close on 8 June 2022. The signage option with a majority of votes from the community will be selected for further design development and implemented along the new rail trail.

At the above meeting, Council discussed the 'Motion on Notice – Penola Parkland Tree Removal' and resolved to proceed with the removal of Cyprus trees in Penola Parkland north of Robe Road (Clarke Street). This activity is planned in June 2022.

Officers consulted with Brand's Laira Coonawarra regarding Biodiversity assessment and revegetation recommendations for Coonawarra Siding and issued an 'Authorisation to Alter Local Government Land'. This authorisation will result in Brand's Laira implementing and maintaining the endemic/native plants to support biodiversity and beneficial flora and fauna along the licenced railway corridor within the Coonawarra Siding precinct. This authorisation will expire on 1 June 2023 and will need to be renewed annually thereafter.

Officers are concerned a number of necessary variations are impacting on the budget. These variations are civil works that were unknown during the concept design phase and have become known and were necessary to be implemented during the construction phase of the project. For example:

- The gravel truck drivers were finding it challenging to drive their trucks in reverse direction for long distances on the railway tracks, there were instances of trucks sliding on embankments along the railway corridor. To alleviate this safety risk, a decision was made to build access ramps at strategic locations along the railway tracks. The number of access ramps and the quantity of gravel required to build access ramps were unknown at that time, but it is now found to be 522.5 tonnes and 206.25 tonnes of additional gravel in Stages 1 and 2 respectively, and a sum of $21,500 in additional costs to the project. The Contractor is yet to invoice Council for similar works undertaken in Penola (Stage 4) of the project. The benefit of retaining these access ramps without demolishing them on completion of the project is that they can be used by Council to move maintenance machineries on the rail trail when it is in operation.

- After a number of residents along the railway land on Clarke Street Penola expressed concerns regarding their privacy and security due to the construction of rail trail adjacent their property, officers developed options including building diversions from the rail tracks and planting of suitable trees and shrubs to address privacy and security concerns. The quantity of gravel required to build these diversions were unknown at that time, but it is now found to be 670 tonnes additional gravel and $20,000 additional cost to the project. Addition to this will be the cost of trees and shrubs and the labour involved in planting them along the residents' properties. Other than the residents being benefitted by these variations, there is no real benefit to the broader community in this project.

- During the regular inspection of construction on rail trail, the contractor explained the challenges involved in building a satisfactory base layer up to the level of the rail line and then sealing (as per Stage 1) due to the twisting and level variation of the rails. A decision was made to overlay 50mm layer of sandstone crushed rock on the sandstone base layer and compact it. This variation has resulted in 19,020m² additional gravel and $100,806 additional cost to the project in Stage 2 alone. A similar approach was undertaken in Penola (Stage 4) and the Contractor is yet to invoice Council for the works in this stage. While the cost of this variation in the project is expected to increase, the result will provide a safer and better final surface for the community. By covering the rail tracks, a number of safety and quality concerns the community had raised with the Council have been alleviated.

- In addressing several other latent conditions including the need for addressing several existing deformations between the railway tracks and the need for expanding the carpark at the Siding and footpath along the Memorial Drive, the Contractor had to excavate and lay a large amount of gravel in addition to what was originally specified in the contract. An additional 4,726 tonnes of gravel was used in Stages 1 and 2 of the works. Officers are working with the Contractor to determine the amount to be invoiced to the Council. Although these variations provide a better outcome for the users of the rail trail, there is a trade-off between the costs and benefits, Officers are reviewing the budget situation and are investigating some value management options (i.e., descoping infrastructure elements), which would be proposed to the Council at its next meeting.

Pictures below show the construction of new footpath along Memorial Drive, Coonawarra (from Giles Road to John Riddoch Drive):

Pictures below show the ongoing construction of rail trail in Penola:

Pictures below show Officers undertaking preseal inspection in Coonawarra (section between Memorial Drive and McBain Road):

Pictures below show the sealing material and the pavement ready for sealing in Coonawarra (section between Memorial Drive and McBain Road) in early June:

Mount Burr Service Roads (State 2) upgrade – Despite several delays to progress in April, attributed to a Telstra pit relocation, the project has seen positive progression during the month of May. The concrete kerb along Service Road 2 has been poured and preparation of the base pavement layer is underway. It is anticipated that the pavement works will be complete within the first week of June. It is anticipated that a temporary seal may be required to hold the pavement through winter as inclement weather may not allow for final seal to be complete on this road. Stormwater provisions (swale drain, pits and pipes) have been constructed with minor landscaping works to still be carried out to blend in the new road with the surroundings.

Service Road 4 has been sealed and only requires minor landscaping and revegetation works to be carried out before completion.

Final sealing works for Service Road 1 and 3 are scheduled to be complete within the first week of June, should the weather conditions allow for this to happen.

Service Road 2:
Laying and preparation of pavement base layer

Concrete kerb poured along edge of road

Service Road 4: Sealed surface of road

Heavy Vehicles Safety and Productivity Program – The development of designs for the upgrade of Border Road (from Dergholm Road to Old Telegraph Road), Border Road & Casterton-Penola Road intersection, South Terrace & Gordon Street, South Terrace & Church Street intersection, and Gordon Street & Casterton-Penola Road intersection, in Penola are underway.

The project aims to improve (i) access and productivity for freight and commodities, and (ii) safety, by providing widened roads and intersections, catering for the typical vehicles that use them, and improvements to road pavements.

In designing the roads and intersections, a number of factors are being considered in detail, such as speed limit, geometric road design standards, geotechnical survey, type of vehicles, traffic volumes and modelling, traffic controls, turn-path analysis, sight distance checks, pedestrian and cyclists' facilities, public transportation provisions, property access, land requirements, structures, lighting, road drainage and stormwater, road safety, pavement materials, environment, heritage and sustainability, construction and maintenance, utility services, risk management, quality assurance, etc.

Geotechnical investigation of the sites to assist with pavement design has been completed. Preliminary designs (30% progress) are currently being reviewed. Road safety audits, development of risk management plan together with the safety in design in compliance with road authority requirements to ensure the design is safe and efficient are underway.

Upon completion of detailed plans, review, feedback, and approval will be sought from West Wimmera Shire Council, Glenelg Council, Department of Infrastructure and Transport (SA Government), and Department of Transport (formally VicRoads).

The completion of detailed designs will result in Council issuing a construction tender together with seeking grant funding for the project at the end of this calendar year.

Millicent Saleyards Upgrades – Council had put out a tender on the SA Tenders and Contracts portal on 12 April 2022 for the works to address several risks identified at the facility. The Tender called for upgrades to truck wash bay and fixed platforms, and the design and construction of a new adjustable height loading ramp near the cattle yards. The required tasks are predominantly steel fabrication and installation but include some demolition, earthworks, electrical, plumbing, and concrete placement.

On close of Tenders on 12 May 2022, Council received fee proposals from a couple of qualified contractors. Tenders have been assessed and an evaluation report has been drafted recommending Council to award a contract to the preferred contractor. This report will be tabled as a confidential item on the Agenda in June 2022.

Various Plant Renewals – The renewal of various major and light vehicles for the current financial year is ongoing.

Various Roadworks – The renewal works on several roads, kerbs, footpaths, and pram ramps across the Council area as planned for the current budget year is underway.

Poonada road, resheeting 100% completed

Summymeade road, resheeting 100% completed

Botts road, resheeting 100% completed

Landscaping and drainage upgrades, Clarke Street, Penola – works in progress

Memorial seat (sponsored by Merrett Logging, fabricated by Penola Men's Shed, and installed by Council) unveiled near Southern Bypass / Church Street, Penola on 12 May 2022

Project Officers are continuing to deliver the 2021/22 Capital Works Program whilst developing business cases for the 2022/23 Capital Works Program. A detailed list of 2021/22 Capital Works Program is attached herewith this report. Should any explanation be required, Councillors are encouraged to contact the Director Engineering Services for clarification.

<u>Information Technology ERP Project Status</u>

Datascape

Datascape is the replacement software for the current legacy administration software SynergySoft. There are many modules being replaced with Datascape. Below is an update on each module's progress.

Finance Module

The finance team are meeting with Datacoms Finance Product Team monthly to continue enhancing the product and discussing the Council's requirements.

Financial modules are now considered in business as usual (BAU) mode and are handed over to support.

The project team will continue work on the modules to Go Live.

Rates and Property Module

The Rating Officers are utilising the current Rates and Property modules and will be scheduling regular meetings with Datacoms Rates and Property Product Team. These meetings will discuss requirements from the Council and any enhancements or changes being delivered from the Datacom's Roadmap.

The Rates and Property modules are now considered in BAU mode and are handed over to support.

The project team will continue work on the modules to Go Live.

GIS Mapping Requirements

Datacom have provided an update on integrating the mapping with State Governments SAPPA GIS.

Key staff are currently testing and reviewing the first iteration of SAPPA map layers in the UAT environments in Datascape.

Further work is on hold whilst key staff are testing, and the consultant is available in mid-June.

Cemeteries Module

Key Staff and managers are scheduled to discuss the process around cemeteries and identify where the module rollout is stalling.

Currently data migration is being tested and the Standard Operating Procedures are being written.

Further work is required for the cemeteries register look and feel and a meeting is being scheduled with the Datacom consultant.

Training is scheduled for VIC staff and Admin staff is to be scheduled.

Go Live will be confirmed with key staff on Thursday 2nd June 2022

Fire Prevention

Datacom are creating the two components of Fire Prevention in Mobile Capture and the register. Although the integration will not be seamless for 2022, the work will be occurring in the Datascape module and mobile capture.

Impounded Animals

This module is scheduled to re-engage on Thursday 2nd June.

Key staff will review what was previously developed and test in UAT. The Solution Design Document will be reviewed and worked through with the specific Datacom consultant.

Customer Service Module

Service Requests are planned to Go Live on Wednesday 10th August 2022.

The Administration Team and key VIC staff are scheduled to test the service request module in June.

A communications plan is being worked through by the Communications Officer and a select number of staff have completed enterprise training and are preparing the training plan for Service Requests. Training is scheduled to commence from July 2022.

The My Wattle Range component and two-way communication with Antenno is currently on hold.

AvePoint – Data Migration from SynergySoft

The final migration of data from Synergy to AvePoint is on hold until ready to stop using Synergy.

AvePoint Cloud Records over Datascape

The AvePoint and Datascape integration has kicked off and the records team have reviewed the retention suggestions received from Datacom. Datacom are now reviewing this further and build work is underway.

Financial Considerations

Budget Allocation ($11.34M original budget plus $1.44M Council approvals)	$12,780,000
Budget Spent to Date (sum of cash expenditures)	$7,448,753
Budget Commitments (sum of accrued expenditures)	$1,861,634
Budget Variation Requested	$0

Risk Considerations

Refer to Wattle Range Council's SharePoint Risk Register – Capital Works Progress.

Policy Considerations

There are no known policy considerations related to this report.

Legislative Considerations

There are no known legislative considerations related to this report.

Environmental / Sustainability Considerations

There are no known environmental or sustainability considerations related to this report.

Communication & Consultation Considerations

A series of media releases have and will continue to be prepared for Capital Works projects to keep the community informed about their progress.

RECOMMENDATION

That Council receive and note the report.

WATTLE RANGE COUNCIL - 2021/22 CAPITAL PROJECTS						
Asset Classification	**Project Name**	**Description**	**Project Type**	**Project Status**	**21/22 Budget**	**% Complete**
Buildings and Other Structures	Tantanoola Hall - Remove access door safety hazard	On the northern side of the Tantanoola Hall there is an external door that has a drop off to the ground of approximately 80cm to the ground with no steps or ramp. The door is not an emergency exit and there are adequate access points in other locations. It is proposed to address the safety hazards presented by this door by removing it and reinstating the wall, rather than constructing additional stairs or ramps.	New	Completed	$ 6,600	100%
Buildings and Other Structures	Jubilee Park Toilets - auto locking doors	Replacement of manual padlocks on metal gates with automated doors on timers. The project will reduce cleaning contract costs as we currently pay someone to attend twice per day 365 days per year to unlock the toilets in the morning and lock them again in the evening to prevent vandalism. There was also recently an issue with a member of the public being locked in these toilets by the cleaner, which cannot occur with the autolocking doors. The benefit to community is more consistent opening hours as the locks are set on a timer, rather than relying on a contractor to open and close.	New	Completed	$ 22,000	100%
Furniture and Fittings	Millicent Dog Park – furnishing/equipment	Furnishing, signage and equipment for the Millicent Dog Park	New	Completed	$ 22,000	100%
Sealed Roads	Millicent Cemetery	Installation of concrete beam, landscaping, fencing, seating and upgrade to internal roads.	New	Completed	$ 55,000	100%
Sealed Roads	Lake McIntyre Car Parking	Sealing of existing car park and internal roadway.	New	Completed	$ 55,000	100%
Buildings and Other Structures	Penola Town Entrance Landscaping and Lighting	Penola Town Entrance Landscaping and Lighting	New	Completed	$ 165,000	100%
Buildings and Other Structures	SOTP Water softener A Block	Upgrade water softener in A Block at SOTP.	Renewal	Completed	$ 9,900	100%
Buildings and Other Structures	Air conditioner replacement Beachport Medical Centre / Visitor Centre	Replacement of two air conditioners at the Beachport Visitor Information Centre completed as the units at the Beachport Medical Centre were found to be in good working condition.	Renewal	Completed	$ 11,000	100%
Buildings and Other Structures	4 Skeer Steet	Works to be undertaken at 4 Skeer Street	Renewal	Completed	$ 25,000	100%
Buildings and Other Structures	6 Skeer Street	Works to be undrtaken at 6 Skeer Street	Renewal	Completed	$ 25,000	100%
Buildings and Other Structures	Millicent Depot flooring	Replace vinyl in lunch room and offices at the Millicent Depot including removal of asbestos flooring	Renewal	Completed	$ 33,000	100%
Buildings and Other Structures	Southend Bush Camp Bathrooms	Partial Renewal of the Southend Bush Camp toilet and shower to get the toilets and showers to a functional standard	Renewal	Completed	$ 24,000	100%
Buildings and Other Structures	Replacement of light tower at Millicent Swimming Lake	One of the three light towers at the Millicent Swimming Lake was damaged by a grader in 2019 and now requires replacement before it falls.	Renewal	Completed	$ 6,600	100%
Buildings and Other Structures	Penola Resource Centre - Waste Oil Tank	The waste oil tank at the Penola Resource Recovery Centre was closed in August 2019 due to safety concerns. A new tank designed to meet EPA standards and manual handling would allow Penola and surrounding residents to dispose of used engine/sump oil safely again. Currently residents stockpiling used oil. Waste oil must be disposed of correctly to protect the environment & waterways from contamination. This program ensures the oil is recycled and re-used. Millicent's waste oil tank was renewed in December 2020, with a contractor collecting oil monthly at zero charge.	Renewal	Completed	$ 16,500	100%
Footpaths	Footpaths (Forward Works Infrastructure Program) - Renewal	Kentish Place (Millicent)	Renewal	Completed	$ 19,000	100%
Footpaths	Footpaths (Forward Works Infrastructure Program) - Renewal	Somerville Street (Beachport)	Renewal	Completed	$ 27,000	100%
Footpaths	Footpaths (Forward Works Infrastructure Program) - Renewal	Williams Road (Millicent)	Renewal	Completed	$ 20,000	100%
Footpaths	Footpaths (Forward Works Infrastructure Program) - Renewal	Ridge Terrace (Millicent)	Renewal	Completed	$ 77,000	100%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	Church Street (Darwent Street - Jessie Street) Penola	Renewal	Completed	$ 40,000	100%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	Mullin Street (Stark Avenue - Brooks Street) Millicent	Renewal	Completed	$ 20,000	100%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	Mount Gambier Road (Banks Street - Enderby Lane) Millicent	Renewal	Completed	$ 20,000	100%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	Portland Street (Penola)	Renewal	Completed	$ 15,000	100%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	Allenyn Street (Oberlander / Walker) Millicent	Renewal	Completed	$ 35,000	100%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	Bonshor Street (Oberlander / Walker) Millicent	Renewal	Completed	$ 35,000	100%
Plant and Equipment	Annual Computer Replacement (Staff)	Annual computer replacement based on 46 Surface Pro's & 41 Desktops over 5 years	Renewal	Completed	$ 26,400	100%
Plant and Equipment	Major Plant Renewal	P4016 -Mitsbuishi Fuso Single Cab Canter (SB9-AM) - $85,000, estimated trade in $12,000	Renewal	Completed	$ 85,000	100%
Plant and Equipment	Major Plant Renewal	P3610 - Combination Roller (TAH-794) - $140,000, estimated trade-in $4,000	Renewal	Completed	$ 140,000	100%
Plant and Equipment	Plant Renewal - Light Vehicles	P273 - Ford Everest Ambiente (S380-BRS) (Director of Engineering Services) - $65,000 estimated trade-in value $23,000	Renewal	Completed	$ 65,000	100%
Plant and Equipment	Plant Renewal - Light Vehicles	P271 - Ford Everest Ambiente (S378-BRS) (Director of Development Services) $65,000 estimated trade-in value of $23,000	Renewal	Completed	$ 65,000	100%
Plant and Equipment	Plant Renewal - Light Vehicles	P276 - 2017 Ford Mondeo Sedan (S314-BTD) - $30,000, estimated trade in value of $14,000	Renewal	Completed	$ 30,000	100%
Plant and Equipment	Plant Renewal - Light Vehicles	P266 - Ford Ranger PU XL 3.2 Turbo Diesel (S744-BOS) - $70,000 estimated trade in value of $16,000	Renewal	Completed	$ 70,000	100%
Plant and Equipment	Plant Renewal - Light Vehicles	P262 - Ford Ranger Crew Cab 4WD (S766-BOS) $43,000, estimated $20,000 trade-in	Renewal	Completed	$ 43,000	100%
Plant and Equipment	Plant Renewal - Light Vehicles	P241 - Toyota Hilux Single Cab (S814-BAK) - $43,000, estimated trade-in $9,000	Renewal	Completed	$ 43,000	100%
Plant and Equipment	Plant Renewal - Light Vehicles	P277 - Mondeo Trend - $45,000, estimated trade-in $12,000	Renewal	Completed	$ 45,000	100%
Sealed Roads	Reseal Program	Arthur Street (Penola)	Renewal	Completed	$ 9,300	100%
Sealed Roads	Reseal Program	Bowden Street	Renewal	Completed	$ 9,100	100%
Sealed Roads	Reseal Program	Burchard Road	Renewal	Completed	$ 30,900	100%
Sealed Roads	Reseal Program	Corigliano Street	Renewal	Completed	$ 10,800	100%
Sealed Roads	Reseal Program	Delaneys Road	Renewal	Completed	$ 60,100	100%
Sealed Roads	Reseal Program	Eliza Street (Kalangadoo)	Renewal	Completed	$ 12,000	100%
Sealed Roads	Reseal Program	Factory Road	Renewal	Completed	$ 34,200	100%
Sealed Roads	Reseal Program	Fifth Street (Beachport)	Renewal	Completed	$ 2,500	100%
Sealed Roads	Reseal Program	French Street (Millicent)	Renewal	Completed	$ 4,000	100%
Sealed Roads	Reseal Program	History Avenue	Renewal	Completed	$ 7,800	100%
Sealed Roads	Reseal Program	John Street (Kalangadoo)	Renewal	Completed	$ 11,800	100%
Sealed Roads	Reseal Program	Maaoupe Road	Renewal	Completed	$ 328,600	100%
Sealed Roads	Reseal Program	North East Terrace (Kalangadoo)	Renewal	Completed	$ 24,800	100%
Sealed Roads	Reseal Program	Old Kalangadoo-Penola Road	Renewal	Completed	$ 90,900	100%
Sealed Roads	Reseal Program	Poonada Road	Renewal	Completed	$ 92,500	100%
Sealed Roads	Reseal Program	Portland Street	Renewal	Completed	$ 21,300	100%
Sealed Roads	Reseal Program	Science Avenue	Renewal	Completed	$ 8,300	100%
Sealed Roads	Reseal Program	Second Street (Millicent)	Renewal	Completed	$ 1,300	100%
Sealed Roads	Reseal Program	Whitefield Road	Renewal	Completed	$ 14,600	100%
Sealed Roads	Reseal Program	Seventh Street	Renewal	Completed	$ 9,100	100%
Sealed Roads	Reseal Program	Academy Drive	Renewal	Completed	$ 3,900	100%
Unsealed Roads	Beachport BMX Track Resurfacing	Resurface of current track with appropriate material.	Renewal	Completed	$ 22,000	100%
Unsealed Roads	Unsealed Resheet Program	Andrews Street (Rendelsham) $5K	Renewal	Completed	$ 5,000	100%
Unsealed Roads	Unsealed Resheet Program	Bakers Road (Millicent) $17K	Renewal	Completed	$ 17,000	100%
Unsealed Roads	Unsealed Resheet Program	Botts Road (Tri Hi) $48K	Renewal	Completed	$ 48,000	100%
Unsealed Roads	Unsealed Resheet Program	Carthew Road (Tantanoola) $31K	Renewal	Completed	$ 31,000	100%
Unsealed Roads	Unsealed Resheet Program	Cases Road (Glencoe) $17K	Renewal	Completed	$ 17,000	100%
Unsealed Roads	Unsealed Resheet Program	Cullens/Boozy Gully (Southend) $9K	Renewal	Completed	$ 9,000	100%
Unsealed Roads	Unsealed Resheet Program	McArthurs Summer Track (Furner) $7K	Renewal	Completed	$ 7,000	100%
Unsealed Roads	Unsealed Resheet Program	Peach Tree Road (Thornlea) $27K	Renewal	Completed	$ 27,000	100%
Unsealed Roads	Unsealed Resheet Program	Picaninny Lane (Thornlea) $48K	Renewal	Completed	$ 48,000	100%
Unsealed Roads	Unsealed Resheet Program	Pinchgut Road (Millicent) $91K	Renewal	Completed	$ 91,000	100%
Unsealed Roads	Unsealed Resheet Program	Poonada Road (Tantanoola) $154K	Renewal	Completed	$ 154,000	100%
Unsealed Roads	Unsealed Resheet Program	Reedy Lagoon Road (Wattle Range) $23K	Renewal	Completed	$ 23,000	100%
Unsealed Roads	Unsealed Resheet Program	Rogers Road (Kalangadoo) $63K	Renewal	Completed	$ 63,000	100%
Unsealed Roads	Unsealed Resheet Program	Shell Grit Road (Millicent) $32K	Renewal	Completed	$ 32,000	100%
Unsealed Roads	Unsealed Resheet Program	Smiths Lane (Rendelsham) $101K	Renewal	Completed	$ 101,000	100%
Unsealed Roads	Unsealed Resheet Program	Stony Road (Tantanoola) $12K	Renewal	Completed	$ 12,000	100%
Unsealed Roads	Unsealed Resheet Program	Sunnymeade Road (Mount McIntyre) $63K	Renewal	Completed	$ 63,000	100%
Unsealed Roads	Unsealed Resheet Program	Whitty Road (Tantanoola) $34K	Renewal	Completed	$ 34,000	100%
Unsealed Roads	Unsealed Resheet Program	Winter Road (Penola) $19K	Renewal	Completed	$ 19,000	100%
Unsealed Roads	Unsealed Resheet Program	Banya Road	Renewal	Completed	$ 1	100%
Buildings and Other Structures	Millicent Depot lighting upgrades	Install high bay LED lights in hot work shed and wash bay.	Upgrade	Completed	$ 11,000	100%
Footpaths	Footpaths (Forward Works Infrastructure Program)	Thomas Drive (Mount Burr)	Upgrade	Completed	$ 49,000	100%
Footpaths	Footpaths (Forward Works Infrastructure Program)	Millicent Road (Beachport)	Upgrade	Completed	$ 20,000	100%
Footpaths	Footpaths (Forward Works Infrastructure Program)	Eliza Street (Southend)	Upgrade	Completed	$ 41,000	100%
Footpaths	Footpaths (Forward Works Infrastructure Program)	Eyre Street (Southend)	Upgrade	Completed	$ 11,000	100%
Footpaths	Mt. Burr Public Toilet Access Upgrade	Council received the request from one of our elected member (Deb Angew) on the plight of a disabled visitor who struggled to use the disabled toilet facilities due to rough grassy surface at entrance. Engineers from Council inspected the site and proposed to put a sealed access path over the existing grass patch between the road and disabled toilet which will address all the accessibility issues.	Upgrade	Completed	$ 4,950	100%
Plant and Equipment	Plant Renewal - Light Vehicles	P255 - Ford Ranger PX XL Cab Chassis (S431-BIG) - $43,000, estimated trade in value $12,000	Renewal	Completed	$ 43,000	100%
Stormwater	Anne Street Drainage Reserve - Kalangadoo	Installation of outfall drainage from retention basin to Adelaide St drainage reserve (or acquire additional land to increase retention basin as alternative).	New	Deferred	$ 83,600	50%
Buildings and Other Structures	Beachport Depot Shed Replacement	Replace machinery shed, as it is severely rusted and no longer structurally sound.	Renewal	Deferred	$ 275,000	20%
Buildings and Other Structures	Rymill Hall Storage Shed	Demolition of existing building and replacement of new storage shed for Rymill Hall.	New	Deferred	$ 30,000	10%
Buildings and Other Structures	Arthur Street men's toilets	Replace floor tiles and stalls in men's at Arthurs Street toilets.	Renewal	Deferred	$ 22,000	10%
Footpaths	Wendy's Walk Path	Replacement of existing stair access for Wendys Walk between Scenic Drive to Foster Street	Renewal	Deferred	$ 40,000	10%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	Foster Street (Intersection of French Street) Beachport	Renewal	Deferred	$ 30,000	5%
Buildings and Other Structures	Geltwood Anchor Shelter Repairs	Repairs to the shelter housing the Geltwood Memorial anchor in Southend. Current structure is showing extensive wear and tear on supporting posts and roof. Potential public safety issue.	Renewal	Deferred	$ 26,000	0%
Furniture and Fittings	Cleaners storeroom cabinet fit out	Original shelving is rotting , mouldy and unsightly Storage is insufficient	Renewal	Deferred	$ 20,000	0%
Furniture and Fittings	Koala room kitchenette cabinetry	The existing cupboards are now 44 years old Timber starting to splinter, shelving is no longer efficient or adequate The sink and plumbing continues to leak and plumbers regularly called for repairs and maintenance Drawers are difficult to access and placement of the required fridge is not safe and inappropriately placed within the recess	Renewal	Deferred	$ 10,833	0%
Stormwater	Centennial Park Beachport - Stormwater pump	Replacement of stormwater pump in Centennial Park (Lagoon) Beachport including dredging of lagoons to allow access.	Renewal	Deferred	$ 165,000	0%
Unsealed Roads	Unsealed Resheet Program	Crusher Road (Mount McIntyre) $139K	Renewal	Deferred	$ 139,000	0%

Plant and Equipment	Network Switch Upgrade in IT Room and Council Office	Network switches in IT Room and Council Office haven't been upgraded for many years. An upgrade of network switches is required to increase network speeds and improve efficiency. My recommendation would be to use UniFi network switches that would also allow network traffic monitoring using existing software used to monitor our wifi network.	New	Delivery	$ 8,250	95%
Plant and Equipment	Major Plant Renewal	P4027 - Isuzu F series truck (SB9-4AM) - $220,000, estimated trade-in value $20,000	Renewal	Delivery	$ 220,000	90%
Plant and Equipment	Major Plant Renewal	P4002 - Wacker Twin Drum Roller (AVP-916) - $45,000, estimated $5,000 trade-in	Renewal	Delivery	$ 45,000	90%
Plant and Equipment	Major Plant Renewal	P4022 - New Holland skid steer loader (NVP_793), estimated trade-in $8,000	Renewal	Delivery	$ 120,000	90%
Plant and Equipment	Major Plant Renewal	P4056 - Noremat Reach Mower - $70,000, estimaed trade in value $10,000	Renewal	Delivery	$ 70,000	90%
Plant and Equipment	Major Plant Renewal	P541 Low Loader (YCM-087) - $230,000, estimated trade-in $25,000	Renewal	Delivery	$ 230,000	90%
Plant and Equipment	Plant Renewal - Light Vehicles	P151 - Ford Courier (XJO-417) - $33,000, estimated trade-in $5,000	Renewal	Delivery	$ 33,000	90%
Plant and Equipment	Disability Access Kit	Disability access kit for community events.	New	Delivery	$ 15,000	80%
Plant and Equipment	SOTP - B Block Dryer Replacement	Replacement of existing equipment which is no longer fit for purpose. Refer to attached quote for PrimusDX20-20 Stack Gas Dryer with 20kg capacity. Dryer will be used for the cabin's linen and general park use.	Renewal	Delivery	$ 19,625	80%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	Belt Road (Varcoe Street - Grey Terrace) Millicent	Renewal	Delivery	$ 20,000	70%
Footpaths	Coonawarra Rail Trail	Works to be undertaken on the Coonawarra Rail Trail	New	Delivery	$ 2,064,648	60%
CWMS	Southend CWMS Pump Shed Replacement	Replacement of rusty shed covering 2 pump stations and wastewater treatment plant at Southend. Sheds have reached end of life and are protecting pumps and control boards in a harsh coastal environment.	Renewal	Delivery	$ 65,000	60%
Furniture and Fittings	GSELC Pantry Cabinet Fit Out	The pantry shelving is chipped and no longer functional. Storage is inadequate and more storage is required. The pantry shelving is chipped and no longer functional. Storage is inadequate and more storage is required.	Renewal	Delivery	$ 9,310	60%
Sealed Roads	Mount Burr Service Roads	Stage 2 of project to upgrade Mount Burr Service Roads - Focus on Roads 2 and 4, following on from completion of Roads 1 and 3 in 2020/21. The project will improve road and pedestrian safety, as well as improve the condition of the main Council owned access roads in Mount Burr.	Upgrade	Delivery	$ 330,000	60%
Unsealed Roads	Township Street Sealing Program	Upgrade of unsealed roads in towns streets from unsealed to sealed standard	Upgrade	Delivery	$ 19,234	60%
Plant and Equipment	Disability access adaptive technology and equipment Library services	To purchase the following items to ensure the library at Millicent and Beachport are accessible and used by people with a wide range of disabilities. Specialised seating and desk cutouts for wheelchair and other disabled people. One large PC screen, mouse and adaptive key board (may be voice activated) Highly suitable for young members of the Bedford group who regularly visit the library. Specialised Hearing audio equipment (one set). Loanable devices for people with disability - ie dyslexia reading programs equipment.	New	Delivery	$ 10,000	50%
Buildings and Other Structures	Beachport Cinema air conditioner	Repair / replace aging airconditioner at Beachport Cinema.	Renewal	Delivery	$ 11,000	50%
Unsealed Roads	Unsealed Resheet Program	Batemans Lane (Wattle Range) $177K	Renewal	Delivery	$ 177,000	50%
Unsealed Roads	Unsealed Resheet Program	(Agars Road (Glencoe) $15K	Renewal	Delivery	$ 15,000	40%
CWMS	Mt Burr RV Dump Point	Installation of RV Dump Point at Mt Burr	New	Delivery	$ 15,000	20%
Buildings and Other Structures	Penola Stadium Roofing Upgrade	Renewal and upgrade of Penola Stadium including 4 capital and operating projects - Replacement of roof and gutters on main section of stadium ($100k); Upgrade of safety features at Penola Stadium including repairs to fire doors, emergency lighting wall covers, etc. ($70k); Painting of male and female toilets and changerooms at Penola Stadium ($5k); Painting of stone walls and doors on the front of the Penola Stadium extending approx 5m around the sides of the building ($10k). The proposed works will bring the building back up to a standard where it is fit for purpose and these works are required before any investment is made in the floor surface. The Stadium is well utilised by the Penola High School, as well as a number of regular community sporting groups and special events.	Renewal	Delivery	$ 240,500	20%
Operating	Saleyards Timber Railing	Replace timber railing (There is a current program underway to replace these however this needs to be accelerated dependent on sale quantities)	Renewal	Delivery	$ 50,000	20%
Buildings and Other Structures	Swimming Lake Changerooms roof & ceiling upgrade	Removal of asbestos, replacement of roof, ceilings, lighting and painting at the Millicent Swimming Lake. The upgrade of partitions and toilets was successful in 2020, however additional works are required to waterproof the building and address the leaking roof, impacts on roof trusses and damage to the asbestos ceilings. Asbestos is in poor condition in places and should be removed. This is a high profile facility with high usage through the summer months and a major tourist attraction to Millicent.	Renewal	Delivery	$ 55,000	20%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	South Terrace (Beach Road - Foster Street) Beachport	Renewal	Delivery	$ 30,000	20%
Kerbs and Gutters	Kerb (Forward Works Infrastructure Program)	Foster Street (Intersection of South Terrace) Beachport	Renewal	Delivery	$ 30,000	20%
Kerbs and Gutters	South Terrace Beachport	Kerb Renewal and Drainage Improvement of South Terrace Beachport. The project will involve realignment of section of South Terrace, replacement of existing kerb, installation of new kerb and installation of underground storm water pipe.	Renewal	Delivery	$ 15,000	20%
Buildings and Other Structures	Millicent Saleyards Lighting Upgrade	Stage 2 of the lighting upgrade for Millicent Saleyards including lighting of the concrete areas and removal of defective lights and wiring. If stage 1 not funded in 20/21, then additional $15k needed.	Upgrade	Delivery	$ 88,000	20%
Buildings and Other Structures	SOTP Solar bollard lights	SOTP Solar bollard lights.	New	Delivery	$ 34,000	15%
Unsealed Roads	Wattle Road	Upgrade of section of Wattle Road from access track to unsealed road. 120m of Wattle Road to Hakea Drive is a sand track and Council have received a number of request from property owners to upgrade to gravel road standard	New	Delivery	$ 26,000	15%
Buildings and Other Structures	Kalangadoo Hall Supper Room Roof	Replacement of roof, trusses, gutters and installation of eaves in Supper Room at Kalangadoo Hall. The current flat roof causes water to enter the building under the existing roof line. The project would include adding slope to the roof with new trusses, gutters and installing eaves. The hall currently has limited use, but the water damage is impacting on the walls and floors. If Council is not going to dispose of the building in the near future, then considerable investment will be required in upgrades and renewals to ensure the building is fit for purpose.	Renewal	Delivery	$ 33,000	15%
Buildings and Other Structures	Kalangadoo Hall Toilet Exterior	Repair fascias and painting external timbers to prevent weather damage at the Kalangadoo Hall toilets.	Renewal	Delivery	$ 27,500	15%
Furniture and Fittings	SOTP Fence Replacement	Due to rust, approx. 40 panels along Somerville Street need replacing.	Renewal	Delivery	$ 6,000	10%
Buildings and Other Structures	Centennial Park Basketball and Hit up Wall	Installation of two additional concrete areas for ball sports one to include a low basketball ring (for younger kids) and the second area as a hit up wall - to be completed by Beachport Lions.	New	Delivery	$ 11,000	5%
Buildings and Other Structures	New Administration Building	Detailed Design, Development Approval, and Tendering for the New Administration Building in FY 2021/22.	New	Design	$ 450,000	40%
Sealed Roads	Border Road Penola Construction	Border Road from Dergholm Road (1.8km section)	Upgrade	Design	$ 90,000	30%
Sealed Roads	Intersection Upgrade HVSPP Border and Casterton Road	Detailed designs for the intersections (Council funded).	Upgrade	Design	$ 60,000	30%
Plant and Equipment	Cloud Phone System	COVID has shown a need for technology to support users to work from anywhere. A cloud based phone system leveraging our existing licensing and setup for Microsoft Teams will allow us to manage our phone system from the cloud and allow users to take their extension with them wherever they need to work. There is an initial outlay for provisioning and purchase of handsets as required but ongoing costs are much cheaper than our current phone system and plan. Plans are also far more flexible allowing pricing per user or concurrent calls.	New	Design	$ 33,000	20%
Plant and Equipment	Remote Access	Purchase of devices to allow for remote connectivity	New	Not Started	$ 20,000	0%
Furniture and Fittings	SOTP Outdoor Picnic Table	Replace 6 old wooden picnic tables and seating at the BBQ areas. Install 4 old wooden picnic tables & seating	Renewal	Not Started	$ 8,250	0%
Unsealed Roads	Unsealed Resheet Program	Davenport Lane (Millicent) $3K	Renewal	Not Started	$ 3,000	0%
Unsealed Roads	Unsealed Resheet Program	Dow Road (Glencoe) $43K	Renewal	Not Started	$ 43,000	0%
Unsealed Roads	Unsealed Resheet Program	Eighth Street (Millicent) $3k	Renewal	Not Started	$ 3,000	0%
Unsealed Roads	Unsealed Resheet Program	Roden Lane (Penola) $4K	Renewal	Not Started	$ 4,000	0%
Unsealed Roads	Unsealed Resheet Program	Considine Road (Tantanoola) $24K	Renewal	Not Started	$ 24,000	0%
Buildings and Other Structures	Millicent Depot Upgrade	New Mechanical Workshop	New	Planning	$ 1,100,000	15%
Buildings and Other Structures	Beachport Medical Centre - roof and awning	Replace existing roof line to prevent water ingress and install awning to prevent flooding in automatic doorway at the Beachport Medical Centre.	Renewal	Planning	$ 14,300	15%
Buildings and Other Structures	Mount Burr Signage & Entrance Signs	Mount Burr Signage & Entrance Signs	New	Planning	$ 30,000	10%
Footpaths	Beach Road Crossing at Roundabout in Beachport	Installation of a safe crossing point at intersection of Beach Road and Railway Terrace near roundabout in Beachport.	New	Planning	$ 33,000	10%
Buildings and Other Structures	SOTP New BBQs	New BBQs for A block, and 2x cabin areas.	New	Planning	$ 27,500	5%
Buildings and Other Structures	Glen Street Toilets - Exterior	Repair of external brickwork, fascias and painting of external timbers at Glen Street Toilets. The internal refit in 2020 was a huge success, however there are external elements that require repair and updating to protect the longevity of the building and ensure structural stability for the long term.	Renewal	Planning	$ 11,000	5%
Buildings and Other Structures	Millicent Lions Park - Master Plan and Stage 1 Upgrade	As per the request of Unity Housing on behalf of the residents surrounding the Lions Park, develop a long term plan for the park with cost estimated stages to allow for funding applications. This case is for the planning and a 'Stage 1' of the development.	Upgrade	Planning	$ 20,000	5%
Plant and Equipment	Annual Computer Replacement (Public)	Annual computer replacement for public computers based on 20 All In One Desktops over 5 years	Renewal	Procurement	$ 5,280	80%
Buildings and Other Structures	Millicent Depot Access Gates	Provision of Automatic Gates into depot.	New	Procurement	$ 55,000	20%
Plant and Equipment	Cemetery Lifting Device	New lowering device to minimize any future back injuries.	New	Procurement	$ 33,000	20%
Sealed Roads	Dergholm Road Intersection Upgrade	Upgrade of Gordon Street and Dergholm Road intersection to address freight movement at intersection. This project will be council application for SLRP	Upgrade	Procurement	$ 150,000	20%
Buildings and Other Structures	Beachport Anchorage - Detailed Design of Railway Terrace (Beachport) Carpark & (	Scope of works for detailed design is currently being prepared	New	Procurement	$ 20,000	15%
Buildings and Other Structures	Ritchie Street Playground Upgrade	Students at Nangwarry Primary are seeking additional playground equipment - awaiting further information.	New	Procurement	$ 10,000	10%
Buildings and Other Structures	Penola Depot Rear Fence Replacement	Replacement of rear boundary fence at Penola Depot.	Renewal	Procurement	$ 22,000	10%
Buildings and Other Structures	Beachport Boat Ramp	Repair concrete ramp closest to car park, replace two pontoons (old) and installation of handrail. Quotes requested, waiting on pricing. Works have been requested by users of the boat ramp as there have been a number of slips and the existing pontoons are reaching end of life.	Renewal	Procurement	$ 130,000	10%
Buildings and Other Structures	Domain Rotunda Repair	Roof, fretwork and ceiling repairs and painting of rotunda including landscaping around the structure.	Renewal	Procurement	$ 33,000	5%

15.1.2 Council Service Centre

Report Type	Officer Report
Department	Executive
Author	Mr Ben Gower, Chief Executive Officer
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Medium
Strategic Plan Reference	**Theme 1 - Community Vibrancy and Presentation** 1.3 Provide sustainable, vibrant community facilities. **Theme 2 - Economic Prosperity** 2.1 Support and advocate for improved infrastructure that enhances and creates economic and business opportunities. **Theme 3 - Environmentally Sustainable** 3.1 Protect Council's natural assets through proactive planning in climate adaptation and structured infrastructure replacement and enhancements. **Theme 4 - Infrastructure and Asset Sustainability** 4.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use. **Theme 5 - Organisational Excellence** 5.4 Optimise Council operation of businesses and assets, to ensure value for money is returned to the community.
File Reference	GF/16.65.1/20
Attachments	1. A 19854- D D 1- D D 6 rev F [**15.1.2.1** - 6 pages]

Purpose of Report

To confirm Council's intention to proceed to the detailed documentation phase of the Council Service Centre project.

Background

Individual Councils have a reasonable amount of discretion when it comes to the services they provide to their communities, however there are a wide range of legislated services that must be provided. The delivery of these services requires the employment of people, and in many instances, those people require an office to deliver these services from.

Council has 66 administrative staff that directly and indirectly provide these services to our community from within an office-based environment. These services are currently being provided from across three different sites, being the principal office on George Street, the former Elec-Air building on Ridge Terrace and the Engineering office on Davenport Street in Millicent.

The principal office on George Street was originally built as a schoolhouse in the 1930s but was subsequently abandoned in the 1970s when the new Millicent High School was built. The building was then occupied by the former Millicent Council which amalgamated with the Beachport and Penola Councils in 1997 to become Wattle Range Council. South Australian

Building Rules specify that the current principal office can accommodate a maximum of 25 staff; it has significant structural and maintenance issues; it has limited expansion options; and is no longer fit for purpose.

Council's Strategic Plan 2018 – 2021 identified the need to review and implement future expansion requirements for the Council's principal office. Preliminary investigations through Peter Moeck Architects confirmed that renovating the existing building would be both an impractical and expensive option.

Council undertook consultation in August 2020 on 4 selected sites for the development redevelopment of the Council office.

These sites were:

- A redevelopment of the current site (George St and Ridge Tce)
- Apex Park (George St and Adelaide Road)
- Jubilee Park (North Tce)
- The former Millicent Netball Precinct (North Tce)
- A fifth option was provided in the survey to nominate other alternative sites.

After extensive community consultation and deliberation over two Council meetings in September and October 2020 Council selected the preferred location for a new Council Service Centre at the former Netball Court site on North Terrace in Millicent.

Chapman Herbert Architects were then selected to draft initial concept plans which were presented to Council on the 27th of July 2021. Elected member and staff feedback resulted in several improvements to the design which was endorsed via a formal resolution of Council on the 10th of August 2021.

The Council resolution also directed the CEO to lodge a Development Application to ensure that the concept plans conform with the requirements of the *Planning Development and Infrastructure Act 2016*. A development application was submitted in December 2021 and that application is currently being assessed by accredited Adelaide based planning company Planning Chambers. Mandatory community consultation in relation to that development application concluded in late May 2022. Five submissions were received; however, all feedback was of a general nature that did not relate to the planning process.

The Council endorsed concept plans were also forwarded to Chris Sale Consulting to conduct a cost estimate for the project. Its initial estimate to build the Service Centre was $7.2 million with a total project cost of $11.4 million after factoring in contingency, furniture and fittings, and statutory charges. Given Council had established a target of $5.5 million to build the new Service Centre, Council officers met with Chapman Herbert Architects in early 2022 to identify opportunities to reduce the scope of the design to more closely align with that quantum.

The overall footprint of the building was subsequently reduced, and some significant architectural design elements were removed. The revised concept plans were then resubmitted to Chris Sale Consulting to re-estimate the cost to build.

Building Design

Chapman Herbert Architects were asked to design a quality public building that was both functional and environmentally sustainable; one that could be built with local materials and by local people; and one that was flexible and able to serve the changing needs of the community for generations to come. They were also asked to achieve all of this at minimal cost.

The current concept plans have been designed to commercial standards, using local limestone and timber as key structural and aesthetic elements. The building has been sited to maximise the use of natural light and ventilation and it has extensive rainwater harvesting and recycling facilities. The internal layout is predominantly open plan to enhance staff collaboration and teamwork, with an appropriate amount of both public and private meeting spaces for staff and public use.

Modular workstations are reconfigurable and portable, enabling up to 25% occupancy growth in the future without having to increase the building's footprint. The initial footprint was reduced by approximately 10% as part of the scope reduction exercise, where the building was both narrowed and shortened to reduce build costs.

The original saw tooth wall on the northern side of the building was flattened out to reduce build complexity and improve occupancy efficiency. The proposed light shelf was removed and the amount of glazing on the northern side of the building was also rationalised to reduce cost. A number of external features like covered walkways and an outdoor dining area were also removed.

Quantity Surveyor Cost Estimates

Chris Sale Consulting are an Adelaide based quantity surveying company that estimate the cost of commercial building projects based on architectural designs. They were initially engaged in 2020 by Chapman Herbert Architects during the site selection phase of this project to compare the cost of building on a range of different sites that were being considered.

Its early estimates ranged from $5.9 million for the Jubilee Park site; $6.8 million for both Apex Park and the former Netball Court site on North Terrace; and $8.6 million for the initially preferred Community Club site which had a 1,511 sqm footprint. These rough estimates were based solely on a square metre build rate plus additional infrastructure costs that varied with each site.

The initial version of the Council endorsed concept plans was for a 1,708 sqm building, which Chris Sale Consulting estimated would cost $7.2 million to build with a total project cost of $11.4 million after factoring in contingency, furniture and fittings, and statutory charges.

This initial version was subsequently reduced to 1,567 sqm during the rescoping exercise, and a number of key architectural elements were also removed. The revised estimate came in at $5.8 million to build with a total project estimate of $9.2 million as outlined in the following table.

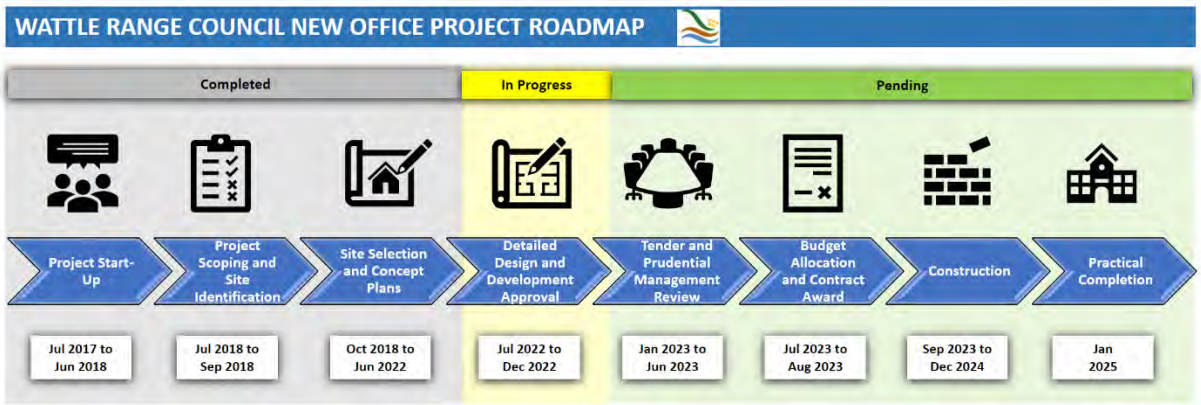
Council Service Centre Building Estimate	$4.2 million
Demolition, Site Infrastructure, External Works, and SAPN Augmentation	$1.6 million
Total Building Works Estimate	**$5.8 million**
Contingency, Builder's Preliminaries and Margin, and Escalation	$2.6 million
Loose Furniture, Fitting and Equipment	$0.4 million
Professional Fees and Statutory Charges	$0.4 million
Total Project Estimate	**$9.2 million**

It should be noted that these figures are estimates, and the actual cost to build the Council Service Centre will not be known until Council determines to run a competitive tender process.

There is a considerable amount of locality loading and contingency built into these estimates, and in some instances – contingency has been applied to contingency. The estimate also includes projected price escalations for a forecast build in November 2023, and the estimate will continue to escalate if the project moves beyond that date.

Project Timeline

If Council elects to proceed to the next stage, it is expected to take four months for Chapman Herbert Architects to conclude the detailed documentation phase of this project. This documentation provides prospective tenderers with the level of detail that they need to quote for this work should Council elect to proceed to the procurement phase of the project.



Given that Local Government elections will be held later this year, any decision to tender for and award a contract to build the Council Service Centre will need to be made by the new Council in 2023.

Financial Considerations

A budget has already been approved for the detailed documentation phase of this project and the required contractors have all been appointed.

Risk Considerations

Risk considerations related to this project will be dealt with in accordance with the Council's current Policies and Procedures.

Policy Considerations

An independent Prudential Management Plan will be produced in conjunction with the detailed documentation to confirm the project's financially viability over the asset's projected life.

Legislative Considerations

There are no known legislative considerations related to this report.

Environmental / Sustainability Considerations

A range of environmentally sustainable elements have been incorporated into the building's design.

Communication and Consultation Considerations

Communication and consultation considerations related to this project will be dealt with in accordance with Council's current Policies and Procedures.

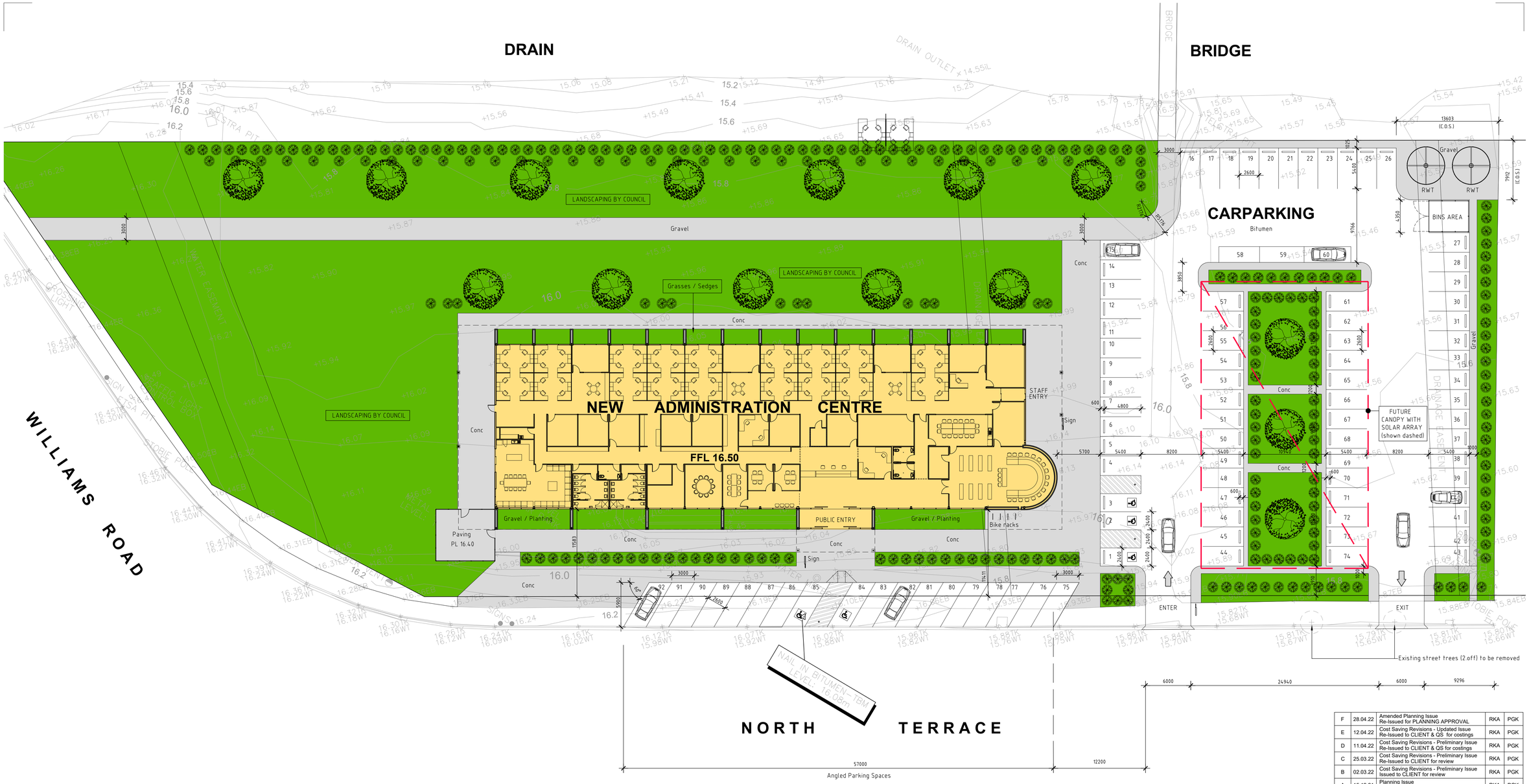
Council will hold a community information session in Millicent and make details available on its website.

RECOMMENDATION

That Council:

1. Receive and note the report.

2. Authorise Chapman Herbert Architects to proceed to the detailed documentation phase of the Council Service Centre project.



REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD
F	28.04.22	Amended Planning Issue Re-Issued for PLANNING APPROVAL	RKA	PGK
E	12.04.22	Cost Saving Revisions - Updated Issue Re-Issued to CLIENT & QS for costings	RKA	PGK
D	11.04.22	Cost Saving Revisions - Preliminary Issue Re-Issued to CLIENT & QS for costings	RKA	PGK
C	25.03.22	Cost Saving Revisions - Preliminary Issue Re-Issued to CLIENT for review	RKA	PGK
B	02.03.22	Cost Saving Revisions - Preliminary Issue Issued to CLIENT for review	RKA	PGK
A	15.12.21	Planning Issue Re-Issued for PLANNING APPROVAL	RKA	PGK

Wattle Range Council
Administration Centre Development

Lot 5, North Terrace
Millicent, South Australia

Site Plan 1:250

Chapman Herbert architects
Member Australian Institute of Architects
Chapman Herbert Architects (Adelaide)
6/26 The Parade West
Kent Town SA 5067
Phone (08) 8363 4900
Email cha@ad.chapmanherbert.com.au
Web www.chapmanherbert.com.au

TO BE READ WITH SPECIFICATION NUMBER:	A19845	SHEET SIZE A1
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Site Plan Scale 1:250

0 5 10 25 50m

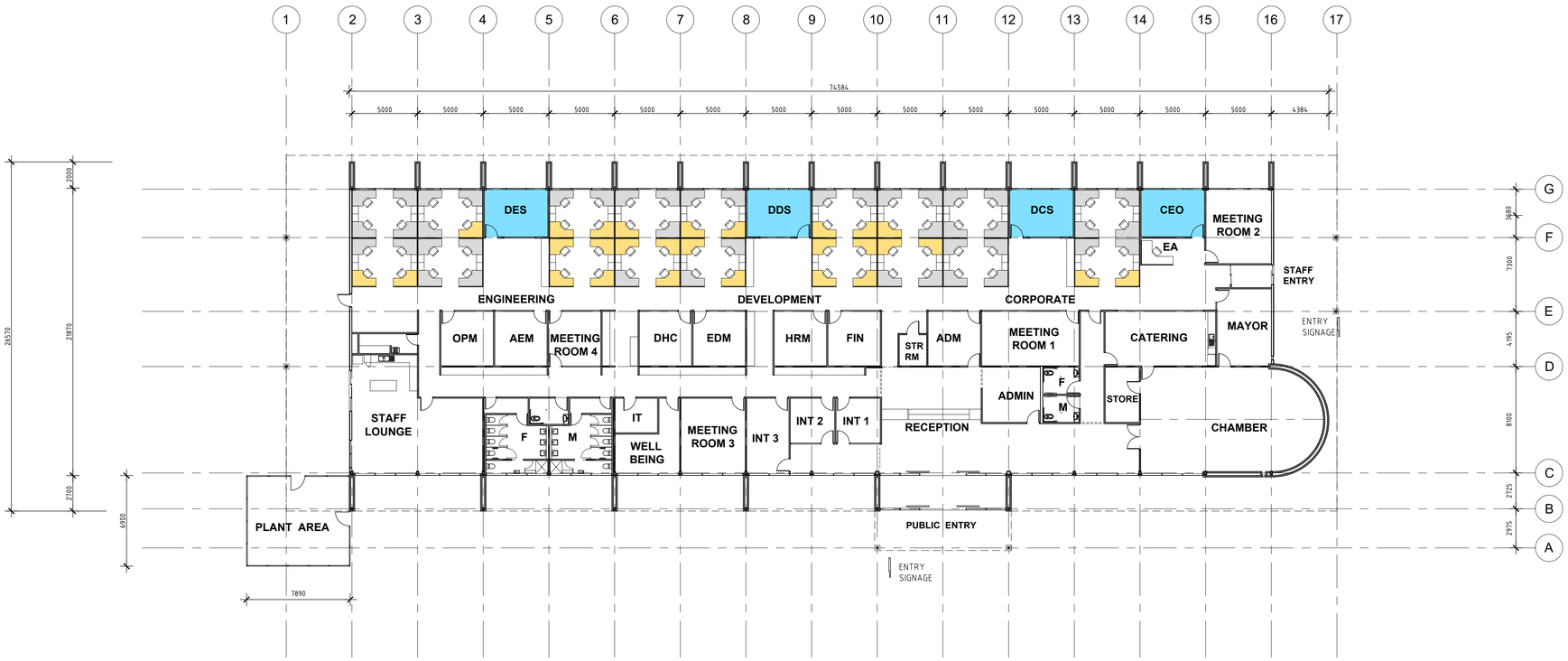
LEGEND

EXISTING STAFF DESK ALLOCATION

FUTURE EXPANSION DESKS

AREAS

ADMIN BUILDING	- 1567 sq.m
PUBLIC ENTRY PORCH	- 36 sq.m
PLANT AREA	- 52 sq.m
TOTAL	- 1655 sq.m



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Wattle Range Council

Administration Centre Development

Lot 5, North Terrace
Millicent, South Australia

Overall Floor Plan

1:200

Member Australian Institute of Architects

Chapman Herbert | architects

Chapman Herbert Architects (Adelaide)
6/26 The Parade West
Kent Town SA 5067
Phone (08) 8363 4900
Email cha@ad.chapmanherbert.com.au
Web www.chapmanherbert.com.au

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Floor Plan Scale 1:200

0 2m 4m 10m 20m

LEGEND

- EXISTING STAFF DESK ALLOCATION
- FUTURE EXPANSION DESKS

Floor Plan - Part 1 Scale 1:100

0 1m 2m 5m 10m

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Wattle Range Council
Administration Centre Development

Lot 5, North Terrace
Millicent, South Australia

Floor Plan Part 2

1:100

Chapman Herbert architects
Member Australian Institute of Architects
Chapman Herbert Architects (Adelaide)
6/26 The Parade West
Kent Town SA 5067
Phone (08) 8363 4900
Email cha@ad.chapmanherbert.com.au
Web www.chapmanherbert.com.au

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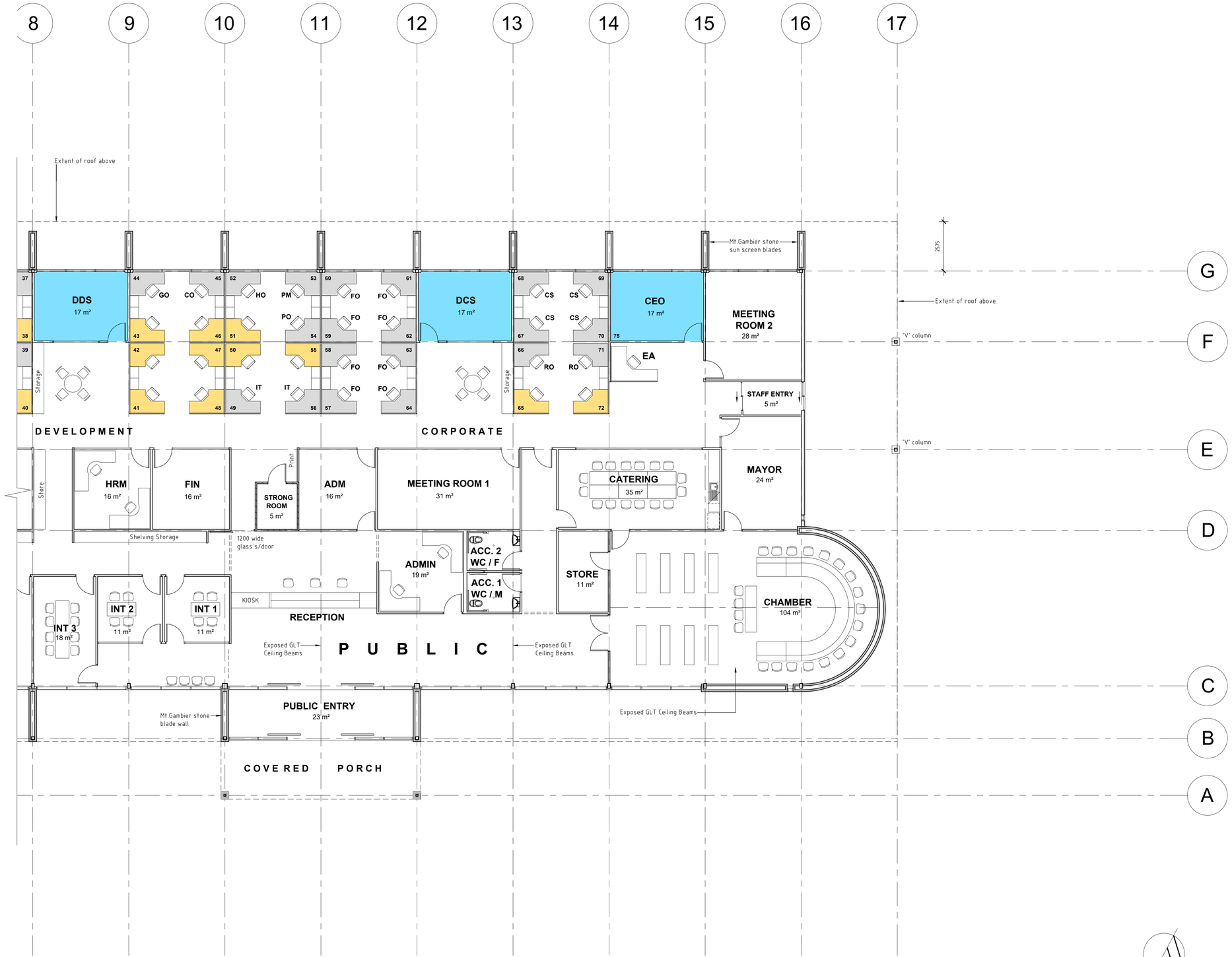

LEGEND

- EXISTING STAFF DESK ALLOCATION
- FUTURE EXPANSION DESKS

Floor Plan - Part 2 Scale 1:100

0 1m 2m 5m 10m

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Wattle Range Council
Administration Centre Development

Lot 5, North Terrace
Millicent, South Australia

Floor Plan Part 2
1:100

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Chapman Herbert Architects (Adelaide)
6/26 The Parade West
Kent Town SA 5067
Phone (08) 8363 4900
Email cha@ad.chapmanherbert.com.au
Web www.chapmanherbert.com.au

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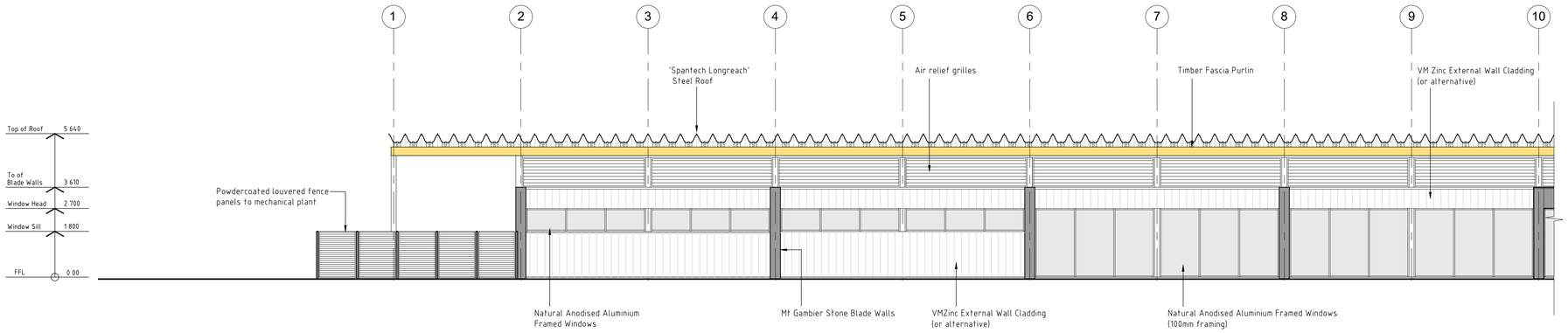
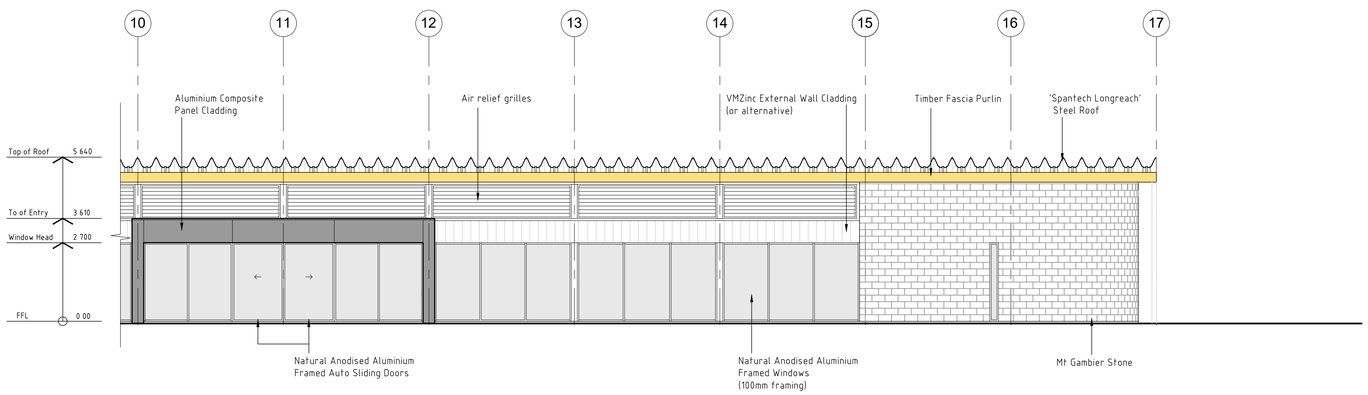
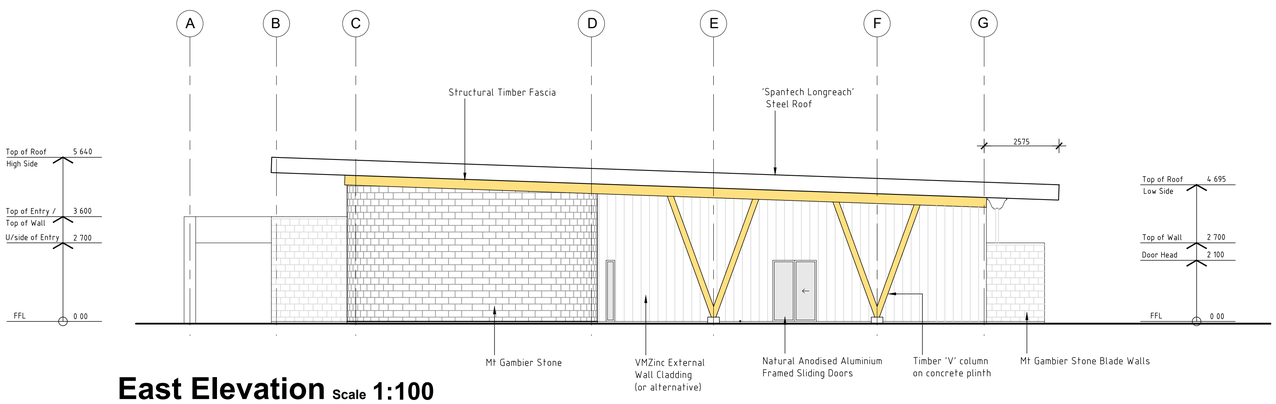


South Elevation Scale 1:100
Part 1



South Elevation Scale 1:100
Part 2



East Elevation Scale 1:100

0 2m 4m 6m 8m 10m

Materials & Finishes Schedule

ITEM:	MATERIAL:	FINISH:	COLOUR:
ROOF:	Steel "Spantech Longreach"	Zincalume	-
GUTTERS:	Steel "Spantech Longreach"	Zincalume	-
DOWNPIPES:	PVC	Painted	Mid grey
EXTERNAL WALLS:	Mt Gambier Stone	Sealed	Clear
EXTERNAL WALLS:	Cladding "VMZinc" (or alternative)	Colorbond	"Anthra-Zinc"
POSTS:	Steel	Painted	Charcoal
STRUCTURAL FRAMING:	Timber "CLT/GLT"	Painted	Clear
DOOR & WINDOW FRAMES:	Aluminium	Natural Anodised	Natural Anodised Aluminium

REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD
F	28.04.22	Amended Planning Issue Re-Issued for PLANNING APPROVAL	RKA	PGK
E	12.04.22	Cost Saving Revisions - Updated Issue Re-Issued to CLIENT & QS for costings	RKA	PGK
D	11.04.22	Cost Saving Revisions - Preliminary Issue Issued to CLIENT & QS for costings	RKA	PGK
C	25.03.22	Cost Saving Revisions - Preliminary Issue Re-Issued to CLIENT for review	RKA	PGK
B	02.03.22	Cost Saving Revisions - Preliminary Issue Issued to CLIENT for review	CP	PGK
A	15.12.21	Planning Issue Re-Issued for PLANNING APPROVAL	CP	PGK

Wattle Range Council
Administration Centre Development

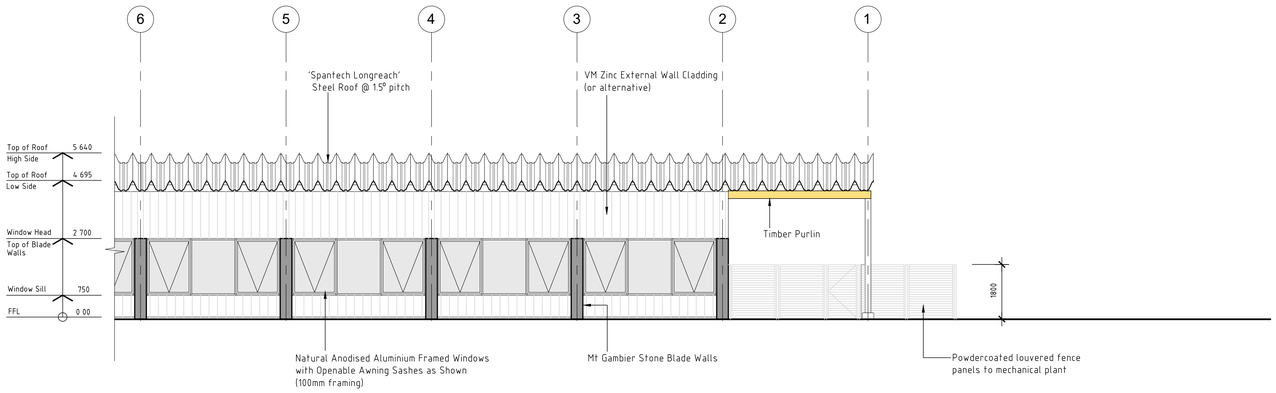
Lot 5, North Terrace
Millicent, South Australia

Elevations - 1

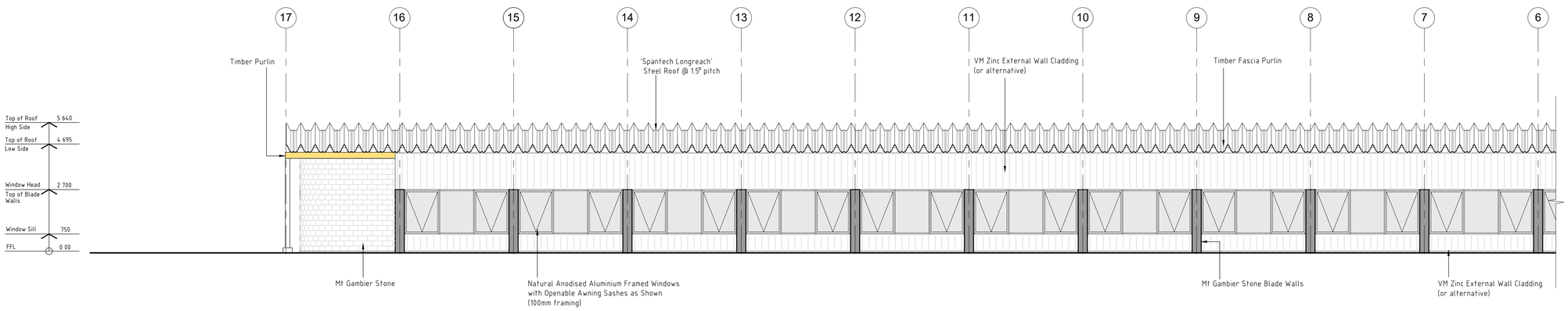
1:100

Chapman Herbert architects
Member Australian Institute of Architects
Chapman Herbert Architects (Adelaide)
6/26 The Parade West
Kent Town SA 5067
Phone (08) 8363 4900
Email cha@ad.chapmanherbert.com.au
Web www.chapmanherbert.com.au

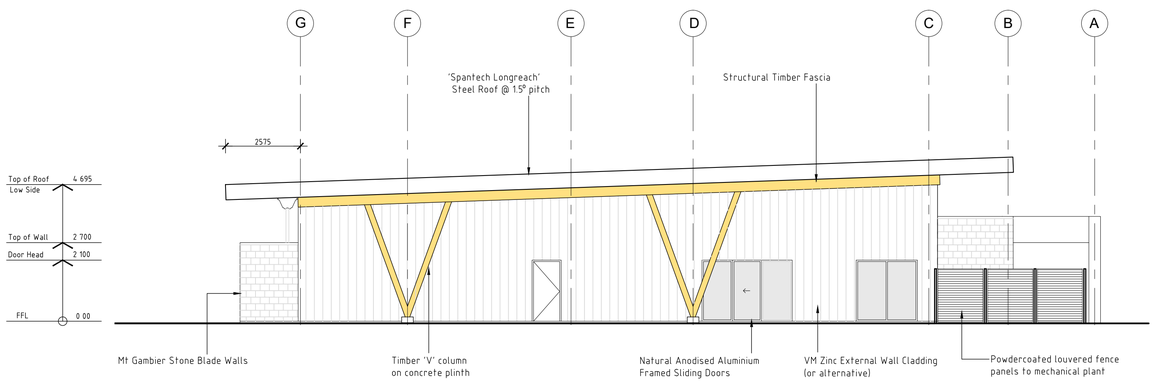
TO BE READ WITH SPECIFICATION NUMBER: A19845		SHEET SIZE A1
ELECTRONIC FILE A19854-WD.dwg	DRAWN BY CP	DATE 28.04.22
DRAWING NO. A19854-DD5		REV. F



North Elevation Scale 1:100
Part 1

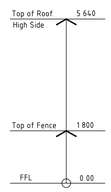


North Elevation Scale 1:100
Part 2



West Elevation Scale 1:100

0 2m 4m 6m 8m 10m



Materials & Finishes Schedule

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A	15.12.21	Planning Issue Re-Issued for PLANNING APPROVAL	CP	PGK

Wattle Range Council
Administration Centre Development

Lot 5, North Terrace
Millicent, South Australia

Elevations - 2

1:100

Chapman Herbert | architects
Member Australian Institute of Architects
Chapman Herbert Architects (Adelaide)
6/26 The Parade West
Kent Town SA 5067
Phone (08) 8363 4900
Email cha@ad.chapmanherbert.com.au
Web www.chapmanherbert.com.au

TO BE READ WITH SPECIFICATION NUMBER: A19845		SHEET SIZE A1
ELECTRONIC FILE A19854-WD.dwg	DRAWN BY CP	DATE 28.04.22
DRAWING NO. A19854-DD6		REV. F

15.1.3 Revocation of the Emergency Management Orders

Report Type	Officer Report
Department	Corporate Services
Author	Kaitlin Creek
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Medium
Strategic Plan Reference	**Theme 5 - Organisational Excellence** 5.2 Govern in a responsible and responsive way.
File Reference	GF/7.14.1/1; 17.14.1/5; 16.14.1/10; 16.14.1/21; 18.14.1/2; 16.14.1/20; 16.14.1/22;
Attachments	1. Local Government Act 1999 Notice 1 Attachment 1 [**15.1.3.1** - 5 pages] 2. Local Government Act 1999 Notice 2 Attachment 2 [**15.1.3.2** - 10 pages] 3. Code of Practice 104 Attachment 3 [**15.1.3.3** - 6 pages] 4. Code of Practice 6 Attachment 4 [**15.1.3.4** - 18 pages] 5. Strategic Planning Development Committee Attachment 5 [**15.1.3.5** - 4 pages] 6. WRC Audit Risk Committee Attachment 6 [**15.1.3.6** - 8 pages]

Purpose of Report

To revoke the current *Emergency Management Act 2004* declaration which has been proposed to cease 24 June 2022 as per the State Government announcement.

Report Details

The Major Emergency Declaration has been in force for more than 2 years under Section 87 of the *South Australian Public Health Act 2011 (SAPH Act)* which provides for the Chief Executive with the support of the Minister to declare a public health emergency. This process has allowed for temporary adjustments to be made to Councils internal Council Meetings, Delegations and Committee meetings.

In addition to Section 87 (SAPH Act) Council needs to consider the temporary suspension under Section *302B of the Local Government Act 1999* (LGA Act) which has allowed for the Minister to publish a notice in the Government Gazette to vary or suspend the operation of specified provisions in the (LGA).

<u>Council Meetings</u>

On 15 March 2020 the State Co-Ordinator for the State of South Australia (SA) declared a Major Emergency is occurring in respect of the human disease named COVID-19 within (SA). Over the period of more than 2 years this declaration has been extended monthly due to the COVID-19 outbreak.

On 26 March 2020 the *Local Government Act 1999* (the Act) was amended, introducing section 302B regarding public health emergencies. This section enables the Minister to vary or

suspend the operation of specified provisions of the Act when a public health emergency has been declared.

On 30 March 2020 the Minister issued a notice under section 302B - the *Electronic Participation in Council Meetings Notice (No 1) 2020*, which came into operation on 31 March 2020.

The notice affects the way in which Council can conduct its meetings and the procedures that can be observed. Importantly, the notice amends the Act and Regulations to allow for Council meetings to be conducted electronically. This has affected several processes including:

- Dealing with material conflicts of interest,
- Frequency & timing of ordinary meetings,
- Notice of ordinary or special meetings,
- Public notice of council meetings,
- Quorum,
- Procedure at Meetings,
- Meetings to be held in public except in special circumstances,
- Minutes & release of documents,
- Access to meetings and documents – code of practice,
- Discretionary procedures code of practice,
- Commencement of meetings and quorum,
- Petitions,
- Deputations,
- Voting,
- Divisions.

These changes required Council to update the following documents:

- Discretionary Procedures (Procedures at Meetings) Code of Practice,
- Public Access to Council & Committee Meetings & Associated Documents Code of Practice,
- Informal Gatherings Policy no longer relevant due to the (*Statutes Amendment Bill) Local Government Act 1999* reform revoking under Section 90 (8a) LGA removed the obligation on Councils to have a policy on the holding of informal gatherings.

As previously mentioned, the Notice listed in Section 302B of the *Local Government Act 1999* currently allows for the vary or suspension of certain sections within the (LGA). This relates to the requirement under Part 5 Code of Practice Section 92 (5) LGA to consult on codes of practice that relates to Council specific meetings and documents code of practice. (Attachment 1 page 624). However, once the notice has ceased the requirement under Section 92 (5) Local Government Act to undertake public consultation on the proposed code will be reinstated. Therefore, due to the only amendment being made is the removal of the notice. This is a legislative change, as well as is a low risk from Councils perspective and it is not necessary for the public to make further comment, on this change as it is controlled by State Government.

<u>Committee meetings – Temporary Suspension and Electronic Meetings</u>

On the 14 April 2020 Council requested for Section 41 Committees not to meet in person to reduce the risk of the spread of Covid-19 and the temporary suspension under the public health Act.

- Beachport Recreation Centre Management Committee
- Greenrise Lake Advisory Committee

- Kalangadoo Riddoch Memorial Institute Hall Management Committee
- Lake McIntyre Management Committee
- Rendelsham Community Hall Management Committee
- Wattle Range Youth Development Foundation

Mandatory Committees

It was not recommended to suspend meetings of the following Council Committees:

- **Audit and Risk Committee**
  This is a mandatory committee required by section 126 of the *Local Government Act 1999* and operates under section 41 of the Act.

- **Strategic Planning & Development Policy Committee**
  This is a mandatory committee required by section 101A of the *Development Act 1993* and operates under section 41 of the *Local Government Act 1999.*

It is therefore recommended that Council consider allowing these two mandatory Committees to meet by electronic means, applying the same processes and procedures as Council including:

- Meet in a virtual meeting room using Microsoft Teams
- *Apply relevant processes as per Discretionary Procedures (Procedures at Meetings) Code of Practice;* and
- *Apply relevant processes as per Public Access to Council and Committee Meetings & Associated Documents Code of Practice*).

On the 14 July 2020 at the Ordinary Council meeting, Council resolved to end the temporary suspension of Committee meetings (Minute reference Item 15.2.2 - Committee Meetings – Folio 9000).

On the 9 March 2021, Council wrote to the Presiding Members of the Section 41 Committees aside from the Mandatory Committees to encourage members to recommence meetings. Since this period, the Committees have commenced there meetings as normal while maintaining social distancing measures in relation to COVID-19.

Delegations

The operation of the Local Government Act was further varied under the Public Access and Public Consultation Notice (No 2) 2020. At the commencement of COVID-19 there was some amendments to the *Local Government Act 1999,* to endorse new delegations of authority to assist with the pandemic.

Due to these amendments, it was recommended that Council delegates its relevant power to the CEO. The CEO then is able to sub delegate a delegated power or function unless Council specifies otherwise (as a condition/ limitation).

Delegations need to be formalised to ensure that decisions are enforceable and the likelihood of legal and administrative problems for the Council are reduced. These Delegations are referred to in (Attachment 1 & 2).

Council may wish:

- To delete or add to these delegations

- Amend, delete or add to the conditions and limitations that apply to these delegations.

Financial Considerations

Budget Allocation	N/A
Budget Spent to Date	N/A
Budget Variation Requested	Nil

There are no known financial considerations related to this report.

Risk Considerations

Please refer to Wattle Range Council's SharePoint Register – Item 3.

Policy Considerations

Beachport Recreation Centre Management Committee Charter
Greenrise Lake Advisory Committee Charter
Kalangadoo Riddoch Memorial Institute Hall Management Committee Charter
Lake McIntyre Management Committee Terms of Reference
Rendelsham Community Hall Management Committee Charter
Wattle Range Youth Development Foundation Charter
Audit and Risk Committee Terms of Reference
Strategic Planning & Development Policy Committee Charter

Legislative Considerations

Local Government Act 1999
Local Government (Procedures at Meetings) Regulations 2013
Electronic Participation in Council Meetings Notice (No 1) 2020

Environmental / Sustainability Considerations

There are no known environmental or sustainability considerations related to this report.

Communication & Consultation Considerations

There are no known communication and consultation considerations related to this report.

RECOMMENDATION

That Council:

1. Receive and note the report.

2. Cease operation of the Delegations listed under the *Local Government Act 1999 - Public Access and Public Consultation Notice (No 2) 2020* (Attachment 2) and *Electronic Participation in Council Meetings Notice (No 1) 2020* (Attachment 1) at midnight **24 June 2022**.

3. Alters its Discretionary Procedures (Procedures at Meetings) Code of Practice to remove the emergency declaration notice as listed in (Attachment 3 & 4) at midnight **24 June 2022**.

4. Alters its Public Access to Council & Committee Meetings & Associated Documents Code of Practice to facilitate participation by Council members in Council meetings by electronic means (Attachment 3 & 4) at midnight **24 June 2022**.

5. From **9 August 2022** cease using the Civic and Arts Centre Function Room / Supper Room as its primary Chamber and revert to its former primary Chamber location being the “Council Chambers” room adjacent the foyer/entrance within the Millicent Library building.

Attachment 1

WATTLE RANGE COUNCIL

INSTRUMENT OF DELEGATION

LOCAL GOVERNMENT ACT 1999 - ELECTRONIC PARTICIPATION IN COUNCIL MEETINGS NOTICE (NO 1) 2020 - NOMINATIONS BY CEO

07 JUNE 2022

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the South Australian Public Health Act 2011, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the Emergency Management Act 2004, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On the basis that a relevant declaration has been made in relation to a public health emergency and being satisfied that variation or suspension of the provisions specified in Schedule 1 to this notice is reasonably necessary as a result of the emergency, I, Stephan Karl Knoll, Minister for Transport, Infrastructure and Local Government, in the State of South Australia, in accordance with section 302B of the Local

Government Act 1999 (“the Act”) hereby vary or suspend the operation of the specified provisions of the Act as set out in Schedule 1 to this notice, subject to any conditions specified in this notice including in accordance with any alternative requirements, arrangements or procedures as provided for in this notice.

Attachment 1

Wattle Range Council

Delegation Sources

- Electronic Participation in Council Meetings Notice (No 1) 2020

Positions

Abbreviation	Position	Name
CEO	Chief Executive Officer	Benjamin James Gower
CO	Communications Officer	Megan Elizabeth Tilley
EA	Executive Assistant	Catherine Patricia Allen
GO	Governance Officer	Kaitlin Jayne Creek

Attachment 1

Wattle Range Council

Local Government Act 1999 - Electronic Participation in Council Meetings Notice (No 1) 2020 - Nominations by CEO

Electronic Participation in Council Meetings Notice (No 1) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
84(5)(a)	As soon as practicable after they were supplied to members of the Council, publish on Council's website any document or report supplied before a meeting to members of the council for consideration at a meeting of the council.	CO, CEO, EA, GO	
s84(5)(b)	As soon as practicable after they were supplied to members of the Council, publish on Council's website any document or report supplied at a meeting to members of the council for consideration at a meeting of the council.	CO, CEO, EA, GO	
90(1a)(a)	Make available a live stream of a Council meeting on the Council's website, ensuring that members of the public can hear the discussion between all members present at the meeting.	CO, CEO, EA, GO	
90(1a)(b)	If steps taken to make a live stream of a Council meeting available has failed, to make a recording of	CO, CEO,	

Attachment 1

Electronic Participation in Council Meetings Notice (No 1) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	the meeting and publish it on Council's website as soon as practicable after the meeting, ensuring that the public can hear the discussion between all council members present at the meeting.	EA, GO	
90(1b)(a)	If reasonable steps have been taken to publish a live stream or recording of a council meeting on the Council's website but have been unable to, to publish the steps taken to do so on the Council's website.	CO, CEO, EA, GO	

Attachment 1

Wattle Range
COUNCIL

Attachment 2

WATTLE RANGE COUNCIL

INSTRUMENT OF DELEGATION

LOCAL GOVERNMENT ACT 1999 - PUBLIC ACCESS & PUBLIC CONSULTATION NOTICE (NO 2) 2020 - DELEGATIONS FROM COUNCIL

07 JUNE 2022

These delegations:

3.1 operate and have effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect;

3.2 do not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council;

3.3 for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.

Attachment 2

Delegation Sources

- Public Access & Public Consultation Notice (No 2) 2020

Positions

Abbreviation	Position	Name
CEO	Chief Executive Officer	Benjamin James Gower
DCS	Director Corporate Services / Deputy CEO	Paul Allen Duka
GO	Governance Officer	Kaitlin Jayne Creek
MA	Manager Administration	Catherine Louise Bell

Attachment 2

Local Government Act 1999 - Public Access & Public Consultation Notice (No 2) 2020 - Delegations from Council

Public Access & Public Consultation Notice (No 2) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 45(2)	1.1 the power pursuant to Section 45(2) of the LG Act to, if the delegate is satisfied it is reasonably necessary as a result of the public health emergency, to: 1.1.1 close the principal office of the Council; or 1.1.2 vary the transaction of business hours at the principal office of the Council;	CEO	This delegation: 3.1 operates and has effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect; 3.2 does not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council; 3.3 for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.
s 45(3)	1.2 the power pursuant to Section 45(3) of the LG Act if the Council closes its principal office or varies the transaction of business hours	CEO	This delegation:

Attachment 2

Public Access & Public Consultation Notice (No 2) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	in accordance with Section 45(2) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to: 1.2.1 make alternative arrangements to enable the local community to access the services of the Council which are ordinarily available at the principal office of the Council; 1.2.2 inform the Council's local community (including by publishing the information on a website determined by the Chief Executive Officer) about the changes to the arrangements to access those services;		3.1 operates and has effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect; 3.2 does not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council; 3.3 for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.
s 45(4)(b)	1.3 the power pursuant to Section 45(4)(b) of the LG Act to satisfy any obligation under the LG Act to make a document available for inspection at the principal office of the Council by making the document available for inspection at an alternative place or by an alternative means as determined by the delegate;	CEO, DCS, MA, GO	This delegation: 3.1 operates and has effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect; 3.2 does not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council; 3.3 for the period the Public Access and Public Consultation

Attachment 2

Public Access & Public Consultation Notice (No 2) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.
s 45(5)	1.4 the power pursuant to Section 45(5) of the LG Act, if the Council or chief executive officer makes a document available for inspection in accordance with Section 45(4) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website determined by the chief executive officer) about the changes to the arrangements for inspection of the document;	CEO, DCS, MA, GO	This delegation: 3.1 operates and has effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect; 3.2 does not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council; 3.3 for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.

Attachment 2

Public Access & Public Consultation Notice (No 2) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 45(10)	1.5 the power pursuant to Section 45(10) of the LG Act if the Council makes copies of a document available in accordance with Sections 45(8) or (9) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website determined by the chief executive officer) about the changes to the arrangements for provision of copies of the document.	CEO, DCS, MA, GO	This delegation: 3.1 operates and has effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect; 3.2 does not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council; 3.3 for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.
s 50(5a)	1.6 the power pursuant to Section 50(5a) of the LG Act to alter the Council's Public Consultation Policy or substitute a new policy without undertaking public consultation, even if the Council's existing Public Consultation Policy requires the Council to conduct public consultation;	CEO	This delegation: 3.1 operates and has effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect; 3.2 does not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the

Attachment 2

Public Access & Public Consultation Notice (No 2) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			office of Chief Executive Officer of the Council; 3.3 for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.
s 123(5)	1.7 the power pursuant to Section 123(5) of the LG Act to ensure that copies of the draft annual business plan are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) and on the website at least 21 days before the end of the period for providing written submissions;	CEO, DCS, MA	This delegation: 3.1 operates and has effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect; 3.2 does not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council; 3.3 for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of

Attachment 2

Public Access & Public Consultation Notice (No 2) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			the making of these delegations.
s 151(8)	1.8 the power pursuant to Section 151(8) of the LG Act to ensure that copies of the report required under Section 151(5)(d) are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) at least 21 days before the end of the period for public consultation;	CEO, DCS, MA	This delegation: 3.1 operates and has effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect; 3.2 does not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council; 3.3 for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.
s 156(14e)	1.9 the power pursuant to Section 156(14e) of the LG Act to ensure that copies of the report required under section 156(14a)(a) of the LG Act are available for inspection (without charge) and purchase (on	CEO, DCS, MA	This delegation: 3.1 operates and has effect for the period the Public Access and

Attachment 2

Public Access & Public Consultation Notice (No 2) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) at least 21 days before the end of the period for public consultation.		Public Consultation Notice (No 2) 2020 has effect; 3.2 does not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council; 3.3 for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between this delegation and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.

Attachment 2

	CODE OF PRACTICE 104	Version:	6
Wattle Range Council	Discretionary Procedures (Procedures at Meetings)	Date Adopted:	14/04/2020
		Next Review Due:	Nov 2021

1. STATEMENT

This is a Code of Practice developed for the requirements of Regulation 6 of the *Local Government (Procedures at Meetings) Regulations 2013 (the Regulations).*

IMPORTANT NOTE REGARDING THE OPERATION OF THIS CODE

Public Health Emergency: Electronic Participation in Council Meetings

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the *South Australian Public Health Act 2011*, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the *Emergency Management Act 2004*, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On 30 March 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the *Local Government Act 1999 (Notice No 1)* varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 1. Notice No 1 commenced operation on 31 March 2020.

Attachment 3

For the period Notice No 1 has effect (as provided for in Notice No 1), this Code of Practice is altered as set out below and those alterations have effect notwithstanding any other provision in this Code of Practice to the contrary.

For the avoidance of doubt, save for the alterations to the Code of Practice as set out below (and highlighted in blue), this Code of Practice otherwise applies to all meetings of the Council.

2. DEFINITIONS

Act means the Local Government Act 1999.

electronic means includes a telephone, computer or other electronic device used for communication.

regulations means the Local Government (Procedures at Meetings) Regulations 2013.

disconnection of the electronic includes:

(a) ending a telephone connection such that the discussion and voting at the meeting cannot be heard;

(b) ending a video conferencing connection such that the discussion and voting at the meeting cannot be seen or heard;

(c) logging out of a virtual meeting room or space such that the discussion and voting at the meeting cannot be seen or heard;

(d) signing out of a virtual meeting room or space such that the discussion and voting at the meeting cannot be seen or heard; or

(e) disconnecting any other electronic means such that the discussion and voting at the meeting cannot be seen or heard.

The Act and the Regulations may specify other definitions that apply.

3. ALTERATION TO CODE OF PRACTICE

Attendance at Council Meetings

Members of the Council may participate in a meeting of the Council by electronic means.

A member of the Council participating in a Council meeting by electronic means is taken to be present at the meeting provided that the member:

(a) can hear all other members present at the meeting;

(b) can be heard by all other members present at the meeting; and

(c) can be heard by the person recording the minutes of the meeting.

Quorum

A member of the Council participating in a Council meeting by electronic means is taken to be present at the meeting provided that the member:

Attachment 3

(a) can hear all other members present at the meeting;

(b) can be heard by all other members present at the meeting; and

(c) can be heard by the person recording the minutes of the meeting.

A quorum is taken to be present even if 1 or more Council members constituting the quorum is present by electronic means.

Leave of the Meeting

A vote on whether ***leave of the meeting*** is granted may be conducted by:

(a) a show of hands; or

(b) where a member is participating in a meeting by electronic means which has audio only, a verbal indication of voting in the affirmative or voting in the negative.

A division may be called in relation to the vote.

Adjourned Meetings

If a meeting is adjourned to another day, the Chief Executive Officer must:

(a) give notice of the adjourned meeting to each member of the Council setting out the date, time and place of the meeting;

(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be published on a website determined by the chief executive officer.

Minutes

On confirmation of the minutes the presiding member may initial or sign the minutes in hardcopy or electronically.

The minutes of the proceedings of a meeting must include in relation to each member present at the meeting the method of attendance by the person.

Example:

The following are examples of methods of attendance:

a) physical attendance;

b) by an audio-visual link;

c) by an audio link;

d) by telephone.

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Petitions

A petition must be addressed to the Council and delivered to the Council by means determined by the Chief Executive Officer as follows:

Email to: council@wattlerange.sa.gov.au

Post to: PO Box 27 Millicent SA 5280

Deputations

A person or persons wishing to appear as a deputation at a meeting must deliver (to the Council by means determined by the Chief Executive Officer as set out below) a written request to the Council.

Email to: council@wattlerange.sa.gov.au

Post to: PO Box 27 Millicent SA 5280

A person or persons wishing to appear as a deputation at a meeting may appear by electronic means.

The Chief Executive Officer will (with respect to a request that has not been refused), when informing the person or persons who requested the deputation of the outcome of their request, indicate the method by which the person or persons are to appear at the meeting.

Voting

A vote in relation to a question for decision before the Council may be taken:

(a) by a show of hands; or

(b) where a member is participating in a meeting by electronic means which has audio only, a verbal indication of voting in the affirmative or voting in the negative.

The presiding member, or any other member, may ask the chief executive officer to read out a motion or amendment before a vote is taken.

In relation to a member participating in a Council meeting by electronic means, a member is not permitted to vote in circumstances where there has been a disconnection of the electronic means.

Divisions

A division is taken as follows:

(a) except for a member participating in a meeting by electronic means which has audio only:

(i) the members voting in the affirmative will, until the vote is recorded, stand in their places;

(ii) the members voting in the negative will, until the vote is recorded, sit in their seats;

(iii) the presiding member will count the number of votes and then declare the outcome;

Attachment 3

(b) where a member is participating in a meeting by electronic means which has audio only, the member will provide a verbal indication of voting in the affirmative or voting in the negative.

Form of Participation by Electronic Means

Where:

(a) a Council member is to participate in a Council meeting by electronic means; and

(b) the electronic means has the functionality to allow the Council member to participate in the meeting by being heard but not seen or by being both seen and heard; and

(c) the electronic means of the Council has the functionality to allow the council member to be heard but not seen or to be both seen and heard,

the member must participate by being both seen and heard.

Suspension of other Inconsistent Provisions

To the extent that any other discretionary provision of this Code of Practice or specific procedure adopted by the Council in this Code of Practice could be read as being inconsistent or incompatible with the ability of a member of the Council to participate in a meeting of the

Council by electronic means, the provision is suspended in respect of the member while they are participating in the meeting by electronic means.

In circumstances where a provision is suspended under this paragraph, the presiding member may give directions to a member of the Council in respect of an alternative method of compliance with the suspended provision.

Any member who disagrees with a direction of the presiding member under this paragraph may move a motion that the direction not be adhered to. Such a motion must be moved immediately following the issuance of the direction. In the event such a motion is successful, the meeting may give directions to a member, by resolution.

4. PRINCIPLES

4.1 Guiding Principles

Council has considered the following Guiding Principles in developing this Code of Practice:

a) procedures should be fair and contribute to open, transparent and informed decision making;

b) procedures should encourage appropriate community participation in the affairs of the Council;

c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting; and

d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting. (Regulation 4 of the Regs)

Attachment 3

4.2 Variation of Regulations

In addition to the mandatory procedures detailed in the Act and Regulations, Council has determined to vary the following Regulations (in accordance with regulation 6). Any other sub-regulation not referred to, but capable of being varied, remains as per the Regulations.

4.2.1 Motions

Regulation 12(11) states:

"A member who has spoken to a motion may not at a later stage of the debate move or second any amendments to the motion".

Council varies this to:

A member, other than the mover or a seconder, who has spoken to a motion may at a later stage of the debate move or second an amendment to the motion.

4.2.2 Amendments to Motions

Regulation 13(1) states:

"A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion."

Council varies this to:

A member, other than the mover or seconder, who has or has not spoken to a motion may at a later stage of the debate move or second an amendment to the motion.

4.2.3 Addresses by Members

Regulation 15(1) states:

"A member must not speak for longer than 5 minutes at any 1 time without leave of the meeting.

Council varies this to:

A member must not speak for longer than 5 minutes at any 1 time without leave of the meeting and must rise in their place if able.

5. REVIEW

This Code of Practice must be reviewed at least once each financial year (r6(2)).

The Council may, at any time, by resolution supported by at least two thirds of the members of the council entitled to vote may alter, substitute or revoke the Code of Practice (r6(3)) Note: regulation 12(4) would not apply in this circumstance.

6. AVAILABILITY

This Code is available for inspection without charge during ordinary business hours at:

- Principal Office, "Civic Centre", George Street, Millicent
- Council Website: www.wattlerange.sa.gov.au.

A copy of this Code may be purchased from the Principal Council Office upon payment of the fee detailed in Council's Schedule of Fees and Charges.

Attachment 3

7. REFERENCES & FURTHER READING

Relevant Legislation:	• *Local Government Act 1999* • *Local Government (Procedures at Meetings) Regulations 2013* •
Relevant Policies / Procedures / Guidelines	• Code of Conduct 6 - Public Access to Council and Committee Meetings and Associated Documents • Procedure 106 - Deputations to Council • Procedure 369 - Petitions to Council

8. ADOPTION & AMENDMENT HISTORY

The table below sets out the adoption, review and amendment history of the policy.

Version No:	Issue Date:	Authorised by:	Description of Change:	Minutes Reference:
1	8 / 11 / 2011	Council	Adopted	Folio 4660; Item 11.1.3
2	11 / 12 / 2012	Council	Reviewed	Folio 4848; Item 11.1.9
3	08 / 04 / 2014	Council	Reviewed and Amended	Folio 5284; Item 12.2.8
4	27 / 11 / 2018	Council	Reviewed.	Folio 7983; Item 13.1.2
5	12/11/2019	Council	Removed reference to regulations that have not been varied.	Folio 8695; Item 15.2.5
6	14/04/2020	Council	Amended due to changes to the Local Government Act (COVID-19)	Folio 8948; Item 4.1.1

Wattle Range COUNCIL	CODE OF PRACTICE 6	Version:	8
	Public Access to Council and Committee Meetings and Associated Documents	Date Adopted:	14/04/2020
		Next Review Due:	Nov 2022

1. STATEMENT

This Code sets out the commitment of Wattle Range Council to provide public access to Council and Council Committee meetings and associated documents and outlines the policies, procedures and practices contained within the *Local Government Act 1999 (the Act),* to restrict public access.

Wattle Range Council supports the principle that the procedures to be observed at a meeting of Council or a Council Committee (formed under the Local Government Act) should contribute to open, transparent and informed decision-making and encourage appropriate community participation in the affairs of the Council.

This Code has been developed to meet the requirements of section 92 of the Act.

IMPORTANT NOTE REGARDING THE OPERATION OF THIS CODE:

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the *South Australian Public Health Act 2011*, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the *Emergency Management Act 2004*, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On 30 March 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the *Local Government Act 1999 (***Notice No 1***)* varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 1. Notice No 1 commenced operation on 31 March 2020.

For the period Notice No 1 has effect (as provided for in Notice No 1), this Code of Practice is altered as set out below and those alterations have effect notwithstanding any other provision in this Code of Practice to the contrary.

For the avoidance of doubt, save for the alterations to the Code of Practice as set out below (and highlighted in blue) this Code of Practice otherwise applies to all meetings of the Council.

Attachment 4

2. DEFINITIONS

Audio Recording means any recording made by any electronic device capable of recording sound. This includes but is not limited to recordings made by mobile phone, video camera, cassette recorder, or DAT recorder, and stored on compact disk (CD), Digital Audio Tape (DAT), or in any other format (such as WAV, MP3, etc.).

Clear Days means the time between the giving of the notice and the day of the meeting but excluding both the day on which the notice was given and the day of the meeting, e.g. notice is given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF 9.63.1/4	Public	Corporate Services	Director Corporate Services	4 Yearly
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				

connect *means able to hear and/or see the meeting, including via a live stream or recording of the meeting;*

disconnect *means remove the connection so as to be unable to hear and see the meeting;*

live stream *means the transmission of audio and/or video from a meeting at the time that the meeting is occurring;*

the Act refers to the *Local Government Act 1999*

personal affairs is defined by the Act and includes a person's financial affairs, criminal records, marital or other personal relationship, personal qualities, attributes or health status, employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person. It does not include the personal affairs of a body corporate.

3. ALTERATIONS to CODE OF PRACTICE

Public Notice of Council Meetings

The notice of meeting and agenda is not required to be placed on public display at each office of the Council.

A person is entitled, on payment of a fee fixed by the Council, to obtain a copy of a notice and agenda published on a website determined by the Chief Executive Officer and the notice and agenda will continue to be published on the website until the completion of the relevant meeting.

Attachment 4

Copies of any document or report supplied to members of the Council for consideration at a meeting of the Council are not required to be made available for inspection by members of the public at the principal office of the Council or at the meeting.

The chief executive officer (or a person nominated in writing by the chief executive officer) will ensure that any document or report supplied to members of the Council for consideration at a meeting of the Council is available for inspection by members of the public:

- in the case of a document or report supplied to members of the Council before the meeting - on a website determined by the chief executive officer as soon as practicable after the time when the document or report is supplied to members of the Council; or
- in the case of a document or report supplied to members of the Council at the meeting - on a website determined by the chief executive officer as soon as practicable after the time when the document or report is supplied to members of the Council.

Meetings to be Held in Public Except in Special Circumstances

A Council meeting will be taken to be conducted in a place open to the public even if 1 or more Council members participate in the meeting by electronic means provided that:

(a) the chief executive officer (or a person nominated in writing by the chief executive officer) makes available to the public a live stream of the meeting on a website determined by the chief executive officer and ensures that members of the public can hear the discussion between all council members present at the meeting via the live stream; or

(b) if the chief executive officer (or a person nominated in writing by the chief executive officer) has taken reasonable steps to make available a live stream of the meeting but is unable to make available a live stream of the meeting, the chief executive officer (or a person nominated in writing by the chief executive officer) makes available to the public a recording of the meeting as soon as practicable after the meeting on a website determined by the chief executive officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the recording.

If the chief executive officer (or a person nominated in writing by the chief executive officer) has taken reasonable steps but is unable to make available a live stream of the meeting, or make available a recording of the meeting as soon as practicable after the meeting (on a website determined by the chief executive officer), the chief executive officer (or a person nominated in writing by the chief executive officer) must publish on a website determined by the chief executive officer the steps taken to comply and the requirement regarding live streaming and recording is suspended.

The council or council committee must disconnect any live stream or recording of a meeting for the period that the meeting is closed to the public pursuant to an order made under section 90(2) of the Act.

Attachment 4

It is an offence for person who, knowing that an order is in force under section 90(2), to connect to a meeting of the Council or Council committee by electronic means, or fail to disconnect from a meeting of the Council or Council committee.

Minutes and Release of Documents

A copy of the minutes of a meeting of the council must be placed on public display on a website determined by the chief executive officer within five days after the meeting and kept on display for a period of one month.

Code of Practice

The Council is not required to adopt any provision in a code of practice that would prevent or inhibit members from participating in Council meetings or Council committee meetings by electronic means.

Council members may meet by electronic means to alter the code of practice of the Council, or substitute a new code of practice of the Council, even if the existing code of practice prevents or inhibits the Council members from meeting by electronic means.

The requirement in section 92(5) that before a Council adopts, alters or substitutes a code of practice it make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection and purchase at the principal office of the Council and on a website

determined by the Council and that the Council follow the steps set out in its public consultation policy is suspended while these provisions are in effect.

Suspension of Other Inconsistent Provisions

To the extent that any other provision of this Code of Practice could be read as being inconsistent or incompatible with the ability of the Council to hold electronic meetings, the provision is suspended while these provisions are in effect.

4. PRINCIPLES

4.1 Scope

This Code sets out the policy of Council for access to meetings and documents and includes information relating to:

- Public access to the agenda, document and minutes for meetings;
- the process to exclude the public from meetings;
- matters for which the Council, or a Council Committee, can order that the public be excluded;
- how the Council will approach the use of the confidentiality provisions in the Act;
- public access to documents, including minutes;
- review of confidentiality orders;
- example of confidentiality Provisions;
- accountability and reporting to the community, and the availability of the code; and
- grievances about the use of the code by Council.

Attachment 4

4.2 Public access to meetings

4.2.1 Ordinary meetings of Council or Council Committees

Council and Council Committee meetings are open to the public and attendance is encouraged. Details of Council meetings are displayed on Council's Website and in Council Offices.

Ordinary meetings of Council are held in the Council Chamber, Civic Centre, George St, Millicent on the third Tuesday of January and second Tuesday of every other Month, commencing at 5pm.

At least three (3) 'clear days' before an ordinary Council meeting the Chief Executive Officer (CEO) will give written notice of the meeting to all Council Members setting out the date, time and place of the meeting. The notice will be accompanied by the agenda for the meeting.

The notice of meeting will be placed on public display at the following locations:

- Millicent Office – 'Civic Centre' George Street, Millicent
- Beachport Office – Millicent-Beachport Road, Beachport
- Penola Office – 27 Arthur Street, Penola
- Council's website www.wattlerange.sa.gov.au

until the completion of the relevant meeting.

Meetings will commence as soon after the time specified in the notice of meeting as a quorum is present.

4.2.2 Special meetings of Council or Council Committees

Special Council or Council Committee meetings may be held at any time, however, at least four hours' notice is required for a Special meeting of Council and Council Committees performing a regulatory function. The notice of the meeting and agenda will be available as soon as practicable after the time that notice of the meeting is given to Council members.

4.2.3 Informal gatherings or discussion

Council members and staff may participate in informal gatherings and public access to these is detailed in Council's Informal Gathering Policy.

4.2.4 Recording Council or Committee Meetings

Wattle Range Council prohibits any person from photographing, filming, televising or recording by audio or visual devices (including mobile phones) any Committee or Council Meeting without written approval from the Mayor or Chief Executive Officer (CEO). Approval is at the discretion of the Mayor or CEO. An approval granted may be either a standing on-going approval or on a specific occasion. An approval may be withdrawn either generally or on any specific occasion.

This applies to Council Members, Council Committee Members, Council staff, the general public and media representatives.

Attachment 4

4.3 Public access to documents

4.3.1 Public access to the Notice of Meeting and agenda

The non-confidential Council or Council Committee notice of meeting and agenda is available to view by the public 3 clear days before a meeting is scheduled at:

- Millicent Office – 'Civic Centre' George Street, Millicent
- Beachport Office – Millicent-Beachport Road, Beachport
- Penola Office – 27 Arthur Street, Penola
- Council's website www.wattlerange.sa.gov.au

Members of the public may obtain a copy of the agenda for a fee to cover the costs of photocopying, in accordance with Council's schedule of fees and charges.

One copy of the agenda will be made available to view by the general public in attendance at a meeting.

Items listed on the agenda will be described accurately and in reasonable detail.

4.3.2 Public access to minutes

During Council meetings the minutes are displayed on an overhead screen to enhance community understanding of meeting processes and to confirm the decisions made.

The non-confidential minutes of a Council or Council Committee meeting will be publicly available, including on the Council's website within 5 clear days after the meeting.

A copy of the non-confidential minutes will be displayed at the Millicent Office – 'Civic Centre' George Street, Millicent for a period of at least one month.

Members of the public may obtain a copy of the non-confidential minutes for a fee in accordance with Council's schedule of fees and charges.

4.3.3 Public access to other documents

Council makes various documents available for public inspection and purchase at its offices. Council also makes many of these documents freely available on Council's website.

The *Freedom of Information Act 1991* also makes provision for members of the public to access the documents of government. There are some exemptions under that Act and other pieces of legislation (e.g. Copyright Act) where some documents may not be released. Inquiries in relation to the process for seeking access to documents held by Council should be directed to Council's Accredited Freedom of Information Officer on (08) 8733 0900

4.4 Excluding public access to meetings or documents

4.4.1 Principles for the use of confidentiality provisions

The principle of open and accountable government is strongly supported.

The public will only be excluded when considered proper and necessary i.e. the need for confidentiality outweighs the principle of open decision-making.

Attachment 4

In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council order and the associated implications.

4.4.2 Powers to exclude the public from meetings

Section 90 of the Act gives Council and Council Committees the power to exclude the public from a meeting, only when discussion of a matter involves:

(a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*

(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;*

(c) *information the disclosure of which would reveal a trade secret;*

(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;*

(e) *matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;*

(f) *information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;*

(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;*

(i) *information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;*

(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;*

(k) *tenders for the supply of goods, the provision of services or the carrying out of works;*

(m) *information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;*

(n) *information relevant to the review of a determination of a council under the Freedom of Information Act 1991.*

Attachment 4

Any consideration of the use of the confidentiality provisions to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the above grounds and the factual reasons for the relevance and application of the ground(s) in the circumstances.

In considering whether to exclude the public, it is irrelevant that discussion of a matter in public may—

(a) cause embarrassment to the council or council committee concerned, or to members or employees of the council; or

(b) cause a loss of confidence in the council or council committee; or

(c) involve discussion of a matter that is controversial within the council area; or

(d) make the council susceptible to adverse criticism.

When a decision to exclude the public is carried, the Council or the Council Committee will make a note in the minutes of the making of the order and the grounds on which it was made.

Once Council, or a Council Committee has made an order to exclude the public, it is an offence for a person, who knowing that an order is in force, enters or remains in a room in which such a meeting is being held. It is lawful for an employee of Council or a member of the police to use reasonable force to remove the person from the room if he or she fails to leave on request.

4.4.3 Powers to make orders of confidentiality over documents

When an order to exclude the public has been made and following confidential discussion, section 91(7) of the Act then allows Council or a Council Committee to make a further order that documents (e.g. reports, attachments, minutes, or others) are kept confidential.

The Council or the Council Committee will only order that a document associated with a discussion from which the public are excluded is to remain confidential if it is considered proper and necessary in the broader community interest.

When Council makes an order (by resolution) to keep documents confidential the minutes will record:

- the grounds on which it was made;
- the duration of the order or the circumstances in which the order will cease to apply; and
- the period after which the order must be reviewed.

Attachment 4

Council also has the power to determine that an employee of Council may revoke the order. [s.91(9)]

An order cannot be made to prevent: [refer s91(8) LG Act]

- the disclosure of the remuneration or conditions of service of an employee of the Council after the remuneration or conditions have been set or determined; or
- the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the Council as to why a successful tenderer has been selected; or
- the disclosure of the amount or amounts payable by the Council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the Council after the contract has been entered into by all parties to the contract; or
- the disclosure of the identity of land that has been acquired or disposed of by the Council, or of any reasons adopted by the Council as to why land has been acquired or disposed of by the Council.

4.4.4 Public Requests for Information to be Confidential

Council is only permitted to exclude the public and retain information under a confidentiality order when it meets the criteria specified by the Act (summarised in sections 3.4.2 & 3.4.3 above).

4.4.5 Process to exclude the public

Council officers prepare reports as per the flow diagram in Appendix 3.

If the CEO believes that a matter should be considered in confidence, it will be clearly noted on the agenda (generally in the *Items to be Considered in Confidence* section).

The public (non-confidential) version of the agenda will only contain the report title and the reason(s) why it should be considered in confidence.

Council must, in public, formally determine if it is necessary and appropriate to consider an item confidentially. A resolution to exclude the public will need to be carried. If this occurs, the public must immediately leave the meeting room and move to a location that the meeting cannot be viewed or overheard. Any staff exempted and listed by name in the resolution are entitled to remain in the meeting room with the Council Members. At the discretion of Council, any other person or persons exempted and listed may remain in the meeting room (e.g. a ratepayer who is suffering personal hardship their circumstances concerning the payment of rates is being discussed).

Once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with item remain confidential (e.g. report, attachment or minutes). In determining this, the meeting shall have regard to the provisions of section 91 of the Act.

Council will consider each confidential item separately (they will not be considered en bloc). Hence, if there is a further matter that needs to be considered in confidence it is necessary to again undertake the formal determination process and to resolve to exclude the public as above.

Attachment 4

Once discussion on the matter is concluded, the public are then permitted to re-enter the meeting.

Decisions made will be available in the public minutes unless Council has ordered that they remain confidential, in which case they will not be publicly available.

4.5 Review & Release of Confidentiality Orders

A review of the reports, attachments, minutes or any other documents that are the subject of a confidentiality order are conducted annually to ensure that items are released to the public in accordance with the resolutions of Council. Released documents are available on Council's website at www.wattlerange.sa.gov.au.

4.6 Accountability and Reporting to the Community

Information on the use of confidentiality provisions will be included in the Annual Report, which is available for inspection by the public at Council offices. This includes:

- Number of occasions each of the provisions for excluding the public were utilised;
- Subject of the confidential item;
- Number of occasions that information originally declared confidential has subsequently been made publicly available; and
- Any other information that the Act or Regulations require to be reported.

Wattle Range COUNCIL	CODE OF PRACTICE 6	Version:	8
	Public Access to Council and Committee Meetings and Associated Documents	Date Adopted:	14/04/2020
		Next Review Due:	Nov 2022

5. REVIEW

This Code of Practice will be reviewed within 12 months after the conclusion of each periodic election or before if required.

In addition, Section 92(5) of the *Local Government Act 1999* requires any future amendment or alteration to the Code, or a substitution of a new Code, will be subject to the specifications of Council's Community Engagement Policy

6. AVAILABILITY

This Policy is available for inspection without charge at the following location during ordinary business hours:

- Principal Office, "Civic Centre", George Street, Millicent
- Council Website: www.wattlerange.sa.gov.au.

A copy of the Policy may be purchased from the Principal Council Office upon payment of a prescribed fee in accordance with Council's Schedule of Fees and Charges.

7. REFERENCES & FURTHER READING

Relevant Legislation:	• *Local Government Act 1999* • *Local Government (Procedures at Meetings) Regulations 2013* • *Freedom of Information Act 1991*
Relevant Policies / Procedures / Guidelines	This Policy should be read in conjunction with: • Appendix 1 – Matters for which Council, or a Committee, can order that the public be excluded. • Appendix 2 – Template for Making Section 90(2) and 91(7) Orders Under the *Local Government Act 1999* • Policy 1.1 – Code of Conduct for Council Members • Policy 1.5 – Community Engagement • Code of Practice 104 - Discretionary Procedures – Procedures at Meetings • Policy 1.47 – Informal Gatherings • Policy 28 – Customer Experience & associated procedures • Procedure 106 – Deputations to Council • Procedure 369 – Petitions to Council

Attachment 4

8. ADOPTION & AMENDMENT HISTORY

The table below sets out the adoption, review and amendment history of the policy.

Version No:	Issue Date:	Authorised by:	Description of Change:	Minutes Reference:
1	12/12/2006	Council	Adopted	Folio 3789; Item 18.1.1
2	14/12/2010	Council	Reviewed	Folio 4496; Item 16.1.7
3	08/05/2012	Council	Amended	Folio 4574; Item 11.1.2
4	11/12/2012	Council	Reviewed	Folio 4847; Item 11.1.9
5	08/04/2014	Council	Amended	Folio 5284; Item 12.2.9
6	08/11/2016	Council	Amended	Folio 6936; Item 13.2.3
7	21/01/2020	Council	Amended	Folio 8922; Item 15.2.6
8	14/04/2020	Council	Amended – LG Act changes due to COVID-19	Folio 8948; Item 4.1.2

Wattle Range COUNCIL	CODE OF PRACTICE 6	Version:	8
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		Next Review Due:	Nov 2022

APPENDIX 1 - CONFIDENTIAL ITEM RECOMMENDATIONS

TEMPLATE FOR MAKING AN ORDER TO EXCLUDE THE PUBLIC (SECTION 90(2) ORDERS)

It is irrelevant to exclude the public from the Meeting just because the issue:

- *May cause embarrassment to the Council or to members or employees of the Council; or*
- *May cause a loss of confidence in the Council; or*
- *May involve discussion of a matter that is controversial within the Council area; or*
- *May make the Council susceptible to adverse criticism.*

Appendix 2 contains the list of reasons that can be used to go into confidence (under section 90(3)(a) to (n) of the Act) and will need to be referenced to complete this recommendation.

REASON = Insert the relevant letter from the "REASON" column in Appendix 2, e.g. (a)

GROUNDS = Insert the information from the "GROUNDS" column in Appendix 2 (both the white and green box). Ensure you complete the information in the green box as required.

Recommendation 1

That Council:

- Pursuant to Sections 90(2) and 90(3)([REASON]) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Item XX.X, excepting the following persons:
  - [First Name] [Last Name] – Chief Executive Officer
  - [First Name] [Last Name] – Director Corporate Services
  - [First Name] [Last Name] – Director Development Services
  - [First Name] [Last Name] – Director Engineering Services
  - [First Name] [Last Name] – Executive Assistant / Minute Taker

  NOTE: Only the Mayor and Councillors have an automatic right to remain when the public are excluded. Any other person, including staff members, must be listed to remain in the Chamber whilst the item is discussed.

  to enable the Council to consider Item XX.X in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item XX.X:

  [GROUNDS]

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

TEMPLATE FOR MAKING REPORT RECOMMENDATION

This is the recommendation which relates to the matter detailed within the report.

Recommendation 2

That Council:

1. Receive and note the report.

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2. XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

TEMPLATE FOR MAKING ORDERS TO RETAIN DOCUMENTS IN CONFIDENCE (SECTION 91(7) ORDERS)

E.G. RETAIN REPORTS, ATTACHMENTS, MINUTES OR OTHER DOCUMENT IN CONFIDENCE

This recommendation retains specified documents in confidence for a specified period of time. If you do not order that information is retained in confidence, it becomes public information. The reason for retaining in confidence must meet the criteria of Section 90 of the *Local Government Act 1999*.

Note: The Council cannot make a resolution to keep documents confidential if the purpose of the resolution is to prevent:

- *The disclosure of the remuneration or conditions of service of an employee of the council after the remuneration or conditions have been set or determined; or*
- *The disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the council as to why a successful tenderer has been selected; or*
- *The disclosure of the amount or amounts payable by the council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the council after the contract has been entered into by all parties to the contract; or*
- *The disclosure of the identity of land that has been acquired or disposed of by the council, or of any reasons adopted by the council as to why land has been acquired or disposed of by the council.*

Please select one option only, not both. If using Option B, select

Appendix 2 contains the list of reasons that can be used to go into confidence (under section 90(3)(a) to (n) of the Act) and will need to be referenced to complete this recommendation.

REASON = Insert the relevant letter from the "REASON" column in Appendix 2, e.g. (a)

GROUNDS = Insert the information from the "GROUNDS" column in Appendix 2 (both the white and green box) Ensure you complete the information in the green box as required.

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Recommendation 3

OPTION A: If no documents are required to be kept in confidence, use this recommendation.

That having considered Item X.XX in confidence under section 90(2) and (3)(REASON) of the Local Government Act 1999, the Council, pursuant to section 91(7) of the Act orders that the **Report, Attachment(s) and Minutes** related to this item **be released to the public**.

OPTION B: If any documents need to be kept in confidence, use this recommendation.

That Council:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, the Council orders t**hat the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3) ([REASON]) of the Act:

   - The **Report** of Item XX.X of DATE OF MEETING
   - The **Attachment(s)** of Item XX.X of DATE OF MEETING
   - The **Minutes** of Item XX.X of DATE OF MEETING

   on the grounds that the document(s) (or part) is:

NOTE: Only list the documents you are seeking to keep confidential.
E.g. If wanting to retain the report, you would remove the line for attachments and minutes and leave:
- The **Report** of …

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF 9.63.1/4	Public	Corporate Services	Director Corporate Services	4 Yearly

Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.

[GROUNDS]

This order shall operate until **INSERT a DATE or an EVENT or "FURTHER ORDER OF THE COUNCIL"** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

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APPENDIX 2: REASONS TO EXCLUDE THE PUBLIC AND RETAIN DOCUMENTS IN CONFIDENCE
Source: section 90(3) of the *Local Government Act 1999*

For use in Confidential Item **Recommendation 1** and **Recommendation 3** in Appendix 1.

REASON	GROUNDS
(a)	information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); Specifically, the present matter relates to information pertaining to the personal affairs of [a person] *or, if appropriate,* [name of person]. The disclosure of this information would be unreasonable because [INSERT] *(e.g. the information is sensitive/confidential to [person] and is not a matter of public knowledge)*
(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;

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REASON	GROUNDS
	Specifically, the present matter relates to [TYPE OF INFORMATION] *(e.g. detailed costings and financial statements relating to the proposed renovation of the XX Plaza).* The disclosure of this information could reasonably be expected to be commercially advantageous to [PARTY] because [REASONS] *(e.g. that party is currently in commercial negotiations with the Council related to this matter, and that party could adjust their bargaining position based on the positions of the Council disclosed in the information)* [AND/OR] The disclosure of this information could reasonably be expected to prejudice the commercial position of the Council because [REASONS] *(e.g. the Council is currently inviting tenders in relation to this matter, and the disclosure of this information would likely influence any proposals submitted, to the commercial detriment of the Council)* The Council has considered the public interest in relation to whether to make this order. The prevailing public interest in these circumstances is [INSERT] *(e.g. the Council's ability to obtain best value for money)*. The Council considers that, on balance, disclosure would be contrary to the public interest. [SUMMARISE REASONS OF COUNCIL] *(e.g. To discuss the matter publicly would seriously compromise the Council's ability to achieve optimum value for money for its residents, as the Council's business stance in relation to the matter would inappropriately become known to other involved parties.)*
(c)	information the disclosure of which would reveal a trade secret; Specifically, the present matter relates to [DESCRIBE INFORMATION] *(Note: do not include the nature of the trade secret.)*
(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;

Attachment 4

REASON	GROUNDS
	Specifically, the present matter relates to [TYPE OF INFORMATION] *(e.g. a report from XX Consultants relating to a proposed development)* The disclosure of this information could reasonably be expected to prejudice the commercial position of the person who supplied the information [or, if appropriate, NAME OF PARTY] because [REASONS] *(e.g. the information details confidential financial and business forecasts about that party which could reasonably be expected to prejudice the party's ability to conduct business with other parties)* [AND/OR] The disclosure of this information could reasonably be expected to confer a commercial advantage on a third party because [REASONS] *(e.g. the information contains financial estimates of the party supplying the information regarding future work to be undertaken for third parties, and disclosure of those estimated costs would likely then be taken into account by those third parties in their dealings with the party supplying the information)* The Council has considered the public interest in relation to whether to make this order. The prevailing public interest in these circumstances is [INSERT] *(e.g. the Council's ability to conduct its present business with XX Consultants, for the benefit of residents)*. The Council considers that, on balance, disclosure would be contrary to the public interest. [SUMMARISE REASONS OF COUNCIL] *(e.g. the potential commercial detriment that the disclosure of this information could cause to XX Consultants may diminish the ability of XX Consultants to conduct its present business with the Council and is contrary to the Council's adherence to fair commercial conduct.)*
(e)	matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;
	Specifically, the present matter relates to [DESCRIBE INFORMATION]
(f)	information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
	Specifically, the present matter relates to [DESCRIBE INFORMATION]
(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;
	Specifically, the present matter relates to [DESCRIBE INFORMATION]
(h)	legal advice;
	Specifically, the present matter relates to [DESCRIBE INFORMATION] *(e.g. legal advice provided by XX Lawyers)* *(Note: do not include the content or nature of the legal advice)*

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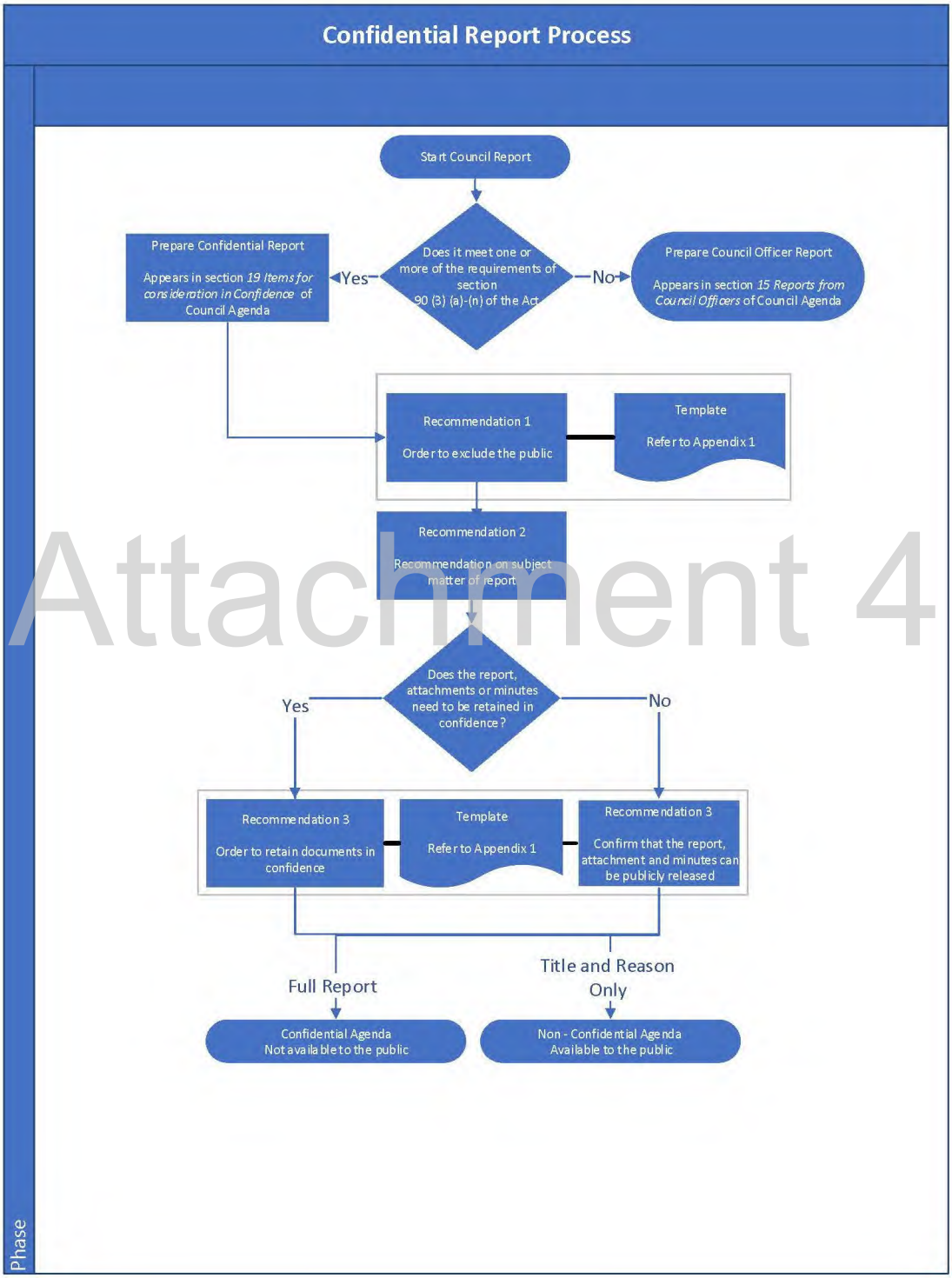
REASON	GROUNDS
(i)	information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council; Specifically, the present matter relates to [DESCRIBE INFORMATION] *(Note: do not include the nature of any legally sensitive information)*
(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; Specifically, the present matter relates to [TYPE OF INFORMATION AND MINISTER/PUBLIC AUTHORITY WHICH COMMUNICATED IT] *(e.g. correspondence between the Council and the Department of Planning, Transport and Infrastructure regarding a proposed highway)* This information was communicated to the Council on a confidential basis. The Council has considered the public interest in relation to whether to make this order. The prevailing public interest in these circumstances is [INSERT] *(e.g. the delivery by the State Government, in partnership with the Council, of a major public works project)*. The Council considers that, on balance, disclosure would be contrary to the public interest. [SUMMARISE REASONS OF COUNCIL] *(e.g. Full particulars of the project will be made available in due course if the project proceeds beyond its present, early stage. However, the release of this information at this early stage may compromise the delivery of a proposed significant roadwork project, which is intended to benefit the residents of the Council and the public in general.)*
(k)	tenders for the supply of goods, the provision of services or the carrying out of works; Specifically, the present matter relates to [DESCRIBE INFORMATION]
(m)	information relating to a proposed amendment to a Development Plan under the *Development Act 1993* before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act; Specifically, the present matter relates to [DESCRIBE INFORMATION]
(n)	information relevant to the review of a determination of a council under the *Freedom of Information Act 1991*. Specifically, the present matter relates to [DESCRIBE INFORMATION]

Attachment 15.1.3.4

Wattle Range COUNCIL	CODE OF PRACTICE 6	Version:	8
	Public Access to Council and Committee Meetings and Associated Documents	Date Adopted:	14/04/2020
		Next Review Due:	Nov 2022

APPENDIX 3: Council Officer Reporting of Confidential Items



Attachment 4

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF 9.63.1/4	Public	Corporate Services	Director Corporate Services	4 Yearly
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Wattle Range COUNCIL	CHARTER 329	Version:	2
	Strategic Planning and Development Policy Committee	Date Adopted:	14/04/2020
		Next Review Due:	Nov 2022

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the South Australian Public Health Act 2011, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the Emergency Management Act 2004, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On 30 March 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the Local Government Act 1999 (Notice No 1) varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 1. Notice No 1 commenced operation on 31 March 2020.

For the period Notice No 1 has effect (as provided for in Notice No 1), this Charter is altered as set out below and those alterations have effect notwithstanding any other provision in this Charter to the contrary.

For the avoidance of doubt, save for the alterations to the Charter as set out below, this Charter otherwise applies to all meetings of the Committee.

Attachment 5

Definitions

electronic means includes a telephone, computer or other electronic device used for communication.

ALTERATION TO CHARTER

Members of the Committee may participate in a meeting of the Committee by electronic means.

Members must follow the same processes and procedures as Council for meeting by electronic means as detailed in Council's:

- Discretionary Procedures (Procedures at Meetings) Code of Practice; and
- Public Access to Council and Committee Meetings and Associated Documents.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
18.14.1/2	Public	Corporate Services	Director Corporate Services	4
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				

Wattle Range COUNCIL	CHARTER 329	Version:	2
	Strategic Planning and Development Policy Committee	Date Adopted:	14/04/2020
		Next Review Due:	Nov 2022

1. NAME

The name of the Committee shall be the Strategic Planning and Development Policy Committee (herein after called 'the Committee').

2. ESTABLISHMENT

1. The Committee is a Committee established by the Wattle Range Council (herein after called 'the Council') pursuant to section 101A of the Development Act 1993 and section 41 of the Local Government Act 1999 (herein after referred to as 'the Act') on Tuesday, 13th September 2011 2011 (Refer to Folio 4619; Item 11.1.1).

3. PURPOSE FOR WHICH THE COMMITTEE IS ESTABLISHED

The Strategic Planning and Development Policy Committee charged with the responsibilities of undertaking the functions detailed in section 101A of the Development Act 1993 (hereinafter called "the purpose").

4. FUNCTIONS

The function of the Committee will be:

1. To provide advice to the council in relation to the extent to which the Council's strategic planning and development policies accord with the Planning Strategy; and
2. To assist the council in undertaking strategic planning and monitoring directed at achieving;-
   - (i) Orderly and efficient development within the area of the council; and
   - (ii) High levels of integration of transport and land-use planning; and
   - (iii) Relevant targets set out in the Planning Strategy within the area of the Council; and
   - (iv) Other outcomes of a prescribed kind (if any); and
3. To provide advice to the council (or to action as its delegate) in relation to Strategic planning and development policy issues when the council is preparing;-
   - (i) a Strategic Directions Report; or
   - (ii) a Development Plan amendment proposal; and
4. Other functions (other functions relating to development assessment or compliance) assigned to the committee by the Council.

Attachment 5

5. POWERS

The Council pursuant to Section 41 (2d) of the Act delegates to the Committee, for the purpose of achieving it objects, and subject always to the provisions of the Act, the following powers;

1. Make decisions on any matter relating to its functions and duties
2. Expend funds in relation to its objects within the limits of the Committee's budget as adopted by the Council.
3. Recommend policy changes to Council for consideration and adoption.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
18.14.1/2	Public	Corporate Services	Director Corporate Services	4
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Wattle Range COUNCIL	CHARTER 329	Version:	2
	Strategic Planning and Development Policy Committee	Date Adopted:	14/04/2020
		Next Review Due:	Nov 2022

6. MEMBERSHIP

The membership of the Committee is to comprise of all members of Council and shall therefore appointed for a term coincident with their four (4) year term of the Council.

7. PRESIDING MEMBER

1. The Committee shall appoint a Presiding Member to be chosen by the members of the Committee from amongst their own number and shall hold office for such term as may be determined by the Committee.
2. The Presiding Member shall preside at all meetings of the Committee and in the event of the Presiding Member being absent from a meeting, the members present shall appoint a member who shall preside for that meeting or until the Presiding Member is present.

8. DUTIES OF THE PRESIDING MEMBER

The Presiding Member shall –

1. Call all meetings of the Committee in accordance with Clause 9;
2. Preside at all meetings of the Committee at which he or she is present and preserve order there at so that the business may be conducted in due form and with propriety;
3. Upon confirmation of the minutes sign them in the presence of the meeting.

Attachment 5

9. CALLING OF MEETINGS

1. The Committee must meet at least once every twelve (12) months.
2. The Presiding Member may convene a special meeting of the Committee at his or her own volition and shall convene a meeting upon the written demand of at least two members of the Committee.
3. Subject to the provisions of sub-clause (4) hereof, notice of every meeting shall be given in writing to every member at least seven (7) days prior to such meeting. Notice shall be deemed to have been given a day following posting, or delivery of such notice. The notice shall contain the date, time and place of the meeting and the business to be transacted thereat.
4. The Presiding Member may call a special meeting of the Committee at any time provided that notice of such meeting shall be given to all members at least four hours before the commencement of the meeting.

10. QUORUM

No business shall be transacted at a meeting of the Committee unless one more than half the members, if there is an even number of members, or a majority of the whole number, if there is a uneven number of members, is present.

11. PROCEEDING OF MEETINGS

The meeting procedures of the Committee shall be in accordance with the provisions of the Local Government (Procedures at Meetings) Regulations 2000.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
18.14.1/2	Public	Corporate Services	Director Corporate Services	4
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				

12. VOTING

1. All questions arising at a meeting of the Committee shall be decided by the majority of votes cast by Committee members present at such meeting.
2. Every member of the Committee shall have a deliberate vote at meetings of the Committee. In the event of an equality of votes, the Presiding Member shall have a casting vote in addition to his or her deliberate vote.

13. SECRETARY

1. The Council's Chief Executive Officer will be the Secretary of the Committee.

14. DUTIES OF THE SECRETARY

The Secretary shall;

1. be the public officer of the Committee;
2. attend all meetings of the Committee;
3. attend to all correspondence and deal with it as instructed by the Committee;
4. deal with the business referred by the Presiding Member of the Committee;
5. keep the minutes of all meetings of the Committee setting out all reports received and resolutions passed out other business transacted by the Committee and forward a copy to each member of the Committee and the Council;
6. keep such records as instructed by the Committee from time to time.

Attachment 5

15. MEETING MINUTES

The Committee shall present copies of their meeting minutes to the Council for information and consideration, and are to be published on Council's website.

16. AMENDMENTS, ALTERATIONS AND ADDITIONS TO THE RULES

These rules may be amended, altered or added to by a resolution of the Council made pursuant to Schedule 2 clause 3(5) of the Local Government Act, 1999.

17. ADOPTION & AMENDMENT HISTORY

The table below sets out the adoption, review and amendment history of the policy.

Version No:	Issue Date:	Authorised by:	Description of Change:	Minutes Reference:
1	13 September 2011	Council	Adopted	Folio 4619; Item 11.1.1
2	14 April 2020	Council	Allow electronic meetings, due to COVID-19	Folio 8951; Item 16.1.2.4

Wattle Range Council	Terms of Reference ID340	Version:	7
	Wattle Range Council Audit and Risk Committee	Date Adopted:	14/07/2020
		Next Review Due:	Nov 2022

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the South Australian Public Health Act 2011, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the Emergency Management Act 2004, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On 30 March 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the Local Government Act 1999 (Notice No 1) varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 1. Notice No 1 commenced operation on 31 March 2020.

For the period Notice No 1 has effect (as provided for in Notice No 1), this Terms of Reference is altered as set out below and those alterations have effect notwithstanding any other provision in this Terms of Reference to the contrary.

Attachment 6

For the avoidance of doubt, save for the alterations to the Terms of Reference as set out below, this Terms of Reference otherwise applies to all meetings of the Committee.

Definitions

electronic means includes a telephone, computer or other electronic device used for communication.

ALTERATION TO TERMS OF REFERENCE

Members of the Committee may participate in a meeting of the Committee by electronic means.

Members must follow the same processes and procedures as Council for meeting by electronic means as detailed in Council's:

- Discretionary Procedures (Procedures at Meetings) Code of Practice; and
- Public Access to Council and Committee Meetings and Associated Documents.

Wattle Range Council	Terms of Reference ID340	Version:	7
	Wattle Range Council Audit and Risk Committee	Date Adopted:	14/07/2020
		Next Review Due:	Nov 2022

1. COMMITTEE NAME

The name of the Committee shall be the Wattle Range Council Audit and Risk Committee (hereinafter called 'the Committee').

2. ESTABLISHMENT

The Wattle Range Council Audit and Risk Committee is a Committee established by the Wattle Range Council (hereinafter called 'the Council') pursuant to section 126 of the *Local Government Act 1999* (hereinafter referred to as 'the Act') on the 14th March 2006 (Refer to Folio 3633; Item 11.1.18).

The Committee and Charter was reviewed by the Council on:

a) 13th February 2007 (Refer to Folio 3805; Item 11.1.2)

b) 27th November 2018 (Refer to Folio 7984, Item 13.1.4)

c) 10th March 2020 (Refer to Folio 8941, Item 15.2.3)

3. PURPOSE & FUNCTIONS FOR WHICH THE COMMITTEE IS ESTABLISHED

The Wattle Range Council Audit and Risk Committee is a Committee charged with the responsibilities of undertaking the functions detailed in section 126 of the Act, namely:

- reviewing annual financial statements to ensure that they present fairly the state of affairs of the council;
- proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan;
- proposing, and reviewing, the exercise of powers under section 130A of the Act;
- liaising with the council's auditor; and
- reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.

(hereinafter called "the purpose").

Attachment 6

4. ROLE OF THE COMMITTEE

4.1 Financial reporting

4.1.1 The Committee shall monitor the integrity of the financial statements of the Council, including its annual report, reviewing significant financial reporting issues and judgements which they contain.

4.1.2 The Committee shall 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;
- Whether the Council has followed appropriate accounting standards and made 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

4.2 Internal controls and risk management systems

The Committee shall:

- Keep under review the effectiveness of the Council's internal controls and risk management systems; and
- Review and recommend the approval, where appropriate, of any material to be included in the annual report concerning internal controls and risk management.
- Note that it is important that the Audit Committee understands the business of the Council to appreciate the risks it manages on a daily basis, and to ensure that there are appropriate management plans to manage and mitigate those risks. This will include insurance matters, financial reporting, legal and regulatory compliance, business continuity, and statutory compliance. This can be facilitated by discussions with the internal and external auditors and by presentations by management on how business risks are identified and managed.

Attachment 6

4.3 Public Interest Disclosure (Whistle blowing)

The Committee shall review the Council's arrangements for its employees to raise concerns, in confidence, about possible wrongdoing in financial recording or reporting or other matters. The Committee shall ensure these arrangements allow independent investigation of such matters and appropriate follow-up action.

4.4 Internal audit (if applicable where a Council has a separate internal audit function)

The Committee shall:

- Monitor and review the effectiveness of the Council's internal audit function in the context of the Council's overall risk management system;
- 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. Note that this may include the review of the areas that have been identified for review and the frequency of review.
- Monitor whether the function of internal audit has adequate standing and is free from management or other restrictions. Whilst internal audit focuses on a Council's systems and procedures, it is important that the internal auditor retains her or his independence and is not subject to any influence from management or Council that impedes her/his ability to report objectively.
- Review all reports on the Council's operations from the internal auditors; Note that the reports to the Audit Committee need not be the detailed reports that are

presented to management for their review. Ordinarily a high level review report is all that is required detailing the work undertaken, the findings and management response.

- Review and monitor management's responsiveness to the findings and recommendations of the internal auditor, and where appropriate, meet the "head" of internal audit (internal or outsourced) at least once a year, without management being present, to discuss any issues arising from the internal audits carried out. In addition, the head of internal audit shall be given the right of direct access to the Principal Member of the Council and to the Presiding Member of the Committee.

4.5 External audit

The Committee shall:

- Develop and implement a policy on the supply of non-audit services by the external auditor, taking into account any relevant ethical guidance on the matter; Consider and make recommendations to the Council, in relation to the appointment, re-appointment and removal of the Council's external auditor.
- The Committee shall oversee the selection process for new auditors and if an auditor resigns the Committee shall investigate the issues leading to this and decide whether any action is required;

Attachment 6

4.5.1 Oversee Council's relationship with the external auditor including, but not limited to:

Recommending the approval of the external auditor's remuneration, covering fees for both audit or non-audit services, and recommending whether the level of fees is appropriate to enable an adequate audit to be conducted;

- 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;
- 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 auditor, including the provision of any non-audit services;
- 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);
- Monitoring the external auditor's compliance with legislative requirements on the rotation of audit partners; and
- Assessing the external auditor's qualifications, expertise and resources and the effectiveness of the audit process (which shall include a report from the external auditor on the Audit Committee's own internal quality procedures;

4.5.2 Meet as needed with the external auditor.

- The Committee shall meet the external auditor at least once a year, with or without management being present; to discuss the external auditor's report and any issues arising from the audit;
- Review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement;

4.5.3 Review the findings of the audit with the external auditor, including 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.
- Review the effectiveness of the external audit

4.5.4 Review any representation letter(s) requested by the external auditor before they are signed by management;

4.5.5 Review the subsequent audit management letter from the external auditor and management's proposed response, by the Council, to the external auditor's findings and recommendations in that audit management letter.

Attachment 6

4.6 Reporting responsibilities

The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed.

5. MEMBERSHIP

Council determines that the Committee shall consist of six members, who shall be appointed by Council as follows:

Membership Position	Number of Positions	Conditions of Appointment
Mayor	1	The Mayor of Wattle Range Council (Automatically appointed to the Committee by virtue of their held position).
Independent Member	2	A person who is not a member of the Council and who is determined by Council to have the relevant financial and or professional experience related to the functions of the Audit & Risk Committee (determined by resolution of the Council).
Council Member	3	Must be a Council Member of the Wattle Range Council (determined by resolution of the Council).

1. The Mayor and Council Member representatives shall be appointed for a period of up to four years, or until the end of the term of the Council.
2. Independent member(s) of the Committee shall be appointed for a period of up to four years commencing part-way through an election cycle, so that their terms overlap each Council election and provide some continuity. Appointees may be reappointed by Council.
3. Council shall invite nominations from the public from persons with appropriate financial and or professional experience for appointment to the Independent Member positions.
4. Council's external auditors and internal auditors (if applicable) may be invited to attend meetings of the Committee (but are not members of the Committee).
5. Other individuals *such as the Chief Executive Officer, Director of Corporate Services, Manager Financial Services and if applicable the heads of risk or compliance* may attend any meeting as observers and/or be responsible for preparing papers for the Committee (but are not members of the Committee).

6. PRESIDING MEMBER

The role of the Presiding Member is to:

a) Call all meetings of the Committee in accordance with the Act, these Terms of Reference and as determined by the Committee;

b) Preside at all meetings of the Committee at which he or she is present and preserve order there at so that the business may be conducted in due form and with propriety;

c) Upon confirmation of the minutes sign them in the presence of the meeting.

Attachment 6

1. The Committee shall, by decision, appoint a Presiding Member to be chosen from the Independent Member positions and shall hold office for such term as may be determined by the Committee (not exceeding the length of the member's term).
2. The Presiding Member shall preside at all meetings of the Committee and in the event of the Presiding Member being absent from a meeting, the members present shall appoint a member who shall preside for that meeting or until the Presiding Member is present.

7. SECRETARY

The Chief Executive Officer (or their nominee) shall be the Secretary of the Committee.

8. MEETING PROCEDURES

Procedures to be observed in relation to the conduct of Committee meetings will be (in priority order):

a) as prescribed by the Act and Local Government (Meeting Procedures) Regulations; then

b) as determined by Wattle Range Council (e.g. these Terms of Reference and any Council policy or procedure); then

c) as determined by the Committee.

9. CALLING OF MEETINGS

1. Ordinary Meetings: The Members of the Committee shall meet at least four (4) times per annum.
2. The Presiding Member may convene a special meeting of the Committee at his or her own volition and shall convene a meeting upon the written demand of at least two members of the Committee.
3. Subject to the provisions of sub-clause (4) hereof, notice of each meeting, confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee and observers, no later than (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.
4. The Presiding Member may call a special meeting of the Committee at any time provided that notice of such meeting shall be given to all members at least four hours before the commencement of the meeting.

10. QUORUM

The quorum necessary for the transaction of business shall be 50% of the number of members of the Committee plus one or a specified number. A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Committee.

Attachment 6

11. PROCEEDINGS OF MEETINGS

The meeting procedures of the Committee shall be in accordance with the provisions of the Act and Part 2 of the *Local Government (Procedures at Meetings) Regulations 2013 (the Regulations)*.

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 Act and subsequently retained as confidential under Section 91 of the Act, are also required to be made available to the public.

12. VOTING

Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required not to vote (e.g. by the conflict of interest provisions in the Act), each member must vote on every matter that is before the Committee for decision in accordance with the Regulations.

13. MEETING MINUTES

The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance are minuted and that the minutes otherwise comply with the requirements of the Local Government (Procedures at Meetings) Regulations 2013.

Wattle Range Council	Terms of Reference ID340	Version:	7
	Wattle Range Council Audit and Risk Committee	Date Adopted:	14/07/2020
		Next Review Due:	Nov 2022

Minutes of Committee meetings shall be circulated within five days after a meeting to all members of the Committee and to all members of the Council for information and consideration and will (as appropriate) be available to the public.

14. DIRECTION BY COUNCIL

The Committee is subject to the direction and control of the Council. A direction given by the Council (or its delegate) must be in writing. Nothing prevents Council from acting in a matter.

15. OTHER MATTERS

The Committee shall:

- Have access to reasonable resources in order to carry out its duties;
- Be provided with appropriate and timely training, both in the form of an induction programme for new members and on an ongoing basis for all members;
- Give due consideration to the Act and regulations made under the Act;
- Make recommendations on co-ordination of the internal and external auditors;
- Oversee any investigation of activities which are within its charter; and
- Oversee action to follow up on matters raised by the external auditors;
- At least once a year, review its own performance, constitution and terms of reference to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.

Attachment 6

16. REGISTER OF INTEREST

The provisions of Chapter 5; Part 4; Division 2 of the *Local Government Act 1999* apply to members of the Committee.

17. AMENDMENTS, ALTERATIONS AND ADDITIONS TO THE RULES

These rules may be amended, altered or added to by a resolution of the Council made pursuant to Schedule 2 clause 3(5) of the Local Government Act, 1999.

18. ADOPTION & AMENDMENT HISTORY

The table below sets out the adoption, review and amendment history of the policy.

Version No:	Issue Date:	Authorised by:	Description of Change:	Minutes Reference:
4	27/11/2018	Council	Name amended from Wattle Range Council Audit Committee to Wattle Range Council Audit and Risk Committee	Folio 7984; Item 13.1.4.1
5	10/03/2020	Council	Change in membership to allow an additional independent member. Minor changes to include Public Interest Disclosure and updates to review dates	Folio 8941; Item 15.2.3
6	14/04/2020	Council	Allow electronic meetings, due to COVID-19	Folio 8951; Item 16.1.2.3
7	14/07/2020	Council	Amended membership structure	Folio 9001; Item 15.2.4

15.2 Director Corporate Services

15.2.1 Monthly Financial Performance Report

Report Type	Officer Report
Department	Corporate Services
Author	Aaron Peek
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Not Applicable
Strategic Plan Reference	**Theme 5 - Organisational Excellence** 5.2 Govern in a responsible and responsive way.
File Reference	GF/7.73.1/4
Attachments	1. Datascape May 2022 [**15.2.1.1** - 3 pages]

Purpose of Report

Council consideration of the Monthly Financial Performance Report.

Report Details

The attached Financial Performance report for the year to 31 May 2022 shows that Council is currently within its approved 2021/22 budget based on current expenditure and income trends.

The 2021/22 Financial Performance Report provides a snapshot of Council's financial performance for the period to 31 May 2022. The report includes the year-to-date actual expenditure and income for both operating and capital comparative to the adopted 2021/22 original budget. In addition, the report also provides an update of the Key Financial Indicators used to measure Council's Financial Sustainability.

Operating Expenditure and Revenue

The attached Income Statement shows that after the completion of eleven (11) months of the 2021/22 financial year, Council is within its overall budget parameters and is expected to remain so at year end when accounts are completed.

Capital Expenditure

Council's current capital budget is $14.120M of which $9.104M has been spent and/or committed for expenditure.

Balance Sheet

Council did not budget to borrow any funds in 2021/22. Repayment of existing loans is scheduled for various times throughout 2021/22. Council's current loan principal is $3.9M.

Financial Considerations

Budget Allocation	Refer to Attachment
Budget Spent to Date	Refer to Attachment
Budget Variation Requested	Refer to Attachment

The financial implications are as detailed in the attached report.

Policy Considerations

Information reflected in this report forms part of Council's 2021/22 Annual Business Plan and Budget, which is required to be reviewed periodically by Council, in accordance with the *Local Government Act 1999* and *Local Government (Financial Management) Regulations 2011.*

Legislative Considerations

There are no known legislative considerations related to this report.

Environmental / Sustainability Considerations

There are no known environmental or sustainability considerations related to this report.

Communication & Consultation Considerations

There are no known communication and consultation considerations related to this report.

RECOMMENDATION

That Council receive and note the 2021/22 May Financial Performance Report.

WATTLE RANGE COUNCIL
2021/22 MONTHLY BUDGET REPORT
AS AT
31-May-2022

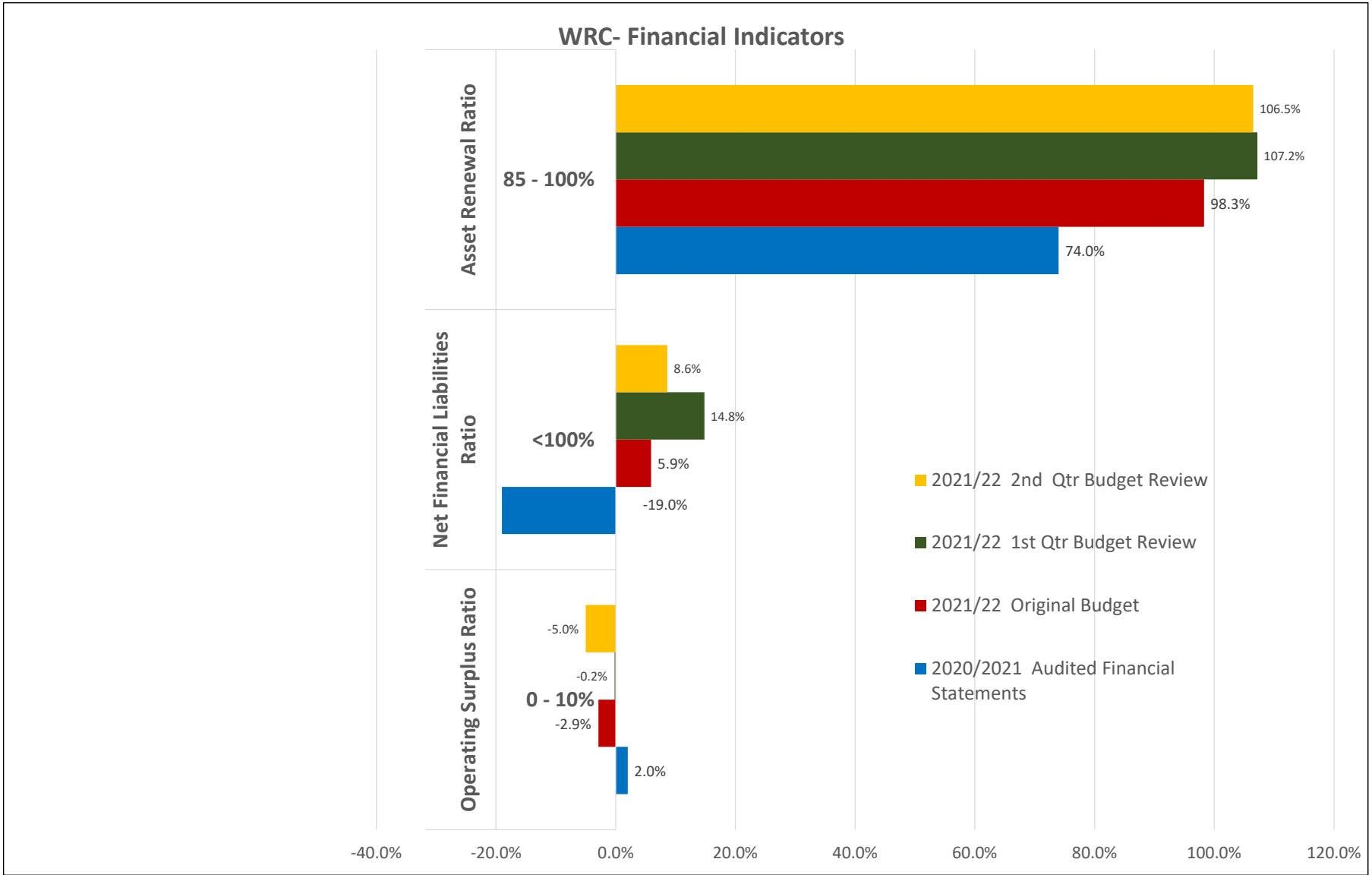
OPERATING ACTIVITIES

Annual Plan Budget 2021/22 $'000	Budget Review 1 2021/22 $'000	Budget Review 2 2021/22 $'000			YTD 2021/22 BUDGET $'000 A	YTD 2021/22 ACTUAL $'000 B	YTD 2021/22 VARIANCE $'000 C=A-B	YTD 2021/22 VARIANCE %	NOTE
				OPERATING INCOME					
19,586	19,540	19,581		Rates	19,581	19,597	(16)	0.1%	
312	312	315		Statutory Charges	289	321	(33)	11.3%	5
2,508	2,508	2,557		User Charges	2,344	2,548	(204)	8.7%	6
4,024	5,261	5,288		Grants Subsidies and Contributions	4,847	5,637	(790)	16.3%	1
83	83	91		Investment Income	83	82	1	(1.0%)	
327	327	427		Other	391	307	84	(21.5%)	
26,840	**28,032**	**28,259**		**Total Operating Income**	**27,536**	**28,493**	**(958)**	**3.5%)**	
				OPERATING EXPENSES					
11,118	11,063	11,192		Wages and Salaries	10,259	10,824	(565)	5.5%	3 & 4
10,864	11,405	11,739		Materials, contracts & other expenses	10,761	7,642	3,119	(29.0%)	3
303	303	303		Finance Costs	278	176	101	(36.5%)	3
5,323	5,323	6,450		Depreciation, amortisation & impairment	5,913	5,362	550	(9.3%)	2
27,608	**28,093**	**29,684**		**Total Operating Expenses**	**27,211**	**24,004**	**3,207**	**(11.8%)**	
(768)	**(62)**	**(1,426)**	**A**	**OPERATING SURPLUS/(DEFICIT) BEFORE CAPITAL AMOUNTS**	**325**	**4,489**	**2,249**	**(691.9%)**	
				CAPITAL ACTIVITIES					
				Net Outlays in Existing Assets					
5,841	6,465	6,307		Capital Expenditure on renewal and replacement of Existing Assets	5,781	3,869	1,912	(33.1%)	3
(5,323)	(5,323)	(6,450)		*Depreciation, Amortisation and Impairment*	*(5,913)*	(5,362)	(550)	(9.3%)	2
(220)	(220)	(220)	**B**	*Proceeds from Sale of Replaced Assets*	*(202)*	(133)	(69)	(34.0%)	3
298	**922**	**(363)**	**C**		**(333)**	**(1,626)**	**1,293**	**388.1%**	
				Net Outlays on New and Upgraded Assets					
5,500	6,207	7,813		Capital Expenditure on New and Upgraded Assets	7,162	3,398	3,764	(52.6%)	3
(2,922)	(1,293)	(1,293)	**D**	*Amounts received specifically for New and Upgraded Assets*	*(1,186)*	(407)	(779)	(65.7%)	3
-		(1,097)		*Proceeds from Sale of Surplus Assets*	*(1,097)*	(1,097)	-	0.0%)	
2,578	**4,914**	**5,423**	**E**		**4,879**	**1,894**	**2,986**	**(61.2%)**	
(3,644)	**(5,898)**	**(6,485)**		**Net Lending / (Borrowing) for Financial Year (A-C-E)**	**(4,221)**	**4,222**	**(8,443)**	**(200.0%)**	
				Net Operating Surplus / Deficit (A-B-D)	**1,712**	**5,029 -**	**3,317**	**193.7%**	

WATTLE RANGE COUNCIL
2021/22 MONTHLY BUDGET REPORT
AS AT
31-May-2022

NOTES

#	Description	Status	Action Required
1	Half of 2021/22 Financial Assistance Grants (FAG) prepaid in 2021/22. 75% of the 2022/2023 FAG's have been prepaid in May 2022.		No Action Required
2	Depreciation needs to be reviewed		Review to be undertaken
3	Timings between when budgets and actuals occur. The months budgets have been put in can be varied to the months where actuals have been occurred. Part of the variation is due to contractors, training, sponsorships & grants expenses tracking under budget.		No Action Required
4	Review of Long Service Leave balances will continue, final corrections are expected to be completed in early June.		Review is being undertaken
5	Income raised from Development Applications is higher than the forecasted budget.		No Action Required
6	Income raised from Childcare Fees and Saleyards Fees is higher than the forecasted budget.		No Action Required


WRC- Financial Indicators
Asset Renewal Ratio
85 - 100%
106.5%
107.2%
98.3%
74.0%
Net Financial Liabilities Ratio
<100%
8.6%
14.8%
5.9%
-19.0%
Operating Surplus Ratio
0 - 10%
-5.0%
-0.2%
-2.9%
2.0%
2021/22 2nd Qtr Budget Review
2021/22 1st Qtr Budget Review
2021/22 Original Budget
2020/2021 Audited Financial Statements
-40.0%
-20.0%
0.0%
20.0%
40.0%
60.0%
80.0%
100.0%
120.0%

15.2.2 Rendelsham Hall Management Committee

Report Type	Officer Report
Department	Corporate Services
Author	Kaitlin Creek
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Low
Strategic Plan Reference	**Theme 5 - Organisational Excellence** 5.2 Govern in a responsible and responsive way.
File Reference	16.14.1/21
Attachments	1. Resignation of Dawn Williams [**15.2.2.1** - 1 page] 2. Resignation of Lew Wray [**15.2.2.2** - 1 page] 3. Cherie Foran Nomination [**15.2.2.3** - 1 page]

Purpose of Report

For Council to endorse the appointment of a new nomination for the Rendelsham Community Hall Management Committee.

Report Details

The Rendelsham Community Hall Management Committee (the Committee) is a Section 41 Committee of Council with a Charter that outlines its membership.

Council has recently received a resignation from Dawn Williams on 16 May 2022 (Attachment 1), who was a Rendelsham community representative member on the Committee. Council also received a resignation from Lew Wray (Attachment 2). Both Community representatives have been sent thank you letters for their service and commitment to the Committee.

On the 18 February 2022 Council received a nomination from Cherie Foran who has an interest in the Rendelsham Community, see enclosed (Attachment 3) nomination statement.

As prescribed, it is a matter for the Council to consider the nomination received and to make an appointment to the Committee if appropriate.

The term of office for the appointment is for the balance of the term of the person who now ceases to hold office. The term coincides with the 4-year term of the current Council and will end on 11 November 2022.

Financial Considerations

Budget Allocation	TBD
Budget Spent to Date	TBD
Budget Variation Requested	TBD

There are no known financial considerations related to this report.

Risk Considerations

Section 41 Committee Compliance.

Policy Considerations

There are no known policy considerations related to this report.

Legislative Considerations

There are no known legislative considerations related to this report.

Environmental / Sustainability Considerations

There are no known environmental or sustainability considerations related to this report.

Communication & Consultation Considerations

There are no known communication and consultation considerations related to this report.

RECOMMENDATION

That Council:

1. Receive and note the report.

2. That pursuant to section 41(3) of the *Local Government Act 1999*, Council appoints Cherie Foran (Community Representative) as a member of the Rendelsham Community Hall Management Committee, for a period coinciding with the four-year term of Council, expiring on 11 November 2022.

Archived: Thursday, 9 June 2022 12:22:50 PM
From: Kaitlin Creek
Sent: Monday, 16 May 2022 3:15:35 PM
To: Naomi Winter
Subject: EI2022/202047 - 16.14.1/21 - Rendelsham Hall Committee
Sensitivity: Normal

From: Dawn Williams <dawnbkkp@bigpond.com>
Sent: Monday, May 16, 2022 3:14 PM
To: Kaitlin Creek <kjc@wattlerange.sa.gov.au>
Subject: Rendelsham Hall Committee

Dear Kaitlin,
It is with regret that I have to hand in my resignation from the Rendelsham Community Hall Management Committee as secretary due to family health problems.
A meeting was scheduled for Tuesday 17/5/2022, which I completely forgot about, so will have to be re-scheduled.
Kind Regards
Dawn Williams
Secretary
Rendelsham Hall Community Hall Management Committee
Phone: 0409 095 479

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Archived: Thursday, 9 June 2022 10:50:23 AM
From: Lew Wray
Sent: Wednesday, 17 November 2021 1:32:02 PM
To: Council
Subject: EI2021/195503 - 16.14.1/21 - Rendelsham Community Hall Management Committee
Sensitivity: Normal

Please note that I am tendering my resignation from the above committee, due to my imminent move to live in Adelaide.

Yours faithfully,

Llewellyn Wray

---- Message sent via Adam Internet WebMail - http://www.adam.com.au/ The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

Wattle Range
COUNCIL

Nomination for Member of Council Committee

Please use this form to nominate for a section 41 Committee position.
Additional pages may be attached if further space required.

Please Note: Nominations are provided to Council for consideration. Information provided on this nomination from may be included in a Council meeting agenda, which is a publicly available document. If you do not wish certain information to be publicly available please indicate this on your form.

Committee Name Rendelsham Committe Hall Management

Committee Position
(refer to Committee Charter)

Applicant Full Name Chere Foran

Applicant Contact Details:

Postal Address PO Box 12, Rendelsham SA 5280

Telephone

Mobile 0436 219680

Email chere@bettanet.com.au

Reasons for Applying
Please tell us why you are interested in joining the committee.

I love working for the community the Rendelsham Community Hall is a beautiful hall and I'd love to be able to help support its use in the community

Information Supporting Your Application
E.g. relevant qualifications, experience, key achievements

Have served on numerous committees as a volunteer

Applicant Signature & Date

SEND COMPLETED FORM TO:

Mail Wattle Range Council
PO Box 27 MILLICENT SA 5280

Email council@wattlerange.sa.gov.au

COUNCIL USE ONLY

Receipt Acknowledged

Council Meeting Ref:

Notification of Outcome

File Ref:	Classification:	Position Responsible:	Date Adopted:	Review Due:
9.63.1/4	Public	Director Corporate Services	17 December 2019	Nov 2022

15.2.3 Wattle Range Youth Development Foundation

Report Type	Officer Report
Department	Corporate Services
Author	Cathy Bell
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Not Applicable
Strategic Plan Reference	**Theme 1 - Community Vibrancy & Presentation** 1.6 Promote and support the establishment of strong, sustainable clubs and volunteer organisations throughout the Wattle Range area.
File Reference	GF/7.41.3/1
Attachments	1. Wattle Range Youth Development Foundation Charter [**15.2.3.1** - 5 pages]

Purpose of Report

To consider the provision of funding to the following youth development foundation application;

- William Wimshurst - has been selected in the Under 16 boys team to attend and compete in the 2022 Australian National Junior Basketball Championships from 1 – 11 July 2022 in Perth, WA.

Report Details

Council has established the Wattle Range Youth Development Foundation to provide assistance to youth within the Wattle Range Council area who have been selected from locally based community, educational and sporting organisations to participate in an officially accredited event at the State, State Country or National level.

Any financial assistance provided is to assist with expenses incurred in travelling, accommodation, equipment and training towards the principle event.

Council provides an allocation of $7,000 to the Wattle Range Youth Development Foundation to assist with the operation of the Foundation.

An application has been received from William Wimshurt who has been selected as a member of the Under 16 boys SA Country Basketball team to compete in the Australian National Junior Basketball Championships in Perth from 1 – 11 July 2022.

In reviewing the information provided, the application meets the eligibility of the Youth Development Foundation as detailed in the Charter (refer attached). It is recommended that the provision of financial assistance be granted.

Financial Considerations

Budget Allocation	$7,000
Budget Spent to Date	$1,400
Budget Variation Requested	Nil

Risk Considerations

There are no known risk considerations related to this report.

Policy Considerations

There are no known policy considerations related to this report.

Legislative Considerations

There are no known legislative considerations related to this report. Applications have been assessed in line with the Wattle Range Youth Development Charter.

Environmental / Sustainability Considerations

There are no known environmental or sustainability considerations related to this report.

Communication & Consultation Considerations

A presentation will be arranged following advice to the applicant at a mutually convenient time with details distributed to the local media.

RECOMMENDATION

That Council provide financial assistance of $200 to:

1. William Wimshurst to assist with costs to attend the 2022 Australian National Junior Basketball Championships in Perth from 1 – 11 July 2022.

GF/7.41.3/1

CHARTER

WATTLE RANGE YOUTH DEVELOPMENT FOUNDATION

1. **Name**

The name of the Authority shall be the Wattle Range Youth Development Foundation, (hereinafter called 'the Committee').

2. **Establishment**

2.1 The Committee is a controlling authority established by the Wattle Range Council (hereinafter called 'the Council') pursuant to Section 199 of the Local Government Act, 1934 on 8th September 1997 (Refer to Folio 129, Item 6.1.4.10).

2.2 The Committee was further reviewed by the Council pursuant to Section 41 of the Local Government Act, 1999 (hereinafter referred to as 'the Act') on 8th November 2005 (Refer to Folio 3569; Item 1.38).

2.3 The Committee was further reviewed by the Council pursuant to Section 41 of the Local Government Act, 1999 (hereinafter referred to as 'the Act') on 13th November 2007 (Refer to Folio 3942; Item 11.2.3).

2.4 The Committee was further reviewed by the Council pursuant to Section 41 of the Local Government Act, 1999 (hereinafter referred to as 'the Act') on 12th June 2012 (Refer to Folio 4766; Item 11.1.2).

3. **Purpose**

The Wattle Range Youth Development Foundation is established to provide assistance to youth within the Wattle Range Council area who have been selected from locally based Community, Educational and Sporting Organisations to participate in an officially accredited event at the State, State Country or National level.

4. **Functions**

4.1 To enquire into and report to Council on the possible provision of financial assistance that shall be rendered to youth who have been selected from locally based Community, Educational or Sporting Organisations, association, clubs or leagues etc. (or selected on Individual merit) to represent the State of South Australia (including State Country or Country South Australia) in an officially accredited/recognised state, national or international event, and a statement to that effect is provided by that event's State Administrator (herein referred to as a selected youth).

The financial assistance may be in the form of a cash contribution from the Council towards the expenses involved in travelling, accommodation, equipment and training. It is not envisaged that the Council would pay all expenses but would pay a contribution to defray some of the expenses involved.

4.2 To receive, consider, process and approve applications that shall be rendered to such selected youth.

Adopted 13th November 2007
Adopted Amended 12th June 2012 (Folio 4766; Item 11.1.2)

5. **Applications**

5.1 All applications for financial assistance to any selected youth shall be made in writing using the application form provided by Council, by that youth's local Organisation, association, school, club or league (or in the case of an individual person, by the individual person concerned), and demonstrate that the selected person has:-

(i) been selected to participate or train in an official team/squad specifically chosen as a state country, state, national or international team;

(ii) been selected in a state country, state, national or international team which will compete within Australia or overseas;

(iii) the desire to compete in a state country, state, national or international event and has the ability to perform to the standards expected in such championship;

(iv) unless the context otherwise requires the terms "state country, state, national or international team" or "state, national or international event" in the foregoing sub-paragraphs means teams or events that have been officially accredited/recognised as being "national or international teams or events" and a statement to that effect is provided by that event's State Administrator.

5.2 In the case of an individual youth, the individual youth concerned shall also provide evidence to the Committee that the individual youth cannot be represented by an existing local Organisation, association, school, club or league and that no other avenues are available for that individual youth to make application for financial assistance other than as an individual youth.

5.3 All applications as required by clause 5.1 above shall:-

(i) provide complete details as to the name, residential address and age of the selected youth, and if the youth is under the age of eighteen (18) years, shall be authorised by a parent or guardian of the said youth.

(ii) provide complete details as to the event(s) to be competed in by that youth (including proposed or intended dates of practice and training sessions leading up to the principal event); the location of the principal event or practice and training sessions, estimated costs to be incurred in attending such events or sessions, details of other assistance that is or could be available to the selected youth.

(iii) provide complete details of all other relevant matters which may assist the Committee in assessing the application.

(iv) provide full details of all expenses that could be incurred in the following areas:-

(a) Travel costs;
(b) Accommodation/meals;
(c) Equipment/training.

(v) be accompanied by the prescribed non-refundable application fee of an amount determined by the Council on an annual basis.

Adopted 13th November 2007
Adopted Amendment 12th June 2012 (Folio 4766; Item 11.1.2)

5.4 The Committee will examine all applications and each application will be treated individually and upon its merits. The Committee will inform the Council as to the amount be paid (if any) which it feels is appropriate to the application, taking into consideration any circumstances.

5.5 An application that has been approved by the Committee in one instance may not necessarily be approved in another. A youth who has received assistance from the Committee will be eligible for further assistance, but the decision of the amount to be allocated a second time, if any, will be at the discretion of the Committee.

5.6 The Committee will not consider any application for assistance for a past event.

6. **Membership of the Committee**

The Committee shall be the Members of Council.

7. **Meetings of the Committee**

7.1 The Committee shall meet as and when determined by the Chairman.

7.2 At all meetings of the Committee, one half of members, plus one shall constitute a quorum. If within thirty minutes after the time appointed for any meeting a quorum shall not be present then such meeting shall not be present then such meeting shall be adjourned until such time as may than be determined by the members present. If at any meeting so adjourned a quorum shall not be present the members then present shall be deemed to form a quorum.

7.3 In the absence of the Chairman at any meeting, another member of the Committee shall be elected as Chairman and shall preside. The Chairman and Acting Chairman shall be entitled to a casting vote only.

7.4 The Committee may act notwithstanding any vacancy in their body.

7.5 In addition to the provisions of Clause 7.1, a meeting of the Committee shall be convened at such other time or times upon a request in writing signed by not less than three members being delivered to the Chairman and upon receipt of and such request the Chairman shall call the Committee to hold formal meetings for the purpose of resolving any matter of urgency provided however that any decision taken otherwise than at a formal meeting shall be confirmed and ratified at the meeting of the Committee next ensuring after such decision is taken.

7.6 Minutes of all resolutions and proceedings at meetings of the Committee shall be kept for all meetings of the Committee.

8. **Funding**

8.1 The Council shall include an amount of money in its annual budget to meet the cost of providing financial assistance to selected persons as approved by the Committee.

Adopted 13th November 2007
Adopted Amendment 12th June 2012 (Folio 4766; Item 11.1.2)

8.2 All applications for financial assistance must be accompanied by a non refundable application fee, set by Council each Financial Year, which will be used toward funding of financial assistance provided to selected youth.

8.3 Council will maintain a Wattle Range Youth Development Foundation investment reserve account into which any unallocated budget amounts for a Financial Year will be credited (net of application fees received).

8.4 In the case of Council exceeding the budgeted amount for the provision of financial assistance in a Financial Year (net of application fees received), additional funding will be drawn from the Wattle Range Youth Development Foundation investment reserve account.

9. **Sponsorship**

9.1 The Council may seek out and obtain sponsorship, donations and/or assistance from any other individual, group or company which may wish to contribute to the operation of the Foundation upon such terms and conditions agreed upon the Council and the other individual, group or company.

9.2 The cash proceeds from any such sponsorship, donations and/or assistance shall be paid to the credit of the investment reserve by Council but Council is not obliged to make a contribution to the investment reserve of an amount equal to the value of the sponsorship, donations and/or assistance.

10. **Powers**

The Council, pursuant to Section 44 (1)(b) of the Act, delegates to the Committee, for the purpose of achieving its Purpose and Functions, and subject always to the provisions of the Act, the following powers ;

10.1 Expend funds for the purpose of awarding financial assistance within the limits of the annual Wattle Range Youth Development Foundation budget and the investment reserve.

10.2 Establish, alter or amend any fees and charges associated with the operation of the Wattle Range Youth Development Foundation.

11. **Definitions**

"The Committee" means the Committee which has the name "Wattle Range Youth Development Foundation".

"A selected youth" means a youth who has been selected from locally based Community, Educational or Sporting Organisations, association, clubs or leagues, or who has been selected on Individual merits (and is unable to be affiliated with any locally based Organisations), to represent the State of South Australia or the country of Australia in an officially accredited/recognised national or international event (as the case may require) and a statement to that effect is provided by that event's State Administrator. A selected youth must be a resident of the area of Wattle Range Council to qualify for financial assistance from the Wattle Range Youth Development Foundation.

"Individual Youth" means a youth who is resident of the area of Wattle Range Council.

"Youth" means any individual aged between the age 5 years to 25 years.

Adopted 13th November 2007
Adopted Amendment 12th June 2012 (Folio 4766; Item 11.1.2)

"In singular" means the plural.

"The Council" means the Wattle Range Council.

"The Chairman" means the Chairman of the Committee.

"Member" means a member of the Committee and includes the Chairman.

"The Secretary" means the Secretary of the Committee.

"Financial Year" means the period of twelve months ending on 30th day of June.

The masculine gender shall include reference to the feminine.

12. **Amendments, Alterations and Additions to the Rules**

These rules may be amended, altered or added to by a resolution of the Council made pursuant to Schedule 2 clause 3(5) of the Local Government Act, 1999.

Adopted 13th November 2007
Adopted Amendment 12th June 2012 (Folio 4766; Item 11.1.2)

15.2.4 Section 989, Fifth Street, Millicent, Hundred of Mount Muirhead

Report Type	Officer Report
Department	Corporate Services
Author	Cathy Bell
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Medium
Strategic Plan Reference	**Theme 4 - Infrastructure & Asset Sustainability** 4.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use.
File Reference	GF/16.85.1/8
Attachments	1. coudoc commland revocation fifth street public consultation 240522 [**15.2.4.1** - 36 pages]

Purpose of Report

Consider feedback received as part of the public consultation conducted in relation to the proposed removal of the community land classification over Section 989, Hundred of Mount Muirhead – Fifth Street, Millicent.

Report Details

Council at its meeting held on the 14th September 2021 resolved to the purchase of Section 989, Hundred of Mount Muirhead, Fifth Street from the Crown for an agreed purchase price of $71,500 (including GST).

To progress the matter further, the Department of Environment and Water (the Department) requested that in order for the Community Land classification and Crown Land Dedications to be removed from the land and the sale to proceed that it required evidential support from the community for this to occur.

Council then resolved at its meeting held on 18 January 2022 “that Council undertake public consultation in relation to the proposed removal of the community land classification over Section 989, Hundred of Mount Muirhead, Fifth Street, Millicent to enable the land to be acquired by Council”.

A Consultation Report titled “Proposal for the Revocation of Community Land Classification” was prepared and released for public comment with submissions closing at 5.00 p.m. on Monday, 23 May 2022. In accordance with Council’s Community Engagement Policy the following consultation methods were used: -

- Public Notice placed in the SE Voice Newspaper (26 April 2022)
- Details of Current Consultations contained within Council Communications column of The South Eastern Times Newspaper (28 April 2022 and 13 May 2022)
- Letters forwarded to the owners of nearby properties and key stakeholders including the occupiers of community groups located within the Community Hub and the Millicent Business Community Association (total of 24 letters were forwarded)

- Information relating to the proposal detailed on Council's website (Have your Say) Facebook page (2,041 reaches, 14 comments and 5 reactions) and Antenno App (79 reaches); and
- Copy of the Consultation Report made available on the Public Notice Board of the Millicent Office.

As a result of the public consultation process, 7 formal submissions were received in relation to the proposed community land revocation process.

The feedback received raised no major concerns or objections with the revocation of the community land status nor the purchase of the land from the Crown. However, there were some concerns raised in relation to the balance of the vacant land and in particular its proposed future use as a residential development.

It should be noted that the balance of the vacant land is currently zoned "neighbourhood" for planning purposes which allows for residential development to occur. However, at this stage there has been no formal commitment for Council to develop the vacant land portion as a residential development, its inclusion in the Consultation Report was for the communities' reference only of potential future uses.

Based on the feedback received it is recommended that Council continue to support the purchase of the Section 989, Fifth Street, Millicent from the Crown and that a copy of the Submissions Report be provided to support the consultation process undertaken.

Should the Submissions Report satisfy the Department's requirements, a formal resolution by Council will still need to be made prior to the transfer of the land, excluding the land from Council's community land register.

Financial Considerations

Budget Allocation	N/A
Budget Spent to Date	N/A
Budget Variation Requested	Nil

Risk Considerations

Refer to Wattle Range Council's SharePoint Register – Acquisition, Contracts and Tender Compliance.

Policy Considerations

There are no known policy considerations related to this report.

Legislative Considerations

The proposed consultation is being undertaken to meet the requirements pursuant to *Section 20A of the Crown Land Management Act, 1999.*

Environmental / Sustainability Considerations

There are no known environmental or sustainability considerations related to this report.

Communication & Consultation Considerations

The public consultation was undertaken in accordance with Council's Community Engagement Policy.

RECOMMENDATION

That Council:

1. Receive and note the submissions received during the public consultation process;

2. Provide a copy of the Submissions Report to the Department for Environment and Water and advise the Department of Council's commitment to purchase Section 989, Hundred of Mount Muirhead.

Wattle Range
COUNCIL

PROPOSAL FOR THE REVOCATION OF COMMUNITY LAND CLASSIFICATION AND CROWN LAND DEDICATION

Crown Land – Millicent

(Section 989, 2 Fifth Street, Millicent)

REPORT ON SUBMISSIONS RECEIVED DURING THE PUBLIC CONSULTATION PROCESS

1. Introduction

This consultation report has been prepared to provide information to the public in relation to the Wattle Range Council's (**Council**) proposal to revoke the community land classification and Crown Land dedication that presently applies to Crown land under the care, control and management of Council, being Section 989, 2 Fifth Street, Millicent (the **Subject Land**). A plan showing the location of the land is on page 3 of this report.

Whilst Council is not required to undertake a formal community land revocation process in accordance with the *Local Government Act 1999* (SA) (**LG Act**), prior to the Crown Land dedication being removed from the land, the Department for Environment and Water (**the Department)** require evidence that Council have undertaken a public consultation process to inform and seek community feedback on the proposal. This report has been prepared to satisfy the Departments requirements.

Council is currently negotiating with the Department to purchase the subject land. The subject land is classified as community land under the provisions of the LG Act, in addition to a Crown Land dedication for parkland purposes.

To enable Council to progress this proposal the Council has determined to seek community feedback on the proposed removal of the crown land dedication and community land classification from the land.

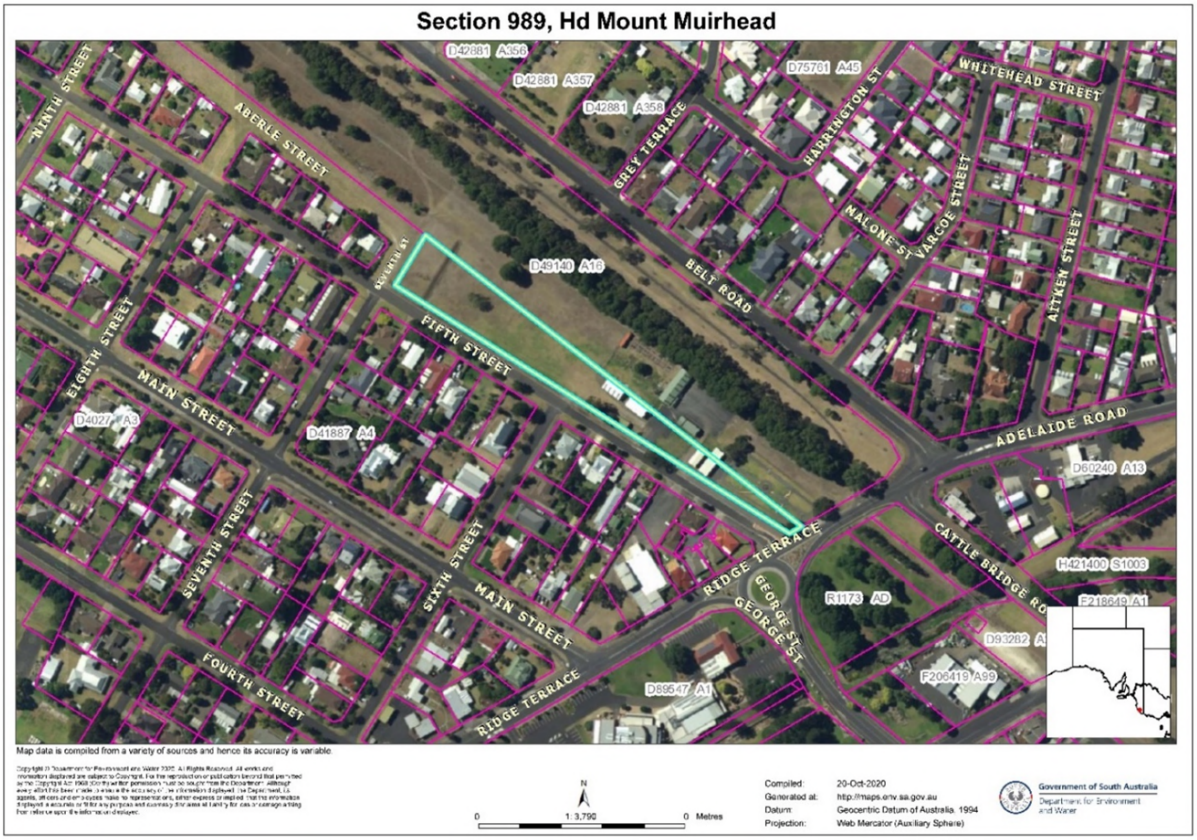
2. Subject Land

The Subject Land is located immediately adjacent Fifth Street, Millicent and is described as Section 989, 2 Fifth Street, Millicent (contained in Crown Record Volume 5666 Folio 386). A copy of the Crown Record is on page 4 of this report.

Council is the custodian of the Subject Land which is Crown land dedicated under the care, control and management of the Council for parkland purposes. The land has a total area of approximately 0.8 hectares.

The land is of a triangular shape containing community facilities which include the Men's Shed and Millicent Craft Centre buildings, portion of the Millicent Road Safety Centre with the balance being undeveloped vacant land.

Map showing the location of the Subject Land



Crown Record

LAND SERVICES SA

Product	Register Search (CR 5666/386)
Date/Time	04/02/2022 02:06PM
Customer Reference	5666/386 CATHY BELL
Order ID	20220204006019

This Crown Record Register Search is a true and correct extract of the Register of Crown Records maintained by the Registrar-General. Crown Land is administered pursuant to the Crown Land Management Act 2009 by the Department for Environment and Water.

Crown Record - Volume 5666 Folio 386

Parent Title(s)

Creating Dealing(s) RT 8698779

Title Issued 25/06/1999 **Edition** 1 **Edition Issued** 25/06/1999

Estate Type

CROWN LAND (ALIENATED)

Owner

THE CROWN

Custodian

WATTLE RANGE COUNCIL
OF PO BOX 27 MILLICENT SA 5280

Description of Land

SECTION 989
HUNDRED OF MOUNT MUIRHEAD
IN THE AREA NAMED MILLICENT

TOTAL AREA: 8094M² (CALCULATED)

DIAGRAM BOOK PAGE 42

Easements

NIL

Schedule of Dealings

NIL

Schedule of Interests

LAND DEDICATED FOR PARKLAND PURPOSES PURSUANT TO THE CROWN LANDS ACT, 1929 BY GAZETTE 01/03/1956

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Land Services SA Page 1 of 1

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3. **Public Consultation**

Council at its meeting held on 18 January 2022 resolved to undertake public consultation in relation to the proposed removal of the community land classification over Section 989, Hundred of Mount Muirhead Fifth Street, Millicent.

A Consultation Report titled "Proposal for the Revocation of Community Land Classification" was prepared and released for public comment with submissions closing at 5.00 p.m. on Monday, 23 May 2022. A copy of the Consultation Report can be viewed at Appendix A. In accordance with Council's Community Engagement Policy the following consultation methods were used:-

- Public Notice placed in the SE Voice Newspaper (26 April 2022)
- Details of Current Consultations contained within Council Communications column of The South Eastern Times Newspaper (28 April 2022 and 13 May 2022)
- Letters forwarded to the owners of nearby properties and key stakeholders including the occupiers of community groups located within the Community Hub and the Millicent Business Community Association (total of 24 letters were forwarded)
- Information relating to the proposal detailed on Council's website (Have your Say) Facebook page (2,041 reaches, 14 comments and 5 reactions) and Antenno App (79 reaches); and
- Copy of the Consultation Report made available on the Public Notice Board of the Millicent Office.

Specific details relating to the various consultations can be viewed as Appendix B.

4. **Submissions Received**

As a result of the public consultation process, 7 formal submissions were received during the consultation period.

Feedback received indicated support for the proposed revocation process, however some concerns were raised in relation to the development of the portion of the land for residential purposes.

Details of the 7 formal submissions received during the public consultation process can be viewed as Appendix C.

Appendix A

Consultation Report

Wattle Range
COUNCIL

PROPOSAL FOR THE REVOCATION OF COMMUNITY LAND CLASSIFICATION AND CROWN LAND DEDICATION

Crown Land – Millicent

(Section 989, 2 Fifth Street, Millicent)

CONSULTATION REPORT

1. Introduction

This consultation report has been prepared to provide information to the public in relation to the Wattle Range Council's (**Council**) proposal to revoke the community land classification and Crown Land dedication that presently applies to Crown land under the care, control and management of Council, being Section 989, 2 Fifth Street, Millicent (the **Subject Land**). A plan showing the location of the land is on page 3 of this report.

Whilst Council is not required to undertake a formal community land revocation process in accordance with the *Local Government Act 1999* (SA) (**LG Act**), prior to the Crown Land dedication being removed from the land, the Department for Environment and Water (**the Department)** require evidence that Council have undertaken a public consultation process to inform and seek community feedback on the proposal. This report has been prepared to satisfy the Departments requirements.

Council is currently negotiating with the Department to purchase the subject land. The subject land is classified as community land under the provisions of the LG Act, in addition to a Crown Land dedication for parkland purposes.

To enable Council to progress this proposal the Council has determined to seek community feedback on the proposed removal of the crown land dedication and community land classification from the land.

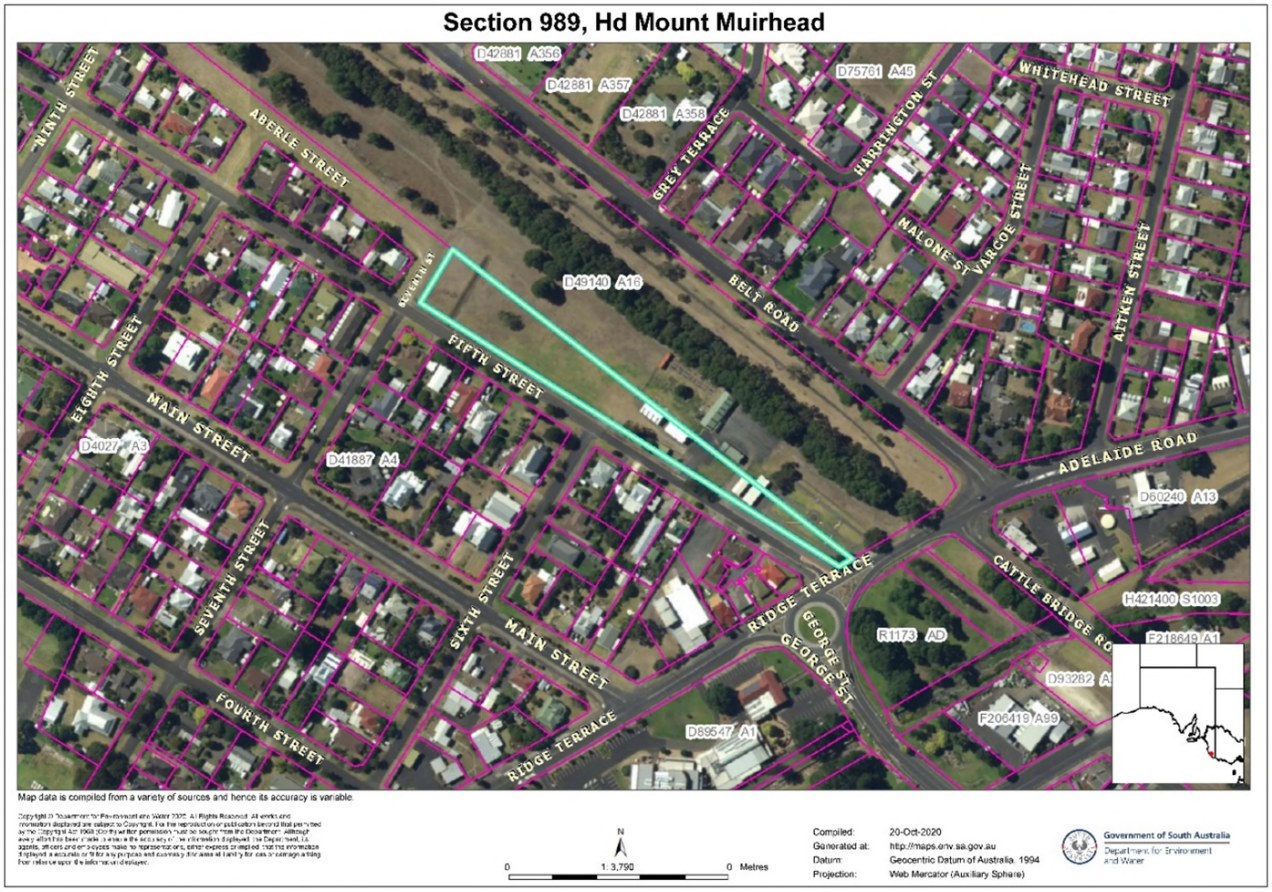
2. Subject Land

The Subject Land is located immediately adjacent Fifth Street, Millicent and is described as Section 989, 2 Fifth Street, Millicent (contained in Crown Record Volume 5666 Folio 386). A copy of the Crown Record is on page 4 of this report.

Council is the custodian of the Subject Land which is Crown land dedicated under the care, control and management of the Council for parkland purposes. The land has a total area of approximately 0.8 hectares.

The land is of a triangular shape containing community facilities which include the Men's Shed and Millicent Craft Centre buildings, portion of the Millicent Road Safety Centre with the balance being undeveloped vacant land.

Map showing the location of the Subject Land



Crown Record

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Custodian

WATTLE RANGE COUNCIL
OF PO BOX 27 MILLICENT SA 5280

Description of Land

SECTION 989
HUNDRED OF MOUNT MUIRHEAD
IN THE AREA NAMED MILLICENT

TOTAL AREA: 8094M² (CALCULATED)

DIAGRAM BOOK PAGE 42

Easements

NIL

Schedule of Dealings

NIL

Schedule of Interests

LAND DEDICATED FOR PARKLAND PURPOSES PURSUANT TO THE CROWN LANDS ACT, 1929 BY GAZETTE 01/03/1956

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Land Services SA Page 1 of 1

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3. The Proposal

Council is seeking to purchase the Subject Land direct from the Department.

The land is of a triangular shape containing community facilities which include the Men's Shed and Millicent Craft Centre buildings, portion of the Millicent Road Safety Centre with the balance being undeveloped vacant land.

From an administration point of view, it is beneficial that the above community assets are contained within Council owned land rather than a blend of both Council and Crown lands. Currently, if any lease or development occurs on the subject land, Council is required to obtain the Crowns consent prior to any lease or development being finalised. This additional requirement is both inefficient and unnecessarily time consuming and creates frustration for applicants.

In acquiring the land, it is Council's future intent to undertake a realignment of the boundaries to enable all of the Community Hub assets (Millicent Road Safety Centre, Lions and Rotary Sheds, Mens Shed and Millicent Craft Centre, Community Garden and associated infrastructure) to be located on one parcel, this alignment of all Community assets onto one allotment will resolve the current issues Community groups have with lease contracting and development considerations on the area.

In addition, Council is further proposing to activate the vacant land portion of the "Subject Land". Incumbent in the role of a Council is to consider future town planning for the townships and settlements within the Council area. Council is currently undertaking a review of all land uses and zonings across the Council area, in undertaking this review the vacant land portion of the Subject Land was highlighted as an area where a future residential expansion could occur within Millicent. The Subject Land currently has a vacant land component that could be utilised to address a shortfall in residential allotments within the township particularly if appended to adjacent vacant lands.

Council is aware that there is limited residential development expansion opportunities available within the Millicent township currently. The location of Subject Land is conveniently near the town centre and close to schools and other community and recreational amenities. This proposal to purchase the Subject Land would enable an opportunity for expansion of the residential properties and growth within the Millicent township which would foster further employment options within the township and surrounds.

The map below details Council's future intent surrounding the precinct if the Subject Land is purchased.

The area shaded blue is commonly referred to as the "Belt Road Reserve", would be retained by Council for open space purposes. This area has been developed with a sealed walking track and is used regularly by members of the Community. Beautification works continue to be undertaken by Council with the planting of numerous new trees and shrubs.

The area shaded in yellow will contain all assets located within the Community Hub. This includes the Millicent Road Safety Centre, Lions and Rotary Sheds, Men's Shed, Millicent Craft Centre, Community Garden and associated infrastructure.

The area shaded in green is the area which has been identified for future residential development. This area is a combination of the undeveloped portion of the subject land and the balance of the Belt Road Reserve located immediately on the southern side of the former road corridor. At this stage Council has not made any formal decisions in relation to whether this type of development would be Council funded or the land be sold to a residential developer.

In purchasing the land, Council is seeking to remove the existing community land classification from the land. The removal of the classification will allow Council to manage the land within the Community Hub more efficiently without the need to undertake prolonged statutory requirements which often lead to unnecessary timeframes. In addition the removal of classification will give Council the ability to dispose of excess land via sale should Council support any disposal for residential housing or other economic development purposes.

In summary, the Council's reasons for this proposal are:

- To purchase the Subject Land from the Department, to minimise administrative difficulties encountered with the current crown land status of the subject land;
- Secondly to realign the boundaries with the adjoining Council land to incorporate all community assets located within the "Community Hub" onto a single freehold title; and
- Undertake a subdivision of the remaining vacant land to create two new allotments. The area known as the Belt Road Reserve being retained for open space purposes for community use. The balance of the land being identified for future residential development. If successful, this proposal would provide an important opportunity for the development of a prominent underutilised part of Millicent. Largely these lands have remained unoccupied for many years and if offered for sale could present a significant combined development offering for residential housing or other economic development opportunities.

4. Dedications, reservations or trusts affecting the Subject Land

The Council is the custodian of the Subject Land which is Crown Land dedicated under the care, control and management of the Council for parkland purposes (by a notice published in the South Australian Government Gazette on 1 March 1956.

The Subject Land is classified as Community Land under the provisions of the *Local Government Act, 1999.*

5. What impact would the proposal have on the local community?

A portion of the Subject Land contains a number of community assets located within the Community Hub precinct. The proposal to create a new allotment in which all of the community assets would be located on will not directly impact any of the existing community groups or their current tenancy arrangements.

It is proposed that the balance of the land could be offered for either residential development or other economic development purposes. Relevant extracts from the Council's Strategic Plan are detailed below in this report.

6. Requirements of the owner of the Subject Land

The Crown (in the right of the State of South Australia) is the owner of the Subject Land. To allow the Subject Land to be purchased by Council, the Department who are the Government Agency responsible for Crown land matters, will need to remove the existing Crown Land dedication from the land. The current dedication of this land is parkland purposes.

The removal of the Crown Land dedication will also remove the community land classification.

7. Strategic Plan

Council's Strategic Plan 2018-2021 was adopted by Council in 2018, pursuant to Section 122 of the Local Government Act, 1999 and represents the strategic vision for Wattle Range Council which is "a great place to live and work". The Strategic Plan provides the overarching framework for the Council's decision marking.

At the strategic level, the revocation of the Subject Land complies with the direction of Council's Strategic Plan in particular it would support the progress of two of Councils five main key themes being;

Theme One – Community Vibrancy & Presentation
Objective – Generate and support community vibrancy through advocacy and maintenance of community services and enhanced public facilities.
Strategies –

1.2 Through appropriate planning, develop vibrant presentable townships throughout the Wattle Range area
1.6 Promote and support the establishment of strong, sustainable clubs and volunteer organisations throughout the Wattle Range area.

Theme Two – Economic Prosperity
Objective – A sustainable and prosperous economy that supports local businesses and industry and creates employment and prosperity for the region.
Strategies -

2.1 Support and advocate for improved infrastructure that enhances and creates economic and business opportunities.
2.2 Through appropriate planning, develop opportunities to expand economic and business opportunities throughout Wattle Range.

8. Public Consultation

In consultation with the Department, Council recognises that public consultation enables the Council to best meet the needs of the community by ensuring that planning and decision making is based upon an understanding of the needs, aspirations and expectations of the community. Council's public consultation process includes the following elements:

- Minimum 21 days public consultation period. Consultation will commence on Tuesday, 26 April 2022.
- Placement of a notice in the SE Voice and South Eastern Times newspapers inviting interested persons to provide a submission.
- Letters mailed to the owners and key stakeholders of nearby properties of the Subject Land and locality including the Millicent Business Community Association.
- A copy of the Consultation Report and information made available via -
  - Council's website www.wattlerange.sa.gov.au/haveyoursay
  - Council's Facebook page; and
  - Council's Millicent Office; Civic Centre, George Street, Millicent.

  throughout the consultation period
- Council to receive written submissions from the public on the land proposal up until 5.00 p.m. on Monday, 23 May, 2022.

Written submissions should be addressed to the Chief Executive Officer (Community Land Consultation – Fifth Street, Millicent) and sent via the following methods:

E-mail – council@wattlerange.sa.gov.au
Post – Wattle Range Council: PO Box 27, MILLICENT SA 5280
In Person – Millicent Office, 'Civic Centre', George Street, Millicent

For further information contact:
Mr Paul Duka
Director Corporate Services
Phone: 8733 0900

Each person making a submission should indicate the reasons why they support the revocation proposal or why Council should retain the land as Community Land or for Community purposes. Please note that all comments, including the names of those responding will be tabled at a public meeting of Council. If you wish your details not to be tabled, you must inform Council at the time of making your submission providing reasons why your details should be excluded.

The Council is keen to understand the issues of its local community and will formally consider all submissions.

Appendix B

The SE Voice – 26 April 2022

SHADY SPOT: Among the Millicent market goers were Sue Vanderheul and Megan Brennan. **Pic: Fred Smith**

Pet suppawt

Off-leash dog sites trialled across Wattle Range area

Dogs will be permitted to run and walk without leashes in six areas of the Wattle Range Council area for the coming 12 months on a trial basis.

The council undertook public consultation on the proposal and then endorsed the trial at its April monthly meeting.

The designated dog-off leash areas in Millicent are for a portion of McLaughlin Park (grassed area west of the Millicent United Soccer clubrooms), Millicent Dog Park, Belt Road walking track (northern end only) and the southern end of the Bolton oval sporting area.

The trial will apply at two areas of Penola at the Greenrise Recreational Reserve walking trail and to the north of the main football oval at McCorquindale Park.

Market funds shared

Millicent Shares a Plate outreach group supported through monthly community event

J.L. 'Fred' Smith

Funds raised by the monthly community market in the Millicent parklands on Saturday will benefit a local outreach group.

At the invitation of Wattle Range Council, Millicent Shares a Plate pocketed the fees from the 17 stallholders as well as ran the barbecue and undertook some staging chores.

Group spokesperson Megan Brennan said the group was growing from strength-to-strength.

"We have also recently received $1000 in sponsorship from Klas-Bilt and $1500 from South East Property Sales and Management and realestate.com.au to buy food and utensils," Ms Brennan said.

The Millicent Shares a Plate group provides around 50 meals for community members in need at the Millicent IGA supermarket each Thursday.

A variety of meals are prepared each week by teams of volunteer cooks in the new commercial kitchen at the RSL war memorial clubrooms in Millicent.

"We are finding that 95-100% of our meals have been taken," Ms Brennan said.

This community outreach act is in addition to the 60 free meals which are provided each Monday night at this venue by supermarket manager and New Heaven restaurant chef Sukhi Dhaliwal.

Millicent Shares a Plate was formed in mid-2021 and comprises dozens of volunteers from Millicent and district.

The market was rescheduled to coincide with the Anzac Day holiday long weekend and a home game for Millicent footballers and netballers.

Wattle Range Council will stage the next monthly community market in Millicent on May 21 and this is the same day as the Federal Election.

Restrictions ease for COVID close contacts

South Australian rule amendment made for quarantine at last week's Emergency Management Council meeting

Close contacts of COVID cases will no longer have to quarantine from the end of this week, in an easing of South Australia's COVID restrictions.

The change was agreed at Friday's Emergency Management Council meeting, chaired by Premier Peter Malinauskas, with State Co-ordinator Grant Stevens and Chief Public Health Officer Professor Nicola Spurrier.

Premier Malinauskas said amending close contact rules would keep South Australia in line with changes to restrictions in New South Wales, Victoria and Queensland and maintain the State Government's objective of national consistency.

He said given close contacts were at higher risk of developing COVID-19, the following rules would be in place from 12.01am on Saturday, for close contacts and would apply for a period of seven days following the close contact's exposure.

Close contacts will be required to undertake five Rapid Antigen Tests during the seven-day period; wear masks when leaving the house; be prohibited from high-risk settings and notify employers and educational facilities of their close contact status.

Close contacts should also avoid non-essential gatherings, avoid contact with people at risk of severe illness and if a close contact develops symptoms, they are required to undertake a PCR test and isolate until they receive a result.

People who test positive to COVID will still be required to quarantine for seven days, as per the existing rules.

Wattle Range COUNCIL

Proposal for the Revocation of Community Land Classification 2 Fifth Street, Millicent

Wattle Range Council have resolved to undertake public consultation to remove the Community Land classification of land located adjacent to Fifth Street, Millicent. The land is located immediately adjacent to the area commonly referred to as the "Millicent Community Hub" and is more particularly described as Section 989, 2 Fifth Street, Millicent, hundred of Mount Muirhead as outlined in the map below:

Council encourages members of the community to 'Have Your Say'. A copy of the Consultation Report detailing the proposal is available for viewing at the Millicent Office, 'Civic Centre', George Street, Millicent or on Council's website at www.wattlerange.sa.gov.au/haveyoursay.

The closing date for submissions is 5.00 pm on **Monday, 23 May 2022.**

Ben Gower
CHIEF EXECUTIVE OFFICER

SEV11579

The South Eastern Times – Council Communications – 28 April 2022 and 13 May 2022

Emergency services kept the Princes Highway blocked after two trucks collided last Thursday.

Truck crash near town

Last Thursday afternoon, police and emergency services responded to a crash involving a light truck and B-double on the Princes Highway near Hatherleigh.

The light truck, with driver and passenger, ended up on its side and the B-double, with driver, rolled onto its roof.

There were no serious injuries but the three people involved were taken to Millicent hospital for treatment.

The Princes Highway was blocked in both directions for several hours with traffic being diverted.

Police continue to investigate the crash and would like to speak with anyone who saw the southbound light truck or northbound B-double prior to the crash.

Anyone with information is urged to call 131 444.

Council Communications

Current Consultations

Council is currently seeking public comment on the following:

- Beachport Entrance Signage Design
  Submissions: 23 May 2022
- Proposed Revocation of Community Land Classification - Fifth Street, Millicent
  Submissions: 23 May 2022

For details, reports and how to make a submission contact Council on 8733 0800 or visit www.wattlerange.sa.gov.au/haveyoursay

Community Mulch Days

Community mulch days are back! FREE mulch for Wattle Range Council residents and community groups.

- Millicent Saleyards (3rd Sunday of the month) Sunday, 15 May
- Penola Abbey Road Waste Facility (4th Sunday of every second month) Sunday, 22 May

From 10am to 2pm a loader will be onsite to fill your ute or trailer. Bring your personal protective equipment and a tarpaulin to cover your load.

EOI for truck sessions. Contact 8733 0901 to enquire. Visit www.wattlerange.sa.gov.au/wasteinitiatives

Employment Opportunities

For information on Council's current vacancies visit https://wrc.jobs.subscribe-hr.com/

Meet with a Planner

During these free sessions you can speak face-to-face with a Planning Officer to ask any questions you may have about how the Planning and Design Code relates to your property, building and construction plans.

The next session will be held at the Penola Visitor Information Centre on Wednesday, 4 May from 9am to 12 noon.

This session is also an opportunity to discuss the proposed 25 Year Strategic Land Use Plan, Consultants Holmes Dyer will be available via video conference hear any feedback and/or answer questions.

No appointments necessary.

Annual Youth Recognition Awards Open

Nominations are now open for Council's 2022 Youth Recognition Awards.

The awards recognise the valuable contribution our youth (aged 12-25 years) make to the community.

Nominations will be received until 9am Monday, 16 May. Visit www.wattlerange.sa.gov.au/youthawards

For further information on Wattle Range Council visit www.wattlerange.sa.gov.au or Find us on Facebook

Tourism officer at Millicent Visitor Information Centre, Lucy Chant, with one of the museum's side saddles and the new how to ride banner ordered for the Women on Horseback exhibition which opens this weekend at the Millicent Museum.

Horseback tales

By Caroline Hammat

Telling the stories of women's perseverance and strength is central to the latest exhibition in Millicent opening this weekend.

Women on Horseback, curated by members of the Millicent National Trust Museum, is an exhibition that draws largely from the museum's existing collection.

A casual chat last year between Millicent National Trust Museum Secretary Chris Parmenter and Adelaide based horse drawn vehicle restorer Peter Foster raised the issue of how male directed some of the museum displays can seem.

This led to discussion about how to promote women's roles in regional and rural South Australia and the idea of the Women on Horseback display was born.

Mr Parmenter explained: "When women first came to South Australia they came with husbands but then they left for the gold rush, some came back then left again for the Crimean War, the Boer War and both World Wars.

"These women who often had no idea (of horsemanship) then had to learn to ride astride."

The exhibition will be held in the David Harris room at the Millicent Visitor Information Centre (MVIC) and is a snapshot of the Land Army, Daisy Bates (an Aboriginal welfare worker, anthropologist and author) and side-saddle use.

"Daisy Bates wrote a chapter in her book 'The passing of the Aborigines' about droving a herd of cattle through the outback while riding side saddle and what it was like being a woman on a horse during that time," Mr Parmenter said.

"Side saddle use comes with a unique set of circumstances; as it's difficult to mount the horse without assistance this led to women crocheting a band from the wrist to their crop, because if you dropped it you couldn't get off the horse to pick it up."

Mr Parmenter explained how the Women's Land Army involved unskilled women from Adelaide being sent to farms where they learned to milk cows, handle stock and how to look after and ride horses while men were away during the Second World War.

"We sent huge amounts of horses overseas for the war and of course the women were the ones who had to train them and break them before they were sent to the front lines," said Mr Parmenter.

The Millicent Museum secured $2,649 in funding as part of the Federal Government's Culture, Heritage and Arts Regional Tourism (CHART) grants program and a Wattle Range Council Community Financial Assistance Grant of $2,000 to assist with the exhibition.

Funds have been used to purchase new mannequins, secure display cubes and information banners all of which are able to be used again in the museum.

"In particular the mannequins are perfect for our costume collection as the clothes fit, modern mannequins are usually too broad across the shoulders (for some of the clothing items) so for the first time we will be able to use the mannequins to display some vintage 1920's and 1930's costumes."

MVIC tourism officer, Lucy Chant previewed of one of the new banners and is looking forward to finding out more about women on horseback adding: "I'm not sure how I would manage riding side-saddle, it looks a little difficult."

Livestock & Property

NARACOORTE COMBINED AGENTS MONTHLY STORE CATTLE SALE

Thursday 28th April 2022
10am start

TO BE OFFERED ON AuctionsPlus
Friday, 29th April 2022
A/C DF & M CLEVES 'ARDNO'

EU ACCREDITED

54 Angus Heifers
Aug/Sep Drop 2021. Antibiotic Free/Grass Fed only. PCAS eligible. Weaned 2/2/2022. Weighed 230-331kg to avg 268.3kg at delivery.

The Cleves cattle are noted for their impeccably quiet temperament and top quality genetics.

Contact Darren Maney: 0428 849 101
Hayden Lambert: 0448 452 006

ARDNO PERFORMANCE LIVESTOCK
omanetwork Accredited Member

Mayoral letter to be opened

A letter from the past will be opened next week in Millicent.

A time capsule constructed and filled for Millicent's 125th celebrations was opened for the town's 150th and found to have preserved the contents perfectly.

Among the items was a letter written by the Mayor at the time, Jim Van Schaik, to the current mayor.

This envelope will be opened at 10.30am next Tuesday at the library by Mayor Des Noll in the presence of the late Jim Van Schaik's wife Mary.

The time capsule is due to be resealed at the end of May and opened again in 2045.

Entries to be included in the time capsule need to be delivered to the Millicent Library by May 13.

Clubroom celebrations

By Kathy Fennell

The new Nangwarry Football Clubrooms were opened on Saturday with many people enjoying the long awaited celebration.

Long time Nangwarry supporter Julie Sharam prepares afternoon tea in the new kitchen.

In the new barbecue area, from left, Wally Balnaves, Annette Sims, Geoff Mills and Tony Pasin.

Mayor and Mayoress of Wattle Range Council Des and Shari Noll at the opening of the new clubrooms.

At the opening of the new Nangwarry Football Club President Shane Ploenges and Tony Pasin.

Young Nangwarry supporters, from left, Harvey Virtanen, Bennett Moy and Isobella Lindner.

Enjoying watch the footy from the new clubrooms are, from left, Robbie Munn, Josh Clayfield and Ben Pudney.

Enjoying the new under cover verandah of the club are Adrian Lynch and Graham Hill.

Enjoying the new Nangwarry Football club facility are Peter Yeates and Ron Scholes.

Getting their lolly snack from the new canteen, served by Tristan Michelmore, are Molly Tickle and Lily Whan.

Nangwarry Football Club stalwarts Kaye Fenn and Cheryle Dinnison enjoy the inside of the new clubrooms to watch the football.

VISIT DI'S GIFTS FLOWERS
While out and about at festival activities.

Enjoy the Arts Festival
" SOMETHING FOR EVERYONE "

Di's Gifts'n' Flowers
Open 7 days til 5pm
(08) 8737 2284
43 Church Street,
Penola 5277

Council Communications

Mayor & CEO Appointments

Mayor Des Noll and Chief Executive Officer, Ben Gower will be available to meet with residents and ratepayers at the following locations on Friday, 27 May 2022:

- Mount Burr General Store from 9am to 10am
- Glencoe General Store from 10.30am to 11.30am

For an appointment call Catherine on 8733 0900.

Current Consultations

Council is currently seeking public comment on the following:

- Beachport Entrance Signage Design
  Submissions: 23 May 2022
- Proposed Revocation of Community Land Classification - Fifth Street, Millicent
  Submissions: 23 May 2022

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FREE mulch for Wattle Range Council residents and community groups.

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  (4th Sunday of every second month) Sunday, 22 May

From 10am to 2pm a loader will be onsite to fill your ute or trailer. Bring your personal protective equipment and a tarpaulin to cover your load.

EOI for truck sessions. Contact 8733 0901 to enquire. Visit www.wattlerange.sa.gov.au/wasteinitiatives

Meet with a Planner

During these free sessions you can speak face-to-face with a Planning Officer to ask any questions you may have about how the Planning and Design Code relates to your property, building and construction plans.

The next session will be held at the Beachport Visitor Information Centre on Tuesday, 17 May from 9am to 12 noon. No appointments necessary.

Annual Youth Recognition Awards

Nominations are now open for Council's 2022 Youth Recognition Awards.

The awards recognise the valuable contribution our youth (aged 12-25 years) make to the community.

Nominations will be received until 9am THIS Monday, 16 May. Visit www.wattlerange.sa.gov.au/youthawards

For further information on Wattle Range Council visit www.wattlerange.sa.gov.au or Find us on Facebook

Copy of Letter forwarded to nearby properties and key stakeholders

Our Ref: *GF/16.16.2*
coulet community land revocation millicent consultation 120422
Your Ref: «Assess_No_Link_To_RATES»

Wattle Range
COUNCIL

PO Box 27, Millicent SA 5280
www.wattlerange.sa.gov.au

19 April, 2022.

«Init» «Name»
«Printed_Postal_Address»

Dear Sir/Madam

Revocation of Community Land Classification
2 Fifth Street, Millicent

Council is currently undertaking public consultation in relation to the revocation of the community land classification for the following parcel of land located adjacent Fifth Street, Millicent. The land is more particularly described as Section 989, 2 Fifth Street, Millicent, hundred of Mount Muirhead (Millicent Community Hub).

You have been identified as a key stakeholder or potential affected party to this proposal, and Council is providing this information to you for your information and encourages you to 'Have Your Say'.

A copy of the Consultation Report detailing the proposal including a detailed map is attached together with some frequently asked questions in relation to the Community Land revocation process.

Written representations will close at 5.00 p.m., Monday 23, May 2022.

Persons making submissions are encouraged to indicate the reasons why Council should/should not consider retaining the land as Community Land or for Community purposes.

Should you require any further information in relation to the proposed revocation of the community land classification, please do not hesitate to contact Council on 8733 0900 at your convenience.

Yours faithfully

Paul Duka
DIRECTOR – CORPORATE SERVICES

Enc.

Telephone: (08) 8733 0900
Email: council@wattlerange.sa.gov.au

FREQUENTLY ASKED QUESTIONS

Wattle Range COUNCIL

What is Community Land?

The *Local Government Act 1999* (the Act) establishes a framework for the classification of most land owned by a Council or under a Council's care, control and management (local government land) as "community land".

The framework aims to protect community interests in land for current and future generations through limiting the ability for Council to lease or dispose of Community Land.

Why revoke the Community Land Status?

In this instance, to allow Council to purchase the land direct from the Crown, the Department for Environment and Water (being the Government Agency responsible for Crown Land matters) will need to remove the Crown land dedication (parkland purposes) from the subject land.

The removal of the Crown Land dedication will also remove the community land dedication, however the Department require evidence from Council that they have undertaken a consultation process to inform the community of its intent.

What is the Community Land revocation process?

The revocation process requires Council to undertake public consultation seeking feedback from members of the community.

Following the consultation process, all written submissions received during the consultation timeframe will form part of a report that will be forwarded to the Department for Environment and Water as evidence that Council has consulted with the community.

If the community land classification applying to the subject land is revoked, the Council proposes to:

- purchase the land direct from the Crown and will be retained as freehold land owned by the Council;
- realign the boundaries with the adjoining Council land to incorporate all community assets located within the "Community Hub" onto a single freehold title; and
- investigate undertaking a subdivision of the remaining vacant land to create two new allotments. The area known as the Belt Road reserve being retained for open space purposes for community use and the balance being identified for potential future residential development.

If following the consultation, the general community consensus is that it does not wish the community land classification removed, then Council will need to consider retaining the land as is under the current tenure being the current custodian of the Crown Land.

From an administration point of view, it is beneficial that the above community assets are contained within Council owned land rather than a blend of both Council and Crown lands. Currently if any lease or development occurs on the subject land, Council is required to obtain the Crowns consent prior to any lease or development being finalised. This added requirement does add unnecessary administration time and delays, which is both inefficient and frustrating for the applicants.

What would happen to the land once transferred?

In acquiring the land, it is Council's future intent to undertake a realignment of the boundaries to enable all the Community Hub assets to be located on one parcel (Millicent Road Safety Centre, Lions and Rotary Sheds, Men's Shed and Millicent Craft Centre, Community Garden and associated infrastructure).

A subdivision of the remaining land could result in the creation of a new allotment which could be developed further for residential purposes. The balance of the land is the area immediate adjacent Belt Road and the formal rail corridor which is currently used as an open space reserve and is extensively used by members of the Community.

Why can't Council continue to maintain the property without transferring the land?

Council will continue to manage the land as it currently does, however it will be required to continue to manage the land within the community land provisions of the Act.

How will I know if the Community Land Revocation goes ahead?

Council will provide updates on the public consultation and the Community Land revocation process (If pursued) through the Council's website. Identified key stakeholders including adjoining landowners will also be notified of the outcome at the conclusion of the process.

How do I have my say regarding this proposal?

Council is encouraging residents to have their say regarding this proposal. Residents and members of the public may make submissions in the following ways:

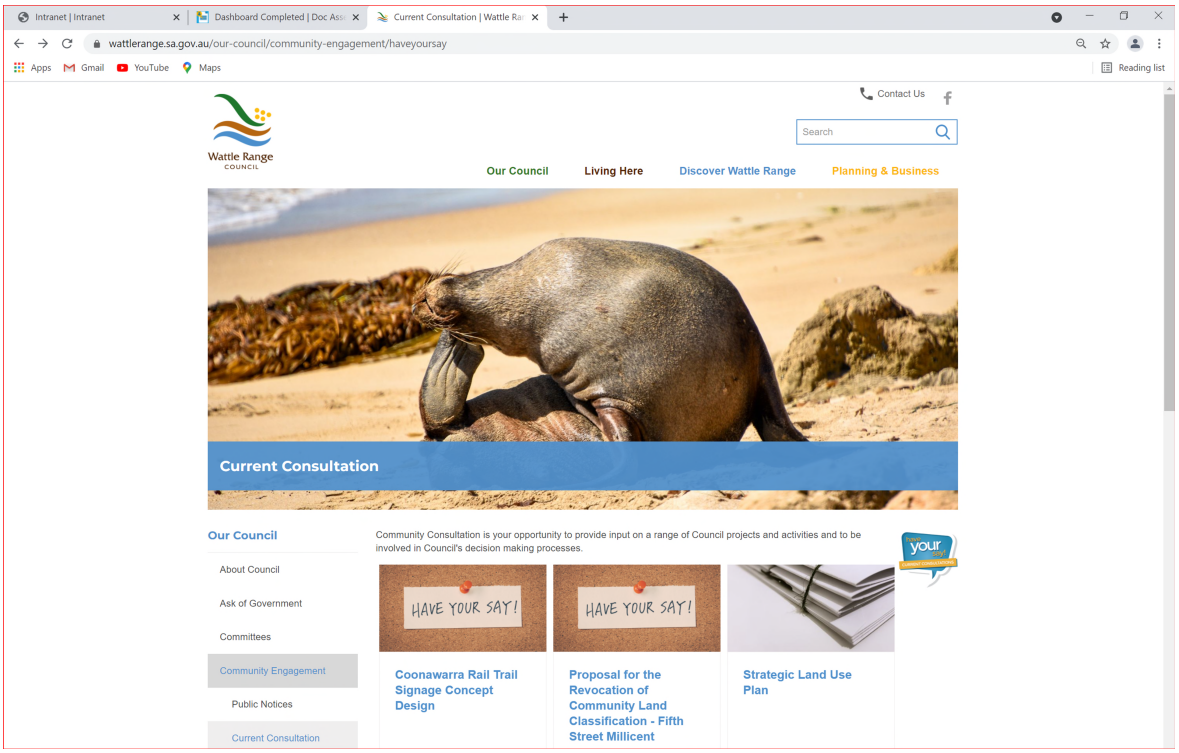
- Write to Council at "Community Land Revocation Consultation", Wattle Range Council, PO Box 27, MILLICENT SA 5280
- Email Council at council@wattlerange.sa.gov.au

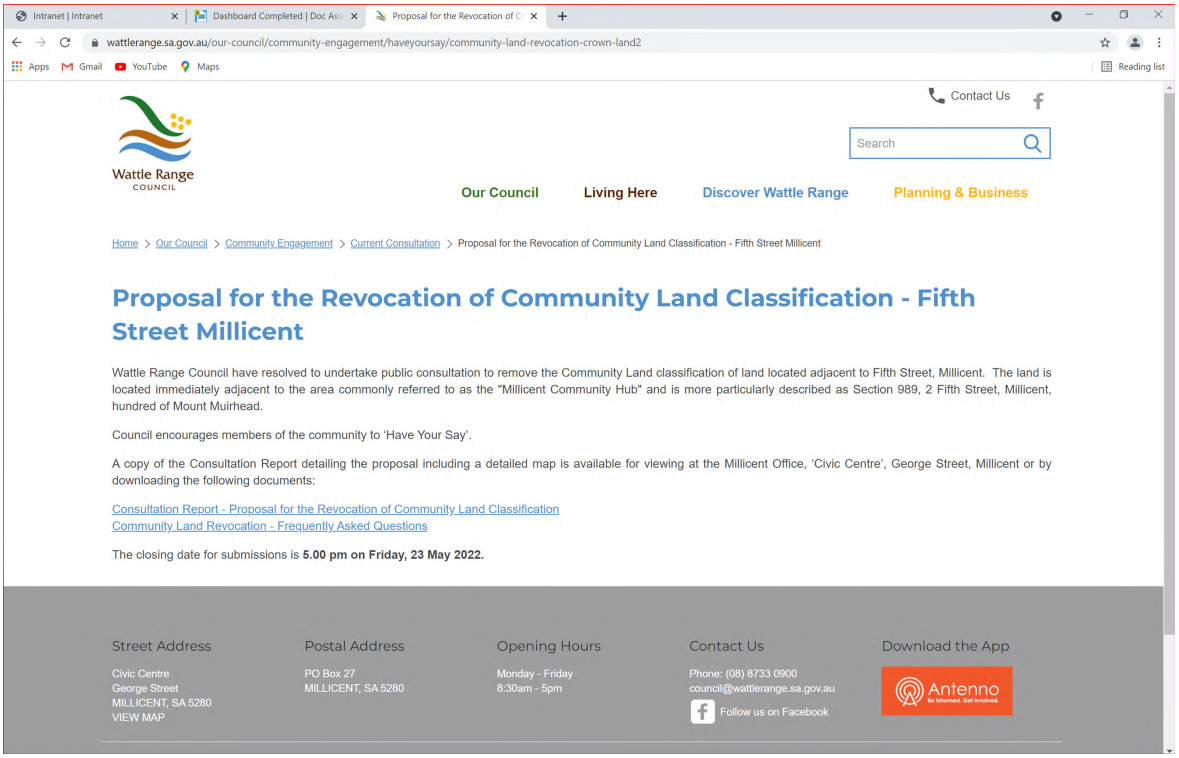
Who do I speak to for further information?

For any further information or clarification, please contact:

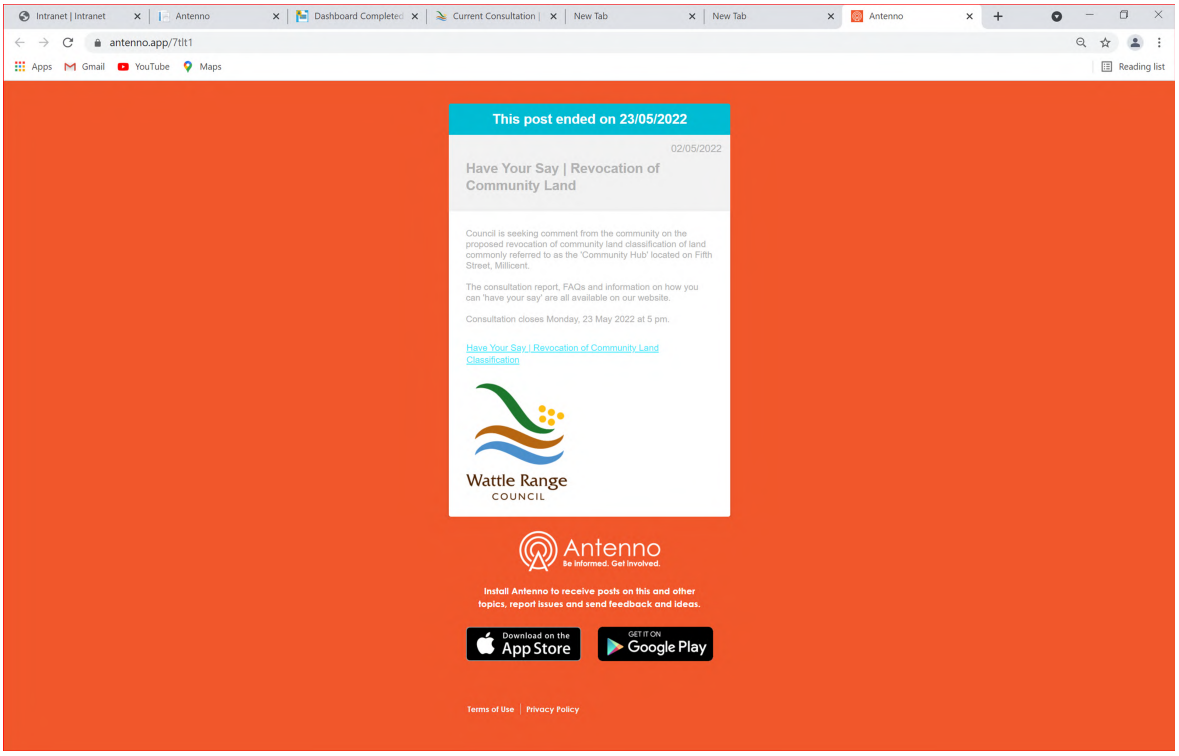
Paul Duka
Wattle Range Council
Phone 8733 0900
Email: council@wattlerange.sa.gov.au

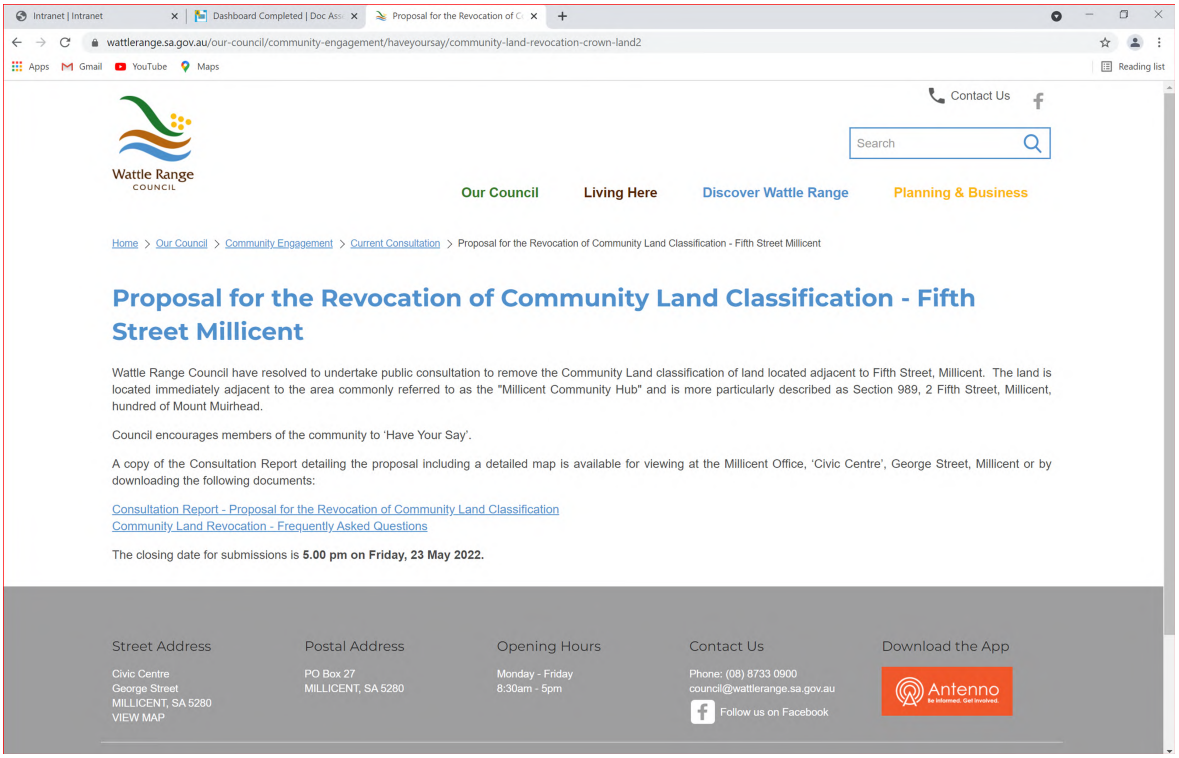
Have Your Say – Council Website – 25 April 2022 – 24 May 2022.



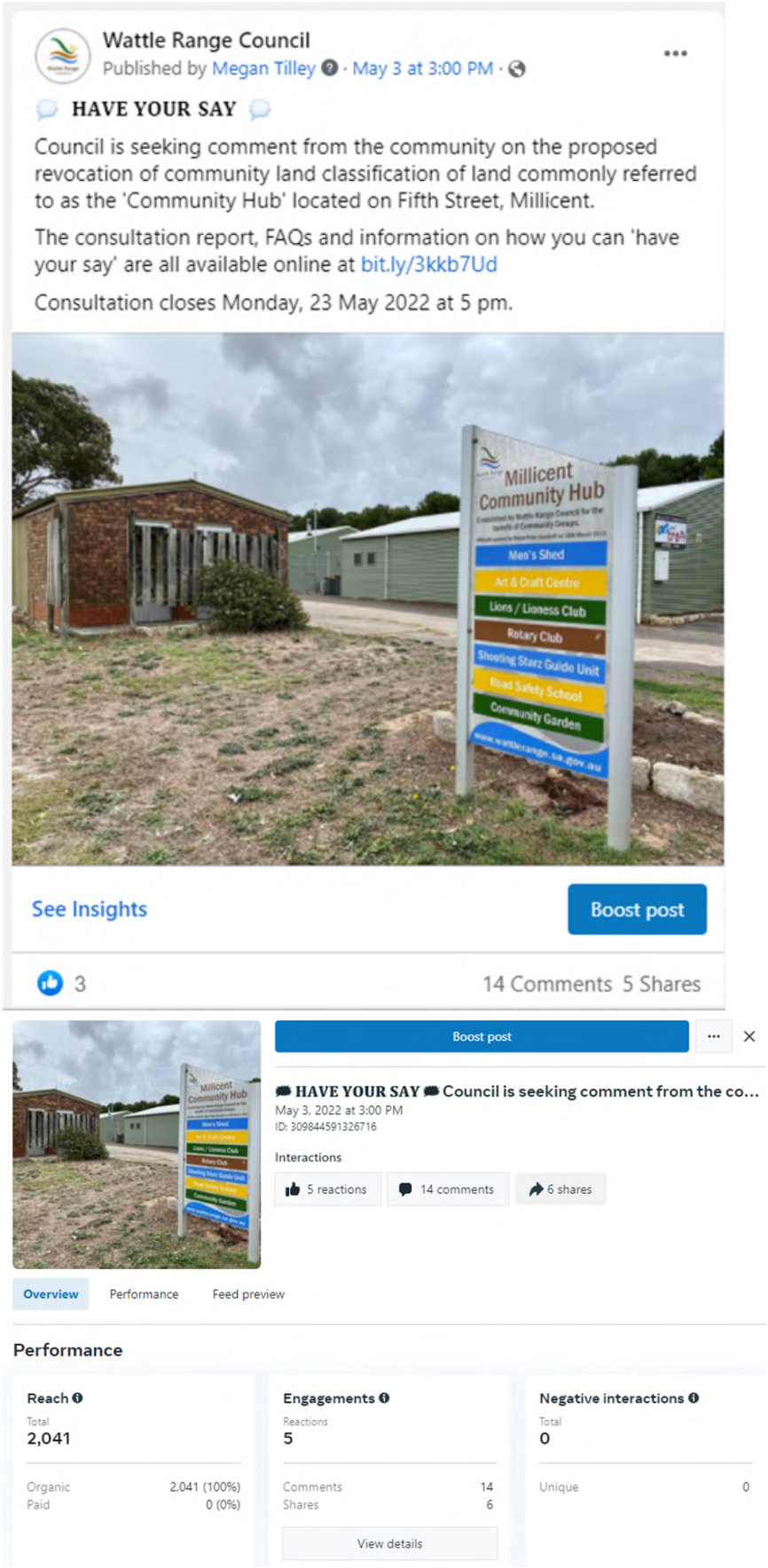


Antenno Post – 2 May 2022





Council Facebook Post



Lynette Bowering
This was one thing that we had that not very many towns or cities have. We have been so lucky to have it. Pity it could not stay that way. It doesn't seem that long ago we got it. Sad for our community.
Like Reply 2w

Chloe Bell
Lynette Bowering If you read what will happen as part of the revocation it is actually favourable for the community
Like Reply 2w 4

Write a reply...

Jo Bowering
Clint Bowering
Like Reply 2w

Jeni Taylor
Not sure if I really understand the reason for this... but I notice that it says the council need to prove that it has had community consultation.. I am guessing that is the only reason for them asking us to send letters about it.. Unlike their plan for a new council office, in which they have ignored community comments...
Like Reply 2w

Megan Brennan
Jeni Taylor the reason is to seperate the Community Hub from the vacant land and put it all on a separate Title. Then the vacant land can be sub divided for housing.
Not a biggie and, in my opinion, a good move.
Like Reply 2w

Jeni Taylor
Megan Brennan yes i understand what they are doing, thankyou. No not a biggie at all.. I simply find it interesting that they want community consultation when it suits them, and not about many other things.
Like Reply 2w 2

Mike Reilly
Step up nominate and become a councillor Jeni I'm sure you'll find it very rewarding and you'll get all the answers you need
Like Reply 2w

Jeni Taylor
Mike Reilly Bit old for that nowdays Mike. It's easier to be a lurking protagonist! 😀
Like Reply 2w

Write a reply...

Elaine Donaldson
Why? What is planned if it goes ahead?
Like Reply 2w

Author
Wattle Range Council
Hi Elaine! You'll find the details in the documents available online - bit.ly/3kkb7Ud

Wattle Range
WATTLERANGE.SA.GOV.AU
Proposal for the Revocation of Community Land Classification...

Like Reply Remove Preview 2w

-15-

Sue van der Heul
Elaine Donaldson they are looking to have it all under council umbrella rather than half council and half government. Read the documents they explain it very well.
Like Reply 2w

Elaine Donaldson
Sue van der Heul thankyou
Like Reply 2w

Elaine Donaldson
Wattle Range Council thankyou
Like Reply 2w

Elaine Donaldson
Sue van der Heul just needed to put my old council hat on.
Like Reply 2w

Write a reply...

Write a comment...

Appendix C

Submissions Received during the Public Consultation Process

Cathy Bell

From: Barb Rowland <takincaretcb@gmail.com>
Sent: Saturday, 23 April 2022 3:11 PM
To: Council
Subject: EI2022/200679 - 16.16.2 - Attention Paul Duka - Community Land Fifth Street

Dear Sir

I am writing in response to your letter of 19th April 2022 regarding the Revocation of Community Land in Fifth Street.

We live at No. 19 Fifth Street and purchased this house in 2014. The main reason we decided on this house was because there was vacant land across the road so we still had the feel of living in town but without being closed in with neighbours
on all sides. We don't agree with the Council selling any of this land for residential blocks as we just don't want people living across the road. We are happy to buy some of the land and leave it vacant if that is possible ..... one of our other neighbours are of the same opinion to buy the blocks. I just don't see why this land needs to be residential .... Surely there are other blocks of land for this purpose. This is a nice area and well used for people walking their dogs and Kids riding their bikes, playing cricket, footy, etc.

If Council do decide to go ahead with this sale will the residents already living in Fifth Street be given first option on purchasing
The land at a good price bearing in mind that they will probably leave it vacant.

Hoping that you decide to take our opinions on board and reconsider doing this. Thank you for your time.

Regards,
Barb Rowland
0448 669 622
19 Fifth Street,
Millicent 5280

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

LETTER NO: 1/201055
FILE GF/ 1616.2 PF/
DATE RCVD 09 MAY 2022
REFER TO: MA
CEO | DCS | DDS | DES | | FILE

11 Fifth Street
Millicent
South Australia 5280

6 May 2022

Chief Executive Officer
Wattle Range Council
George Street
Millicent
South Australia 5280

COMMUNITY LAND CONSULTATION - FIFTH STREET MILLICENT

Reference: Proposal for the Revocation of Community Land Classification and Crown Land Dedication, Crown Land – Millicent (Section 989, 2 Fifth Street, Millicent), Consultation Report, 19 April 2022.

Millicent's residential population has been growing recently and it is pleasing to see our council planning for the expansion of available housing to meet future demand.

The area encompassing the Millicent Men's Shed (including the garden), Millicent Art and Crafts Group shed, Kimberly Clarke Social Club shed and a portion of the Millicent Road Safety Centre, as illustrated on page 3 of the reference, would better serve the Community Hub if incorporated with the remainder of the Community Hub assets under council ownership. If this eventuates, that area, highlighted in yellow on page 6 of the reference, should then be zoned/classified appropriately for community use to ensure it remains that way and is not made available for future residential or commercial development.

The area highlighted in green in the illustration on page 6 of the reference may be well situated for future residential development, however, it is currently used frequently by the surrounding residents, and others from further afield, for outdoor recreation. The availability of this open parkland is one of the attractions in this part of the town, therefore it would be beneficial to retain at least some of this area as parkland.

There are a number of other areas identified in the Wattle Range Strategic Land Use Plan (Holmes Dyer Pty Ltd, consultants, February 2022) for residential development. These include land surrounding the existing residential development around the high school, land near Teagle Excavations, and to the south of Fred Bolton Sports Park. Ideally, these should be the priorities for residential development rather than popular and frequently used parklands.

The referenced report suggests that the area highlighted in green on page 6 could be "… offered for sale … for residential housing or other economic development opportunities." The "economic development opportunities" are not further explained. Any development other than residential housing would not be suited to the area and would meet considerable resistance from residents.

If residential development was to go ahead, it would need to include a buffer zone between housing blocks and the north-west end of the Community Hub (Men's Shed workshops). Failure to include this would result in complaints about workshop noise from neighbouring residences. A buffer zone of at least thirty metres, preferably more to leave some area of recreational parkland, would be necessary. If development was to be progressed, it would be best limited to the north-west of the Aberle Street road reserve and not include any of the parkland area outlined in the illustration on page 3 of the reference.

The size of individual housing blocks in any proposed development in this area should be in keeping with the existing average block size and not be reduced to small blocks, such as those in the latest developments on Grey Terrace and Harrington Street.

In summary, the purchase and re-classification of land in the Community Hub allotment is supported, with the rider that it be classified in such a manner as to secure the future tenure of the Community Hub organisations.

The re-zoning of the remaining land for residential, and specifically for "other economic development", is not supported in the parkland area outlined in the illustration on page 3 of the reference, as this is a regularly enjoyed recreational space and its development would detract from the area.

Yours sincerely,

C.R. Mathias

Millicent Men's Shed
2C Fifth St, Millicent SA 5280
ABN: 62 571 031 981 AMSA: 100762 Inc: A41375

Australian Men's Shed Association

12 May 2022

LETTER NO: 1/201214
FILE GF/ 16.16.2 PF/
DATE RCVD 12 MAY 2022
REFER TO: MA
CEO | DCS | DDS | DES | | FILE

CEO Wattle Range Council
Community Land Consultation – Fifth Street Millicent
George Street
Millicent
SA 5280

Dear Ben,

SUBMISSION TO PROPOSAL FOR THE REVOCATION OF COMMUNITY LAND CLASSIFICATION AND CROWN LAND DEDICATION – CONSULTATION REPORT

The Millicent Men's Shed is in agreement with council with regards to the purchase of the crown land component of the Community Hub, to create a single title block of land containing all of the Hub's assets, on the proviso that this is classified as community land to ensure the future security of the Community Hub and its resident members.

The purchase and reclassification of the land identified in the report north of the Community hub, "for either residential development or other economic development purposes" raises some concerns. Primarily, we are concerned with any residential development close to the Men's Shed, as the northern end of the Community Hub contains workshops which run machinery during the day, creating an element of noise that may not be welcome in houses built close by.

The open parklands abutting the Men's Shed are used regularly by local residents, and many more people from elsewhere, for recreational enjoyment. This parkland attracts residents and visitors for activities such as walking, bicycle riding, dog exercising, social sport and kite flying. It is part of the immediate area's attraction. It is our opinion that this area (outlined in yellow on figure 1) should remain as parkland, perhaps even further developed as such to provide more attraction for visitors and locals.

To the north of the larger, open parkland area lies the Aberle Street road reserve, already mapped for road extension. This area (outlined in red on figure 1), running from Seventh Street to Park Terrace, offers potential for housing development, the progress of which would impinge minimally on the surrounding residences and parkland area. The Men's Shed has no concerns about future development in that area.

Also of concern is the mention in the report of "other economic development purposes". We are unsure what, other than residential housing, would be appropriate for this area. The area does not lend itself to any form of industrial development and commercial projects would detract from those operating in other areas around the town. It would be appreciated if council could elaborate on this intention for us, so we can discuss the impact in relation to the nature of any such development that may be foreseen.

We noted that there were a number of other areas identified in the Wattle Range Strategic Land Use Plan, prepared by Holmes Dyer Pty Ltd, for residential development. This plan recommended land surrounding the existing residential development around the high school, land near Teagle Excavations, and to the south of Fred Bolton Sports Park. If these are the areas identified by the consultants for that plan, why then is council turning its attention to the area up Fifth Street?

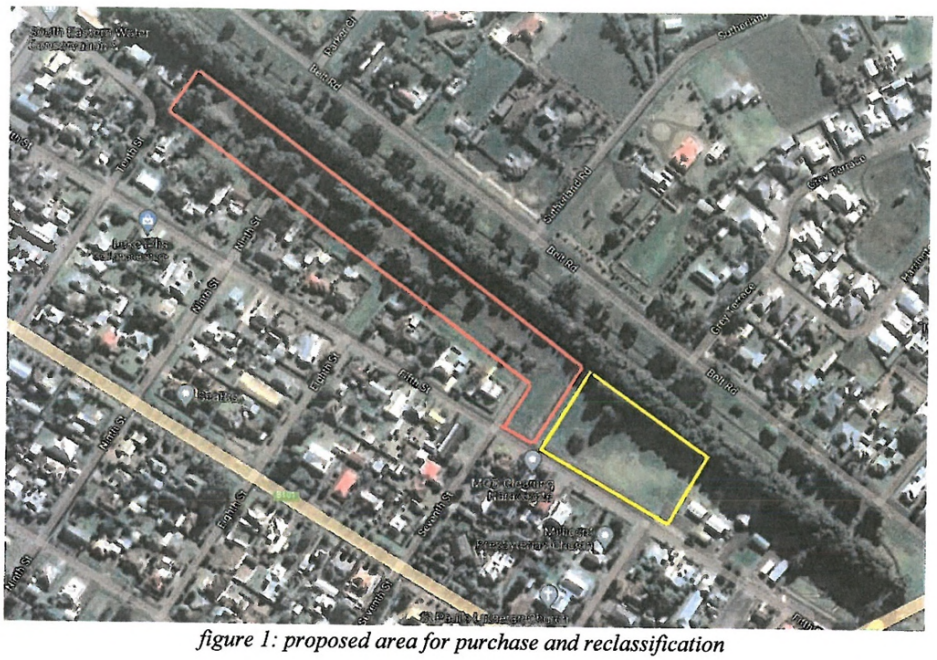


figure 1: proposed area for purchase and reclassification

If the council's proposal goes ahead, the Men's Shed will support the consolidation of Community Hub land and any residential development in the area outlined in red in figure 1. We do not support residential or other economic development in the area outlined in yellow in figure 1 and recommend that this area be reserved, and possibly improved, as parkland. If residential development were to go ahead around the Aberle Street road reserve, the additional recreational parkland would be an attraction for potential home buyers in the vicinity.

Regards,

Tony Glowacki
(president)

Cathy Bell

From:	Millicenrot Rotary <rotarymillicent@gmail.com>
Sent:	Friday, 20 May 2022 10:16 AM
To:	Council
Subject:	EI2022/201475 - 16.6.2 - Rotary Club Millicent Revocation of Community Land Classification 2 Fifth St, Millicent.
Attachments:	Rotary C Millicent Revocation of Community Land Classification.pdf

Paul Duka,
Director of corporate Services.

Morning Paul,
Attached is a Letter from Rotary Club President Peter Bateman re: the above matter.
He is away and has emailed this to me to following Club members being provided your posted-information and the opportunity to consider the matter.
I've signed at the bottom of Peter's response,
Phil Golding Secretary RC Millicent
The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

Rotary Club of Millicent

20th May 2022

Revocation of Community Land Classification – 2 Fifth St, Millicent 5280

Paul Duka,
Director of Corporate Services:
Wattle Range Council

Dear Paul,

The Rotary Club of Millicent agrees to the Revocation of the Community Land Classification at 2 Fifth St Millicent.

We agree that the Wattle Range Council should secure the current community assets on the allotment as proposed and that the balance of the land be used as outlined in the proposal.

Regards

Peter Bateman

President Millicent Rotary Club

Philip Golding Sec
0457494297
20/5/22

Cathy Bell

From: marksy03 <marksy03@bigpond.com>
Sent: Sunday, 22 May 2022 2:54 PM
To: Council
Subject: EI2022/201481 - 16.6.2 - Community Land Revocation Consultation

Dear Councillors,

I am writing to say that I moved into 9 Fifth Street 18 months ago and have enjoyed the relatively quiet of this area in Millicent. I have noticed that a few younger people do use Fifth Street as a thoroughfare though often going the wrong way past the Sheds and traffic school, often quite fast...I am concerned that the One Way sign is being ignored by a few and this could be a worry for older residents/visitors to the Community Hub and children who visit the Traffic School, who have to look for traffic coming the other way.

If the land adjacent to the sheds is built on I wonder if any new residents might ignore the One Way part of the street too?
What happens to the older house at the end of the vacant land that faces it? Would there need to be a road put along in front if it if there are proposed houses to be built near there?

I personally think it's nice to have some green spaces left around town. Most of the older people using the Mens Shed , Craft group, Lions Clubroom etc are respectful of the One Way section in front.
Is there a real need to build more housing adjacent?... or is Council just wanting the potential money that it would make from building in that area? The trees are a good feature of the adjacent area also and stop some of the traffic noise from Belt Road... so wondering if these will be left?

I think if there is any building on the land that it should be kept to a minimum ,maybe only units for older people ? It is quite a peaceful area and it is enjoyed by a lot of older residents in the area.

I would probably prefer it left as is.... for the Community.
Thank you.

Kind regards,
Jan Marks.

Sent from my Galaxy

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Cathy Bell

From: Rosemary millar <rosemillar@hotmail.com>
Sent: Monday, 23 May 2022 3:13 PM
To: Council
Subject: EI2022/201505 - 16.16.2 - Chief Executive officer (Community Land Consultation- Fifth St, Millicent)

SynergySoft: EI2022/201505 - 16.16.2

To The Chief Executive Officer

As a resident of Fifth St, identified as a key stakeholder, I would like to put forward reasons against revocation of Section 989, 2 Fifth St, Millicent, 100 of Mount Muirhead.
The area is classified as community land, under provisions of the LG Act 1999, in addition to a Crownland dedication for Parkland purposes since 1st March 1956, which emphasises what the purpose of the land was set aside for, and in future this land may still be needed as parkland.

I understand the monetary reasons and the further exploitations of open land to have residential properties built, which will cause further problems for Fifth St, especially for residents who have a rear entrance to their properties, this would cause a major disadvantage to these properties and lose value on their homes.

I bought this property because of its location and the beauty of open land, which is used by many residents for walking, playing, etc.

Fifth St is already an extremely busy and noisy street, already used as a cut through road and short race track, I would consider it a dangerous street for children.

Have the Council considered how wet the largest green area is, with a drain through the centre. Have you considered housing encroaching on an industrial area, close to the cement works.
Why not put the land adjacent to the radio station to better use and clean it up? Future residential expansion could occur here, it is more of an eye sore and wasteland, and how neglected the Millicent Council has treated this land.

It seems evident that we, the citizens, of Fifth St, are in a no-win situation. That our concerns mean little when the Council has stated they will purchase the land direct from the Crown, this is stated under the FAQs and also state that they are in negotiation with the Department for Environment and Water.

I don't know why the Council considers that is important to turn this land into a residential area, especially when people constantly sell up to move out to rural areas and to have more space.

If the Council does not get the transference of the Crown land, they say they will continue to manage the land within the Community Land Provision Act and hopefully beautify the area. Although at one stage there was a BMX track and a few wooden pieces that were meant to be a playground, not very inviting at the time.
I think further congestion of traffic etc with spoil an already over populated street.

My request is that revocation does not occur and that this green space is contained as one of the few recreational areas close to the town centre for residents to enjoy.

Kind regards,

Rosemary Millar
Box 1293
Millicent
PH 0415860313
The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

Wattle Range Council

Paul Duka

Director – Corporate Services

Dear Paul,

Please accept my apologies for the lateness of this response, it was overlooked whilst I had 'Covid' and slipped through the cracks.

The Craft Group wholeheartedly supports the Council's proposal to revoke the community land classification in Fifth Street as outline in the report.

Thanks for the opportunity to respond.

Yours faithfully

Pat Muhovics

Secretary

Millicent Craft Group

P.O. Box 339

Millicent

15.3 Director Development Services

15.3.1 Quarterly Development Services Performance Update

Report Type	Officer Report
Department	Development Services
Author	Emma Clay
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Not Applicable
Strategic Plan Reference	**Theme 5 - Organisational Excellence** 5.5 Ensure Council has the right people to succeed in delivering outcomes.
File Reference	GF/9.24.1
Attachments	Nil

Purpose of Report

This report is to provide Council with an update on the projects and operations of the Development Services Directorate for the period on 1 March 2022 to 31 May 2022.

Report Details

Libraries and Cultural Services

Embracing new technologies and responding to the needs of the community, our libraries and galleries have been evolving with the changes of the pandemic. The demand for a public space with a purpose and a sense of connection to other people has become increasingly evident. The challenges and opportunities are varied during these uncertain times however our core mission is as a gateway to information, literacy and support digital literacies. As we move to a new era impacted by the pandemic, we have been reviewing our spaces and services and actively engaging with our patrons.

Community Partnerships

Council Library staff, in partnership with the Millicent Learning Together, have successfully developed a family playgroup and Storytime on Thursdays. This is a time to enjoy educational play, storytelling, books, and a time to connect with parents and caregivers.

Rendelsham Primary School and Millicent North Kindergarten have also commenced visits with story time, activities and book borrowing.

Storytime with Millicent North Students

Transitioning into digital technologies

The Library has been building digital capability for some time. From audio, eBooks, video games and movies to free Wi-Fi and charging points, we have continually evolved our services to meet the needs of our local community and remain a contemporary service.

Digital literacy is key to ensuring our patrons keep up with evolving technologies. The community continues to embrace our new technologies, particularly our children and youth; with virtual reality goggles continually in demand across all ages and currently we are exploring opportunity to develop content for our seniors and visitors. The switch and Xbox are a source of games and excitement, and this provides our youth a safe and warm place to socialise now that winter has arrived.

Our digital collections continue to be well supported with an increased uptake of 32% over the pandemic, when our patrons were able to access these services remotely through the LibrariesSA App. This usage has continued and as the collection develops so do the mix of community members accessing the service. We have noticed that the use of the children's collection has grown, representing an extension of children and parents now using their devices to access books.

Tech Savvy Seniors on Thursday and Friday mornings enable us to support our older community members in developing technological skills, be it using their mobile, laptop or iPad. This group has further expanded to include members of our community who face challenges with technology due to disability.

Mobile libraries and activities

The school holidays afforded us the opportunity to welcome back school children and parents to the library with a wide range of activities, workshops, and a Mario kart tournament. Key to this very well attended program (averaged 125 daily) was taking our program of art, craft and technology to outlying townships of Kalangadoo (60 attended) and Hatherleigh.

VR Fun and Craft in Hatherleigh

Library Events

Our volunteers and tech savvy seniors participated in our Biggest Morning Tea, Mayor Des Noll opened the Mayoral document written by Mayor Van Schaik 25 years ago and has written to the Mayor of 2046 when in 25 years' time the time capsule will be opened again.

Staff have participated in Simultaneous Reading Time and over 100 children participated, school visits and programs have commenced to our outlying townships and "A Conversation with a Local" commences with Frank Brennan being our first guest on 31 May 2022.

The Art Gallery

We were fortunate to have been one of twelve galleries nationally to host the outstanding indigenous exhibition **A Jam Factory Icon – Kunmanara Carroll.** An exciting mix of Indigenous art – Painted ceramics, Textiles and Paintings.

The exhibition attracted both tourists and community members and was an outstanding success. We were so proud to have hosted this outstanding exhibition, totally different, inspiring and a drawcard with many returning for a second visit.

We celebrated History month with an exhibition "My Mother's Hand" curated by the Millicent Craft Group a collection of intricate handicrafts of their mothers and grandmothers. Another outstanding exhibition complimented with two workshops held in the library/gallery when the ladies brought along their looms and handicraft and crafted.

Upcoming Exhibitions

The forthcoming exhibition is a photographic exhibition by Willalooka photographer Sarah Cunningham – A Single Detail. We were fortunate to secure this exhibition following the Penola Coonawarra Arts Festival as the scheduled exhibition, Sharon Davson from Sydney was unable to exhibit in our gallery due to Covid.

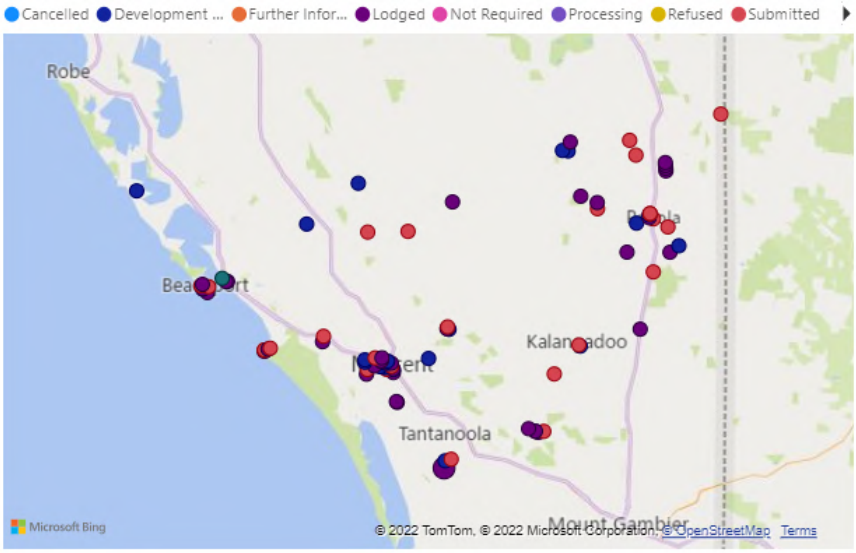
We are commencing our Meet the Author talks with Maya Linnell launching her new book on Friday 3rd June.

Development and Regulatory Services

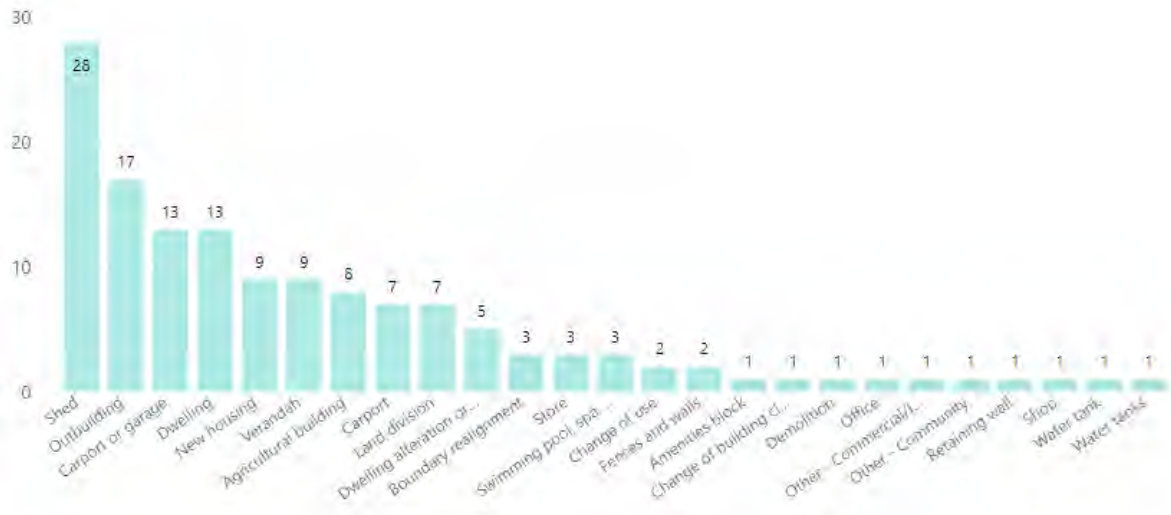
Development - Planning and Building

A total of 80 Development Applications were submitted for the Quarter (March to May) with a total estimated development cost of $5.97 Million.

The locations of development are identified on the map below:



The types of development are identified on the graphs below:



Preliminary Advice

Council Planning Officers held a total of five (5) “Meet with a Planner” sessions in the last quarter, three (3) in Penola and two (2) in Beachport. The aim of these sessions is to assist residents, business owners and community groups with their development assessment queries. Planning staff also provide daily preliminary advice to customers over the phone or in person at the Millicent Office.

Council’s Heritage Advisor was also available for appointments and provided advice regarding heritage related matters.

Section 7 Searches

Due to the recent increase in property sales in the Council area, staff have seen an increase in Section 7 Searches.

Searches provide information on a particular property. They can be ordered by or on behalf of a person who as an interest in land within the area.

For the purposes of ordering a search, the *Local Government Act 1999* (Section 187) states that a person has an interest in land if and only if that person is:

- the owner of a registered estate or interest in the land; or
- an occupier of the land; or
- a person who has entered or declares to the Council that he or she proposes to enter into a contract to purchase the land; or
- a mortgagee or prospective mortgagee of the land.

A full Section 7 Search consists of three components:

- Rates - A rates certificate is generated which shows rates levied for this financial year and outstanding rates due.
- Environmental Health - The specific property is checked against the contaminated land register to identify whether any relevant notices have been issued.
- Development Services - A search is done on previous applications to check whether there are any continuing conditions. A copy of the indemnity insurance (if available) is attached and any encumbrances, Land Management Agreements or current notices issued for that particular property are indicated on the search.

Planning and Building Compliance

Recently several Section 7 search requests have revealed unlawful development. Due to improved aerial imagining and access to information, we are now picking up some unlawful developments that have previously been overlooked. Council staff are addressing these unlawful developments as they arise.

There has been a recent spike in landowners unlawfully residing on their land. This may be in caravans, sheds or other non-approved structures. Our development team is also addressing these cases as they are brought to our attention and will be supported with the employment of the third General Inspector in the 22/23 Financial Year to specifically assist with building and planning compliance.

Two (2) major commercial facilities are being investigated in relation to untidy premises and unlawful development.

Building Fire Safety Committee

The Building Fire Safety Committee met once this quarter on 30 May 2022 and discussed three properties regarding fire safety concerns.

Environmental Health

In February and March Septic Pump outs were carried out by Council's contractor for Council's facilities and the townships of Penola (Area 3), Southend (Area 2) and Kalangadoo (Area 2).

Rainwater testing has taken place for Council owned facilities that hold rainwater tanks. There were 4 tanks that required treatment to bring the water to an acceptable standard.

Two new food establishments have opened in Millicent and Council's Environmental Health Officer has assisted them with working through their specific health requirements.

Wastewater Applications are continuing to be constant with 12 applications being lodged and processed for the quarter.

The renewal notices and invoices for all of the high-risk manufacturing water systems (cooling towers and warm water systems) have been processed and forwarded to the eight (8) locations involved.

There are several residences that have been brought to our attention as having hoarding issues. The Environmental Health Officer is providing ongoing support to assist in cleaning up these homes.

Fire Prevention

Fire season has now finished without any major incidents in our Council area. Over 200 stubble burning permits were issued since March with over 800 paddocks being burnt. Preparation is now underway for the change in Fire danger Rating system which is due to commence for the 22/23 fire season.

Animal Management

Dog registrations are commencing in July with the team spending a lot of time cleaning up data and microchip records to decrease the number of unregistered dogs for the 22/23 financial year.

An increased number of feral and unowned cat complaints have resulted in a new revised process with the Millicent Veterinary Clinic to help manage the numbers and costs involved with managing the complaints. The General Inspectors are currently investigating 3 different large populations of unowned cats with 20+ cats at each property.

Compliance

Illegal woodcutting has been prominent in the last few months as residents were attempting to prepare for the winter. Several reports have resulted in expiations being issued and several cautions and some ongoing investigations.

Community Development

April School Holiday Activities

The fifth 'Full Throttle in Wattle' school holiday program was held featuring free events across the Council area. The library ran a full program with digital technology, wooden crafts, and activities. Our smaller communities were again supported with full day events, commencing in the morning with VR goggles, green screen & wooden craft followed by a fun seasonal activity. The following cornerstone days were held:

- Kalangadoo Day with VR goggles & craft followed by Coonara Estate hosting a pick your own apples to make juice
- Coonawarra Day with Colour Run, Grape Stomping at Brands Laira and Come & Try Petanque
- Hatherleigh Day with VR goggles & craft followed by a Treasure Hunt in the Golf Course

Coonawarra colour run and grape stomping

Rivoli Bay Junior Jetties Fishing Competition & Presentation evening *19-28th April 2022*

A very successful second fishing competition was held with 184 entrants with the Wobbegongs (under 5 years), Tigers (6-11 years) and Great Whites (12-17 years) and Shark only open category. Each age group competing for major prizes by submitting photos of fish caught against the measuring sticks.

Through community support and donations, each recipient was able to receive a fishing rod, fishing tackle box and measuring stick.

A presentation evening was held on Friday 29th April at Bompas Hotel with nibbles and soft drinks for the kids generously donated. Prizes were awarded to champion angler and runner up and the fun photo competition selected. An enjoyable evening was had by all.

In addition to the photos of the fish on the brag mats, anglers are encouraged to submit photos of themselves, fellow competitors and the beautiful scenery and wildlife within the vicinity of the Jetties. All attendees at the Presentation afternoon were invited to select their final five photos to win a prize. The winner was the Peace family at Beachport.

Mount Burr Community Town Plan - *Friday 8th April*

The Mount Burr Community Town Plan meeting was held on Friday 8th April at the Mount Burr Football Club with around 25 attendees. The meeting began with a discussion about the town entrances and a brief for signage design for entrance statements was developed based on the attendees input. The meeting then went on to review the Community Town Plan for Mount Burr, where progress on the prior plan was discussed, along with a review of priorities for the town.

Tantanoola Community Town Plan - *Wednesday 13th April 2022*

The Tantanoola Community Town Plan meeting was held on Wednesday 13th April 2022 at the Tantanoola Football Netball Club. Discussion ensured about the proposed town entrance signage location and finalising the designs for the signage. It was followed by a review of the community town plan projects and a status update with approximately 20 attendees.

The community has agreed on three different photographs for the entrance signage, one for each main roadway into the town. One of the final designs is below:

Youth Week

Council was successful in achieving a state government SA Youth Week grant for $1,500. SA Youth Week in Wattle Range will feature a range of free events targeted at the 12–25-year

The following activities were included in the program with some being postponed due to COVID and inclement weather:

- Skate Park Competition for skate, scoot & BMX (open to all ages & abilities. It is a great spectator sport). 11am - 3pm on Saturday 14th May - postponed
- All Aboard Skateboard session – skateboard training | All equipment provided | Session one at 10am – 12 noon and Session two at 1-3pm - postponed
- FIFA 22 Gaming Tournament at the Millicent Library with great prizes, pizza, and soft drink on 5:30-8pm on Friday 20th May – postponed
- Youth Recognition Awards presentation evening in the Millicent Gallery at 6pm on Friday 20th May – very successful
- Laser Tag in the Forest – play laser tag with your friends | 4 x 1-hour sessions beginning at 10:30am – very successful with perfect weather in the forest at Mt Burr.

The seventh Youth Recognition Awards was again made possible through the generous donation of $250 from sponsors. The presentation evening was held on Friday 21st May 2022 with Cr Sharon Cox presenting the awards.

Award	Sponsor	Winner
Achievement Through the Arts & Culture	All in Balance	Angus Patterson
Contributions to Community	The Medical Clinic Millicent	Alexandra Oliver
Overcoming Challenging Life Situation	Wattle Range Council	Layla Evans
Inspiration by Innovation	Sponsor: Kimberly Clark Australia (Millicent Mill)	Georgia Winter
Learning Success	Glen Carron Transport	Parker Dowley

Central Limestone Coast Liquor License Accord Meetings

All liquor license holders across the Kingston, Robe and Wattle Range Councils are invited to attend the Accord meetings. Representations are made from Consumer & Business Services; Jade Hill, Acting Manager Crime Prevention Section Limestone Coast SAPOL; Australian Hotels Association, and local councils. Held across the three Councils at various licensed venues. One (1) Accord meeting was held this quarter on 11 May 2022 at the George Hotel, Millicent.

Community Markets

The Millicent Community Markets were held three (3) times in the last quarter. Community organisations were invited to apply to be the market host which includes assisting with setting up, packing up and running a sausage sizzle. The host in return raises funds for their club or community group.

The markets were held on the following occasions:

- Millicent 26th March – 16 Stalls
- Millicent 23rd April – 14 Stalls
- Millicent 21st May – 16 stalls

SATC Tourism Conference

Manager Community Development, Caroline Hill and Tourism & Events Coordinators, Tamara North and Amy Lawlor attended the SATC Tourism Conference in Port Lincoln from 9-11 May 2022. The key takes away for the conference were:

- Marketing approach – matchmaking visitor experience with regional offerings
- Tourism e-school – working outside of Council borders
- Strategic planning – getting visitors to stay another 3 hours in our area

Crayfish Festival

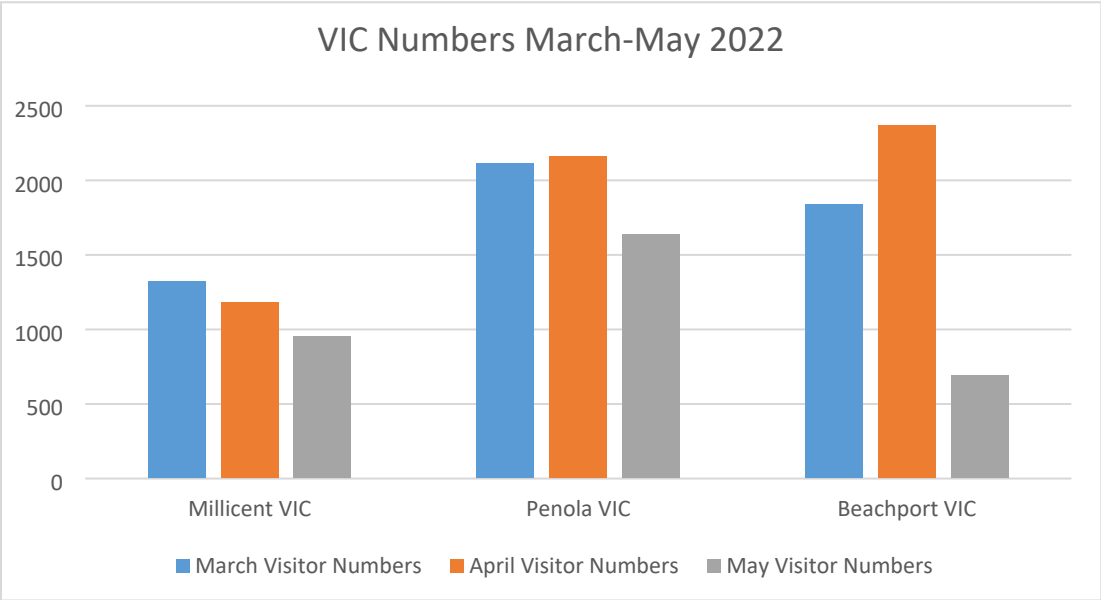
On Saturday, 5 March 2022, the inaugural Beachport Crayfish Festival was held in Centennial Park, from 10:00 am to 10:00 pm.

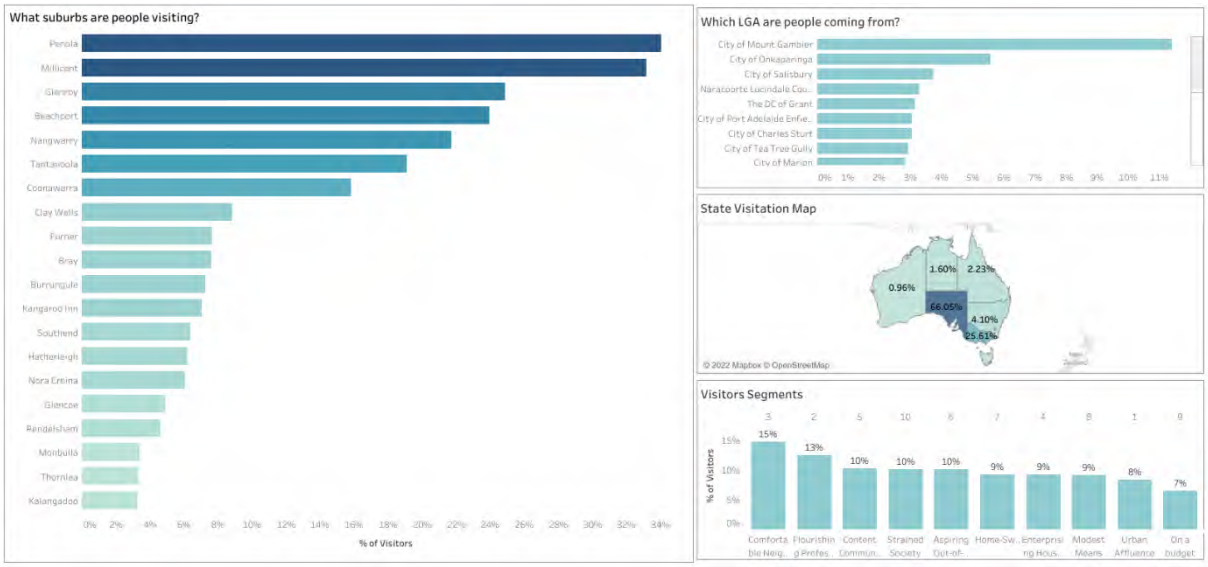
The very successful festival sold 1,982 tickets which includes a mixture of Family tickets (up to 5 people), Youth (12 – 17-year old's), Concession Holders and Adults. The total number of patrons onsite reached 2,466 including all sponsors and event volunteers.

Council has previously received a detailed report on this major event at the April Ordinary Meeting of Council (Folio 9922 Item 15.3.3).

Visitor Information Statistics

The Visitor Information Centres have had a steady number of visitors in the March to May quarter of 2022. As expected, Beachport and Penola had a peak number of visitors during the Easter School holiday period.





According to our new reporting software, Localis, most Visitors to our area over the March to May period have visited Penola and Millicent with Glenroy coming in third. This software is brand new but is already proving to provide very useful information and our Tourism Team is looking forward to using the software to target marketing and projects.

Upcoming Events

- **The Empowering Able Young Leaders Program**: A leadership course for youth living with a disability
- **2022 Community Organisations and Events Forum:** A free forum for community organisations that will focus on the topics of hosting events, the Planet Youth Survey results, Liquor Licensing changes and SAPOL update
- **July School Holiday Program:** Featuring learning pottery, a day in Penola with crafts and herb planting, a day exploring caves and doing craft in Tantanoola, celebrating NAIDOC week with Indigenous painting on skateboard decks, plus cartooning, augumented drawing, Mr Snotbottom and much more!
- **Skate Park League Competition:** New dates (9/10 July) after postponed Youth Week events

Financial Considerations

Budget Allocation	N/A
Budget Spent to Date	N/A
Budget Variation Requested	N/A

There are no known financial considerations related to this report.

Risk Considerations

There are no known risks to consider relating to this report.

Policy Considerations

There are no known policy considerations related to this report.

Legislative Considerations

There are no known legislative considerations related to this report.

Environmental / Sustainability Considerations

There are no known environmental or sustainability considerations related to this report.

Communication & Consultation Considerations

There are no known communication and consultation considerations related to this report.

RECOMMENDATION

That Council:

1. Receive and note the report.

15.3.2 Draft Strategic Land Use Plan

Report Type	Officer Report
Department	Development Services
Author	Emma Clay
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Low
Strategic Plan Reference	**Theme 5 - Organisational Excellence** 5.2 Govern in a responsible and responsive way. 5.4 Optimise Council operation of businesses and assets, to ensure value for money is returned to the community.
File Reference	GF/3.71.7/19
Attachments	1. DRAFT Strategic Land Use Plan [**15.3.2.1** - 64 pages]

Purpose of Report

To endorse the draft 25 Year Strategic Land Use Plan for Community Consultation.

Report Details

As part of the 2020/21 budget, Council allocated funding for a Strategic Land Use Plan for the Wattle Range Council area.

After an open tender process, Adelaide based Planning Consultants, Holmes Dyer were engaged to produce a Strategic Land Use Plan for the Wattle Range Council area. The plan will provide a 25-year strategic roadmap for land use planning with integrated consideration of infrastructure, servicing, community facilities, transport and all other factors which go into making liveable and thriving communities. The plan will also be used to initiate future amendments to the Planning and Design Codes (Code Amendments) which may include zone changes in some areas.

The project commenced in September 2021 with Consultants from Holmes Dyer spending three days touring the area, meeting with staff, and holding an Elected Member information gathering workshop. The Consultants also conducted phone interviews with key stakeholders.

In late 2021, Holmes Dyer prepared an initial 'Opportunities and Constraints' paper which was workshopped with Councillors at an informal session on the 21st of December 2021, facilitated by Council's Planning Officer. Following this, along with targeted stakeholder feedback, a Technical Report and accompanying Summary Report was produced which provided a detailed analysis of the opportunities and constraints in relation to land use in the Council area.

At the Ordinary Meeting of Council held on 8 February 2022, Council endorsed the Holmes Dyer Opportunities and Constraints Technical Report and Summary Report for Community Consultation (Minute reference: Folio 9893 Item 15.3.2). The consultation period ran from Friday, 18 February 2022 to Wednesday, 23 March 2022 and consultants from Holmes Dyer visited the communities of Millicent, Penola and Beachport from the 8-10th of March to hold face-to-face sessions public.

Holmes Dyer received 84 responses during the consultation period, the details of which were presented to Council at the Ordinary Meeting of Council held on 12 April 2022 (Folio 9922 Item 15.3.2). The feedback received has been considered in the preparation of the attached draft 25 Year Strategic Land Use Plan.

The next step is to present the draft 25 Year Strategic Land Use Plan to the community for a final round of consultation. The feedback received from the community will again be considered before preparing a final 25 Year Strategic Land Use Plan.

Financial Considerations

Budget Allocation	$110,000
Budget Spent to Date	$60,958.48
Budget Variation Requested	NIL

Risk Considerations

Please refer to Wattle Range Council's SharePoint Register – Strategic Land Use Plan.

Policy Considerations

- Policy 1.5 - Community Engagement

Legislative Considerations

- *Planning, Development and Infrastructure Act 2016*
- *Local Government Act 1999*
- *South Australian Planning and Design Code*
- *State Planning Commission Community Engagement Charter*

Environmental / Sustainability Considerations

The draft 25 Year Strategic Land Use Plan highlights the environmental profile of the Council area which includes environmental considerations such as drainage, groundwater, flood mitigation and coastal erosion.

Communication & Consultation Considerations

To fulfil engagement obligations when preparing a Code Amendment, Planning Practitioners must use the State Planning Commission Community Engagement Charter for all Community Consultation. The Consultants have been instructed to ensure that the Community Consultation undertaken as part of this project is in accordance with the State Planning Commission Community Engagement Charter.

RECOMMENDATION

That Council:

1. Receive and note the report.

2. Endorse the draft 25 Year Strategic Land Use Plan for Community Consultation.

Wattle Range Council Strategic Land Use Plan

03.06.2022

Draft for Consultation

Proprietary Information Statement

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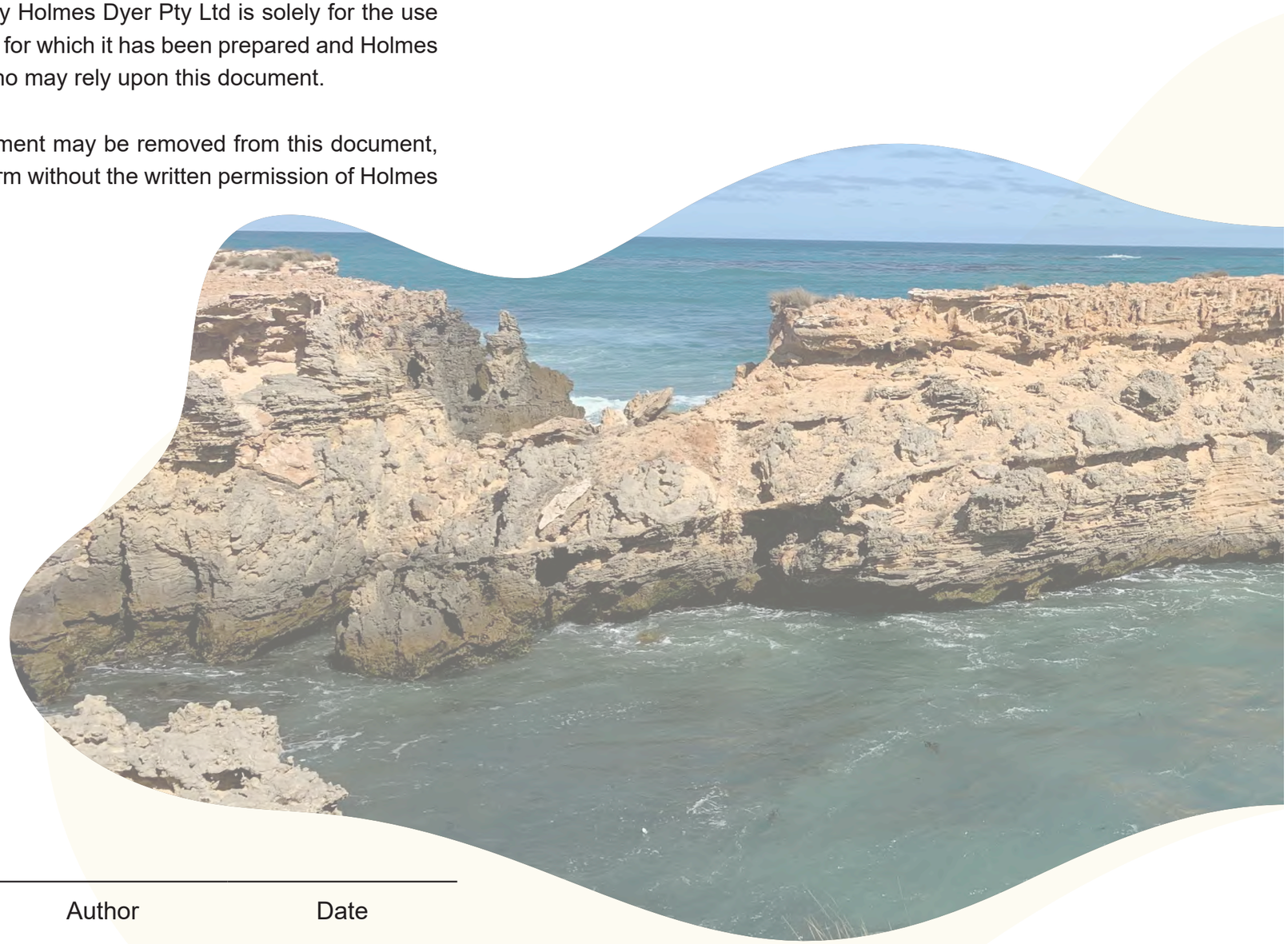

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Revision	Description	Author	Date
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1

Vision

1. Vision

1.1 Vision Statement

This Strategic Land Use Plan works towards the same vision as the Wattle Range Strategic Plan:

Wattle Range: A great place to live and work

1.2 Document Purpose

The Strategic Land Use Plan is intended to provide a 25-year vision for land use planning across the Wattle Range Council. This provides an effective and meaningful framework to ensure Council can proactively facilitate sustainable development and growth for the next 25 years while also protecting valuable agricultural land and areas of environmental significance to achieve sustainable outcomes. This includes evaluation of:

- Essential infrastructure and services;
- Integrated transport;
- Land supply and demand;
- Economic analysis and development opportunities;
- Interfaces between different land uses;
- Current and future land needs and zoning recommendations;
- Community infrastructure and services;
- Environmental protection and/or enhancement;
- Policy to manage change, growth and development.

This plan will be structured into four parts:

1. Introduction and Vision
2. Context
3. District-Wide Strategy
4. Township Plans

1.3 Guiding Principles

These guiding principles have been developed as a result of the investigations and consultation conducted thus far in this process. These are broad principles which may provide ongoing guidance in future decision making around land use issues, as well as being vital in informing the actions outlined in this plan.

1.3.1 Protecting Agricultural Land

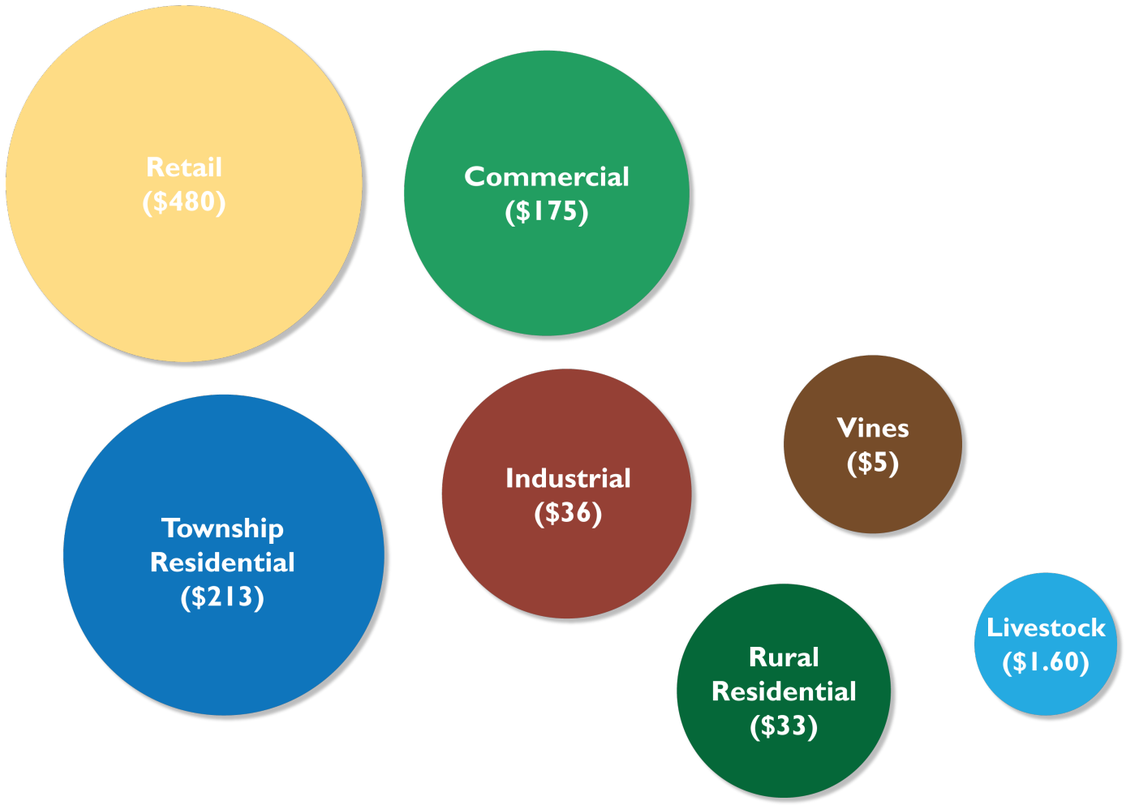
Wattle Range is one of South Australia's most significant and productive agricultural landscapes, with $344million in agricultural output in 2019/20, or 4.1% of the state's total output, despite only being 0.4% of the state's land area, and 0.7% of its population. Forestry is also an important industry, with $97million of output, 17.3% of the state's forestry output.

These industries both require large amounts of land, but are at risk of replacement by higher value land uses if not suitably zoned. Previous investigation work has shown that from 2019-2021, the average land values for different uses in the Wattle Range Council, on a per square metre basis, were as seen in figure 1.

Forestry land was not included in this due to a lack of available sales data, but this provides an indication of why, if left purely to market forces, productive rural land is often threatened by urban expansion. In order to control this, zoning can be used to provide restrictions on land use such as stating that a non-agricultural land use would be inappropriate.

Therefore, development within towns should focus more on infill than on expansion on agricultural land. This primarily means the development of currently vacant blocks, and the renewal of existing building stock, rather than subdivision. However, where insufficient opportunities for infill do exist, some consideration will need to be given to rezoning agricultural land for urban development.

Figure 1: Land values by use (per square metre) in Wattle Range Council 2019-21



1.3.2 Planning for Environmental Hazards

Environmental hazards present a major threat to lives, property and livelihoods. This plan should therefore seek to ensure that communities are as resilient as possible to any such hazards.

Bushfire is a threat to lives and livelihoods across regional Australia, and this region is no stranger to this threat, with the Ash Wednesday fires in 1983 being one example. With climate change likely to make bushfires even more dangerous, there is a renewed need to plan communities which are as safe as possible from this threat.

Coastal erosion is another issue which presents a substantial hazard to the coastal areas of Wattle Range. Council has already invested in investigation work regarding erosion around Rivoli Bay, including the Rivoli Bay Study, Sand Management Plan, and the Southend Adaptation Strategy.

Flooding is also a common issue across the region. Given the flat topography across much of the region, standing water is common, which is why the South East Drainage Scheme was implemented to make the land more suitable for agriculture. However, low-lying land still presents a challenge for development, since this requires that urban development in townships is raised to a safe level, which may add additional cost and impact viability while agricultural land productivity is compromised during inundation. Coastal areas may also see flood related problems, with sea level rise presenting potential additional challenges. This is likely to be mostly in the form of back flooding from lakes, such as Lake George around Beachport, and Lake Frome around Southend.

This plan seeks to ensure that new development is located away from these risks, and that existing developed areas are as safe as possible from these hazards.

1.3.3 Providing Land for Growth

Towns need to be able to grow where demand exists, this plan aims to ensure that they can do this in a way which provides the best outcomes for everyone. Planning policy is one of the key ways to achieve this, and Wattle Range Council will need to ensure that its planning policy is coherent and reflective of community needs.

This land use plan generally seeks a mix of complimentary land uses where appropriate, and the separation of conflicting land uses. For example, a small shop would be complimentary to a residential area, while a large industrial site could have adverse impacts on the residential area, and should therefore be located somewhere where these impacts can be minimised.
Some specialised uses have specific zones in planning policy, such as quarries (the Resource Extraction Zone), golf courses (the Golf Course Estate Zone) and others. Where there is a specialised use which is intended to continue, the appropriate specialised zone should apply in order to provide the most suitable set of policies applicable to that use.

Another important factor here is the popularity of rural lifestyles. Living on a relatively large property (usually larger than a hectare) but not running a working farm is a popular lifestyle, especially among people looking to raise a family. Wattle Range generally has more land zoned for this style of living than other areas, and this should generally continue, in order to attract working age residents to the district.

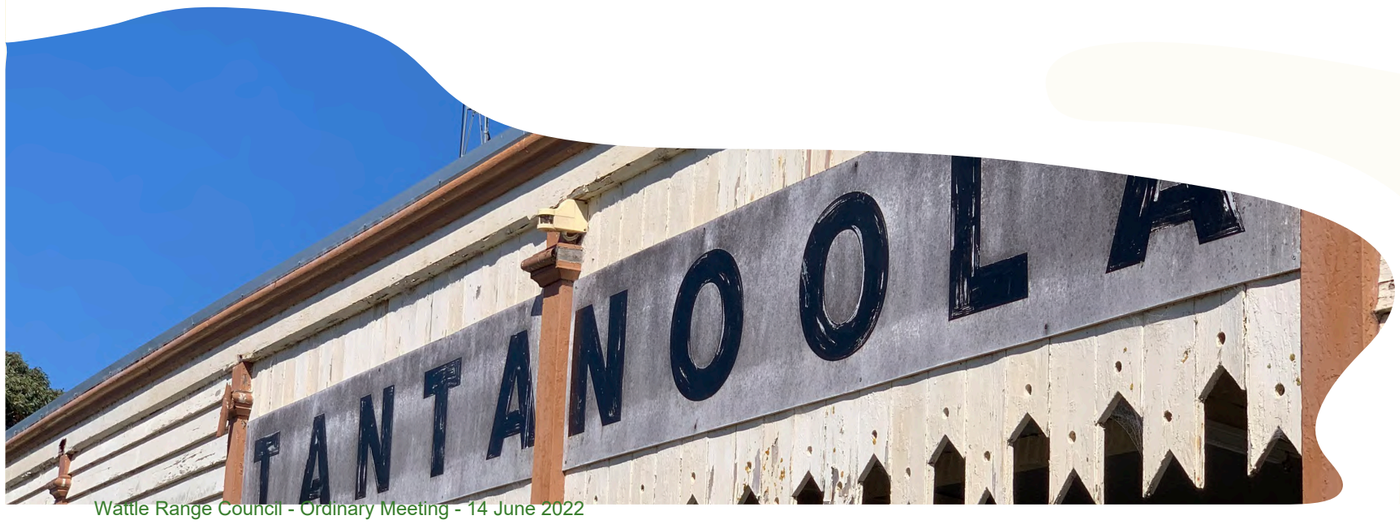
Wattle Range's population has generally remained relatively stable and with some exceptions such as Beachport and Southend, it is predicted to remain so. Therefore, it must be asked why additional land for growth is needed. Additional construction will continue to occur despite a stable population, as evidenced by continued construction in Wattle Range up to this point, despite its stable population. For one, there is a trend for household sizes to decrease, with people having fewer children and more people living alone, with separation and divorce having contributed to the need for more dwellings to serve the population. Further, people often look for opportunities to build their own home, and need land on which to do it. There is a strong demand for new houses with modern facilities which drives new home construction. Therefore, surplus land is required in order to refresh housing stock and provide people with homes more suitable for modern lifestyles.

Additionally, the coastal region in particular, is a desirable holiday home destination, and this will continue to drive housing construction in selected locations without necessarily generating an increase in the permanent population of the region (albeit it is likely that some holiday home owners will eventually retire to the region).

1.4 Key Initiatives

The key initiatives can be summarised as follows:

- Protect productive agricultural land from incursion from non-agricultural land uses by maintaining strong land use and development controls in those areas.
- Manage and mitigate environmental hazards through cooperation and finding agreements with State Government, involving identification of high-risk locations, required mitigation strategies and seeking funding through grants and direct State intervention.
- Avoid any intensification of human activities (urban or rural) on high-risk environmental hazard sites
- Support agricultural productivity by, firstly, facilitating seasonal worker accommodation development and, secondly, allowing ageing farm owners to retire to a residential site on their farm and free the productive land for new ownership
- Provide for increased rural living opportunities close to existing towns as a means of attracting younger families and workers to the region
- Support retirement living and health services across the larger towns of the region
- Promote tourism development and patronage by providing for an increased array of community events, tourist facilities, information boards and signage, development of new rails and expansion of Conservation Areas and associated facilities
- Facilitate infrastructure delivery and infrastructure capacity building in key growth areas
- Zone land to facilitate a wider choice of urban development opportunities in townships, to address the limitations on development evident on a number of sites already zoned for development.



2 Strategic Context

2. Strategic Context

The Wattle Range region is at the heart of South Australia's Limestone Coast, spanning between the Southern Ocean and the Victorian border. It has a diverse rural economy including agriculture, forestry, fishing, major service centres, and manufacturing industries. The region has a generally flat topography which necessitated the South East Drainage Scheme in order to make the land more suitable for agriculture.

Please note that 2016 Census data is used as the most recent available data, as data from the 2021 Census is not yet available at time of writing.

2.1. Demographics

Wattle Range has had a relatively stable population. While the population generally saw a slow decline through the 2000's, since 2011 there has generally been small growth, with the 2020/21 financial year seeing an additional 47 residents in Wattle Range. Millicent itself saw a decline of 27 residents, but the rest of the district more than compensated for this.

One key consideration is the district's ageing population. With a higher number of older people in the district there will be a greater demand for medical services, independent living units and aged care. The State Government projections suggest that the population over 80 will double by 2036, with those aged 65-79 increasing by nearly 35%.

Figure 2: Annual Population Change 2001-2021

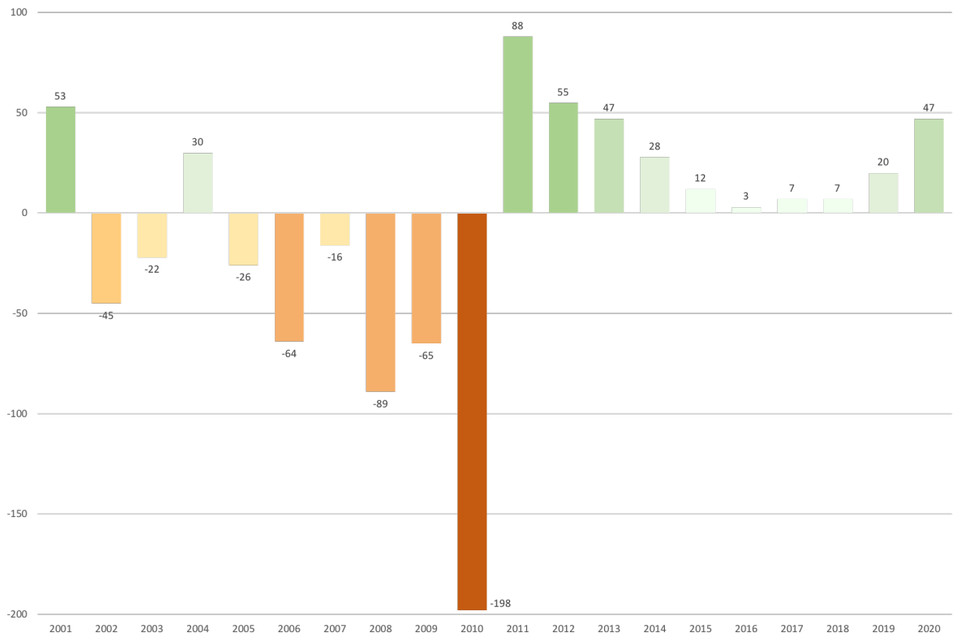
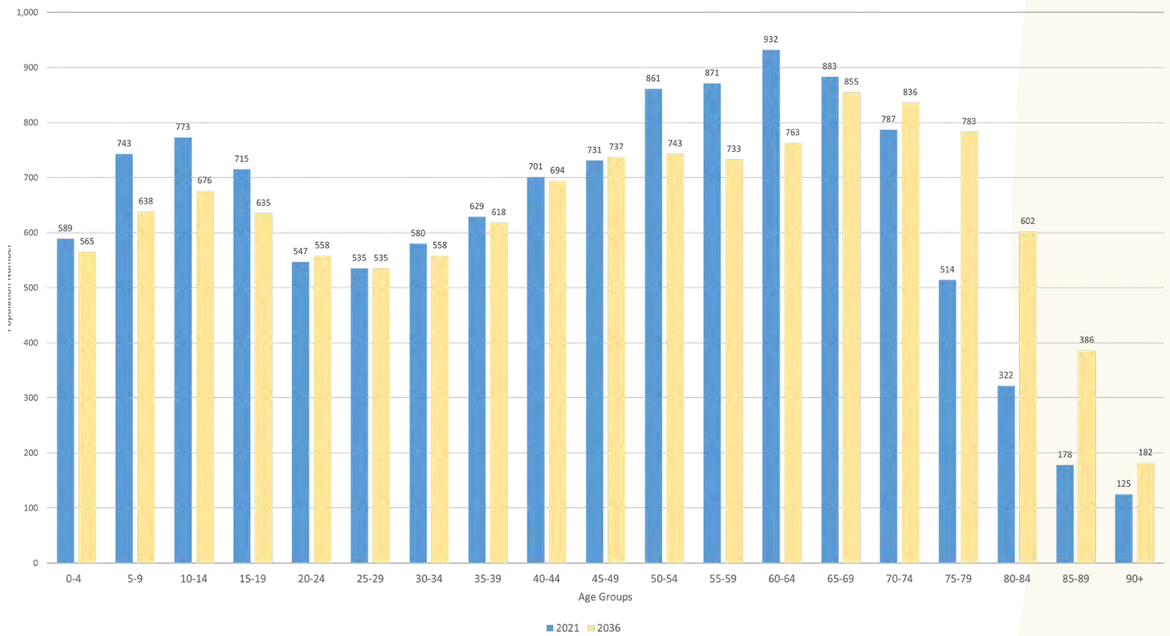


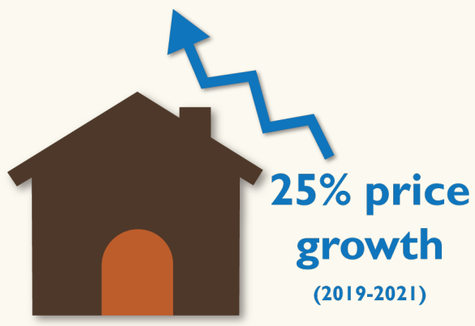
Figure 3: Change in Population Age Structure 2021-2036



2.2. Property Market

The district has generally had a relatively slow-moving property market, but the property market has become much stronger since the COVID-19 pandemic. The district's median house price has risen from $195,000 in 2019 to $244,000 in 2021, or 25% price growth, in addition to a 35% growth in sales volumes.

The district has a very limited supply of long-term rental properties, with a point-in-time property search showing only three properties available for rent, with one in each of Millicent, Penola and Nangwarry. Furthermore, the relatively low prices seen in property sales are not carried over in the rental market, meaning that this is much less affordable. There is also a need for accommodation for seasonal workers across a variety of industries.



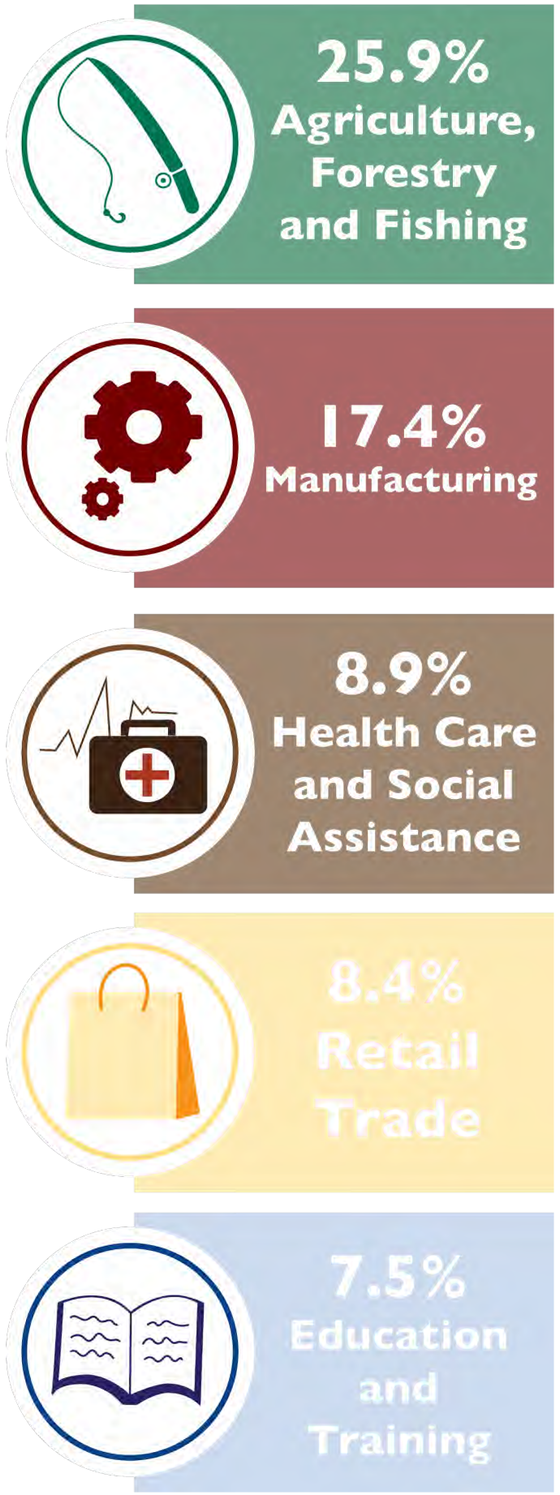
2.3. Economy and Education

Primary industries account for over 25% of the Wattle Range district's employment, with around 1200 people employed across agriculture, forestry and fishing. The majority of these are in agriculture, with the 2016 Census showing that forestry accounted for around 100 direct jobs, and fishing around 30. However, the forestry industry also induces secondary employment in mills and processing facilities which increases the number of people employed in forestry related activities. Manufacturing is the next biggest employer, with nearly 800 jobs, followed by healthcare and social assistance (406), retail trade (385) and education and training (346).

A significant number of people commute between Wattle Range and Mount Gambier. The 2016 Census indicated that there were 450 people commuting from Mount Gambier to Wattle Range, while 668 went from Wattle Range to Mount Gambier. Glencoe in particular has many residents who work in Mount Gambier, with 57% of the town's employed residents commuting to Mount Gambier.

The district has 14 schools; 12 public and 2 Catholic. The two Catholic schools are primary school only, and 2016 Census data shows that 216 secondary students, 109 of whom live in Millicent specifically, commute from Wattle Range to attend non-Government secondary schools.

Figure 4: Employment by Industry in the Wattle Range Council



2.4. Environment

The Limestone Coast is mostly flat with porous soils, and has few natural creeks or streams, meaning that water historically seeped into the soil or pooled on the surface in wetlands. The South East Drainage Scheme sought to limit this surface pooling in order to make the district more suitable for agriculture, and these drains are an important feature of the district's environment. These drains mostly take water to the lakes across the district, including to lakes Frome and George, adjacent to Southend and Beachport respectively. These lakes then have an outlet to the sea, but these outlets can cause problems, with the water coming out of the Lake Frome outlet being a contributing factor in the continuing coastal erosion around Southend.

Another important feature is the prehistoric coastlines which now form ridges throughout the region, including the Coonawarra region, and the ridge upon which Millicent is built. The district sees much more rainfall than most of South Australia, with 600-800mm typically in the winter months. There are also highly productive groundwater aquifers, with depths of around 2-5m.

Bushfire and coastal erosion are two major environmental hazards which must be considered. The region was substantially affected by the Ash Wednesday bushfires in 1983, and the forestry plantations do present a heightened risk to nearby towns. Coastal erosion has been accelerated by sea grass die-offs, which have been accelerated by impacts of the drainage scheme. This erosion presents a threat to Council assets in Beachport and Southend, with homes in Southend also under threat.

Figure 5: Potential Extent of Erosion in Southend

600-800mm of rain in a typical winter

2.5. Infrastructure

Different areas of the Wattle Range Council have varying access to infrastructure. In terms of service infrastructure:

- Power supply is available across the district
- Town water supplies are available in Millicent, Penola, Beachport, Nangwarry, Kalangadoo and Mount Burr
- Sewerage systems are available in Millicent, Beachport, Nangwarry and Mount Burr
- Community Wastewater Management Systems (CWMS) in Penola, Kalangadoo and Southend
- Fixed line internet connections in Millicent, Penola and Beachport
- Fixed wireless internet connections in Glencoe, Nangwarry, Kalangadoo, Southend, Coonawarra and Rocky Camp, as well as the Rural Living Zones in Millicent and Penola, and parts of Hatherleigh.
- Satellite only internet connections in Tantanoola, Mount Burr, Rendelsham and Furner, as well as the Muggleton area of Beachport.
- Furner is also noted as a mobile phone blackspot.

Key recreation facilities include:

- McLaughlin Park in Millicent
  - » Football, cricket, netball, tennis, soccer, basketball
- Fred Bolton Sports Park in Millicent
  - » Baseball
- Millicent Swimming Lake
- Millicent Domain
  - » Nature Playground, skate park, tennis, netball, basketball, bowls
- McCorquindale Park in Penola
  - » Football, cricket, netball, tennis, basketball
- Penola Pool
- Beachport Lagoon and Centennial Park
  - » Playground, tennis
- Nangwarry Pool
- Golf courses in Millicent (near Rocky Camp and Mount Burr), Penola (Katnook), Beachport and Hatherleigh
- Parks and ovals across the district

The three key transport corridors through the region are the Princes Highway, Riddoch Highway and Southern Ports Highway. There are also two disused rail corridors through the region, the Beachport-Mount Gambier Line running east-west, and the Wolseley- Mount Gambier line running north-south.

Health services are available in larger towns. This includes hospitals in Millicent and Penola, doctors clinics in Millicent, Penola and Beachport, and aged care in Millicent and Penola. Analysis conducted as part of the Opportunities and Constraints Technical Report for this document suggested that there is an under supply of aged care beds in the district, with an estimated demand at the moment for approximately 15 beds, and a likely need by 2036 for an additional 164 beds.

2.6. Existing Plans/Strategies

Council's existing Strategic Plan was adopted in 2018. It contains the vision statement:

Wattle Range: A great place to live and work

It has five themes, each with a corresponding objective:

- Community Vibrancy and Presentation
  - » Generate and support community vibrancy through advocacy and maintenance of community services and enhanced public facilities.
- Economic Prosperity
  - » A sustainable and prosperous economy that supports local businesses and industry and creates employment and prosperity for the region.
- Environmental Sustainability
  - » Protect the natural assets and infrastructure of the region by leveraging additional environmental programs that will protect the environment for future generations.
- Infrastructure and Asset Sustainability
  - » Provide functional, safe, fit for purpose assets that meet the changing needs of the community.
- Organisational Excellence
  - » A great place to work where innovation and efficiency is expected and customers are our focus.

The Strategic Land Use Plan works towards the first four of these themes in particular, looking at community facilities, open space, employment lands, environmental risks and development opportunities. Within each theme, the Strategic Plan outlines a variety of actions, many of which link to the Strategic Land Use Plan, and, where appropriate, will be considered in the plan.

This plan is also intended to work alongside the various Community Town Plans across the district. Various actions throughout these plans were considered as part of this process, and these are reflected in actions within this Plan where appropriate.

SWOT Analysis

Strengths

- Diverse and productive rural economy
- High rainfall
- Desirable coastal areas
- World renowned wine region
- Important religious heritage (St Mary MacKillop)
- Stable population
- Position between Adelaide and Melbourne

Weaknesses

- Low housing prices limiting the economy of developing new housing and new rental opportunities
- Lack of rental housing
- Poor drainage
- Ageing population
- Zoning anomalies
- Land use conflicts (e.g. industrial development in residential areas)
- Infrastructure capacity in selected locations
- Seasonality of tourism

Opportunities

- Resurgence of forestry and agriculture
- Attracting new residents and a younger population base
- Retirement living
- Holiday homes
- Tourism
- Expansion of food and wine experience

Threats

- Environmental Hazards
  - Erosion
  - Bushfire
  - Coastal Flooding
  - Inland flooding
- Population stagnation or decline
- Climate change

3 District Plan

3. District Plan

Wattle Range has a diverse rural economy, with the ocean to the west and productive farmland and forests inland. Millicent is the major service centre of the district, with Penola and Beachport considered to be “supporting” service centres under the State Government classification from the last Limestone Coast Regional Plan. Other townships and settlements across the district will also provide a service function, while many people will continue to live on rural properties outside of townships.

The coastal areas around Beachport and Southend are an attractive destination for “seachange” lifestyle retirement and holiday homes. There is relatively strong demand for housing in these areas, but supply is constrained by environmental factors. Erosion is a further issue in the Rivoli Bay area, with Council assets under threat in Beachport and Southend, and homes also potentially affected in Southend. These areas will therefore need to attempt to resolve issues of future housing supply, support the tourism and fishing industries, while ensuring safety from environmental hazards. Given their seaside location, these areas are subject to large population swells over the summer months, which has consequences for infrastructure and services.

Across the rural, inland areas of the district, it is likely that little will change in terms of land use. Demand for agricultural and forestry products is expected to continue to remain strong, meaning that these industries will continue to occupy much of the land area of the district. Nonetheless, the various National and Conservation Parks across the district will also continue to play an important role in providing ecosystem services and a haven for biodiversity.

Regarding such conservation areas, Council may consider investigating designating Lakes Leake and Edward, to the north of Glencoe, as Conservation Parks. This would promote investment in the recreational facilities there, and attract tourists to the area, without having any substantial impact on the farming and forestry areas around it.

One area which already has a strong tourism sector is the Coonawarra. The wine region is world-renowned and brings in a substantial volume of tourists. Penola is also home to the sites of Saint Mary of the Cross, otherwise known as Saint Mary MacKillop. This creates an attractive tourism offering which is less susceptible to seasonality, though some seasonal swells are natural. Previous work, including Community Town Plans, have noted the need for high-end accommodation in the Penola/Coonawarra area. This is further supported in this strategy, and any application for this should be generally supported subject to site-specific constraints.

One development which is currently occurring in the Penola/Coonawarra region is the Coonawarra Rail Trail. This type of infrastructure will further encourage tourists to visit the area, and is valuable in augmenting the region’s food and wine tourism offering. In order to encourage further tourism, Council should seek to support other walking/cycling trails, including mountain biking such as the Mount Burr Trails Network. Other infrastructure can also support tourists, such as camp sites, public toilets, nature walks and more, which Council should also support. This support may come through financial contributions, but may also be through administrative support or as a knowledge base for community groups.

With the ageing population in the district, there is a need to support more age-friendly housing across the district. There are multiple avenues through which this can be achieved, including building more independent living or aged care close to key services in town centres. Zoning generally already facilitates this development potential.

An option which is applicable in the more rural areas of the district is through what is known as the “Dwelling Excision Overlay”. This overlay allows for a dwelling to be divided off from the rest of the land, in order for the balance of the property to be sold off. This would allow for someone who had been farming on the property to retire and sell off their land, but retain their dwelling. There is a protection to prevent undue fragmentation of the land, with the policy that it can only be divided if “no other dwelling has been excised from the primary production allotment”. This Overlay is currently applied across other Councils including Grant and Coorong. This should also be applied to Wattle Range in order to support ageing in place on rural properties.

While it is important to encourage development where this is appropriate, there will be many locations where such development is inappropriate due to environmental constraints. The planning system typically manages these through Overlays. These will often trigger referrals to State Government agencies such as the Coast Protection Board, Native Vegetation Council or Country Fire Service. Council should seek to refine the application of Overlays such as the Coastal Areas Overlay, Coastal Flooding Overlay, and Hazards (Bushfire) Overlays to ensure they achieve their intended purpose. Native vegetation is managed slightly differently, since the Native Vegetation Act applies across the whole state (outside of metropolitan Adelaide), meaning that the Native Vegetation Overlay is always applied and is only triggered when clearance is required.

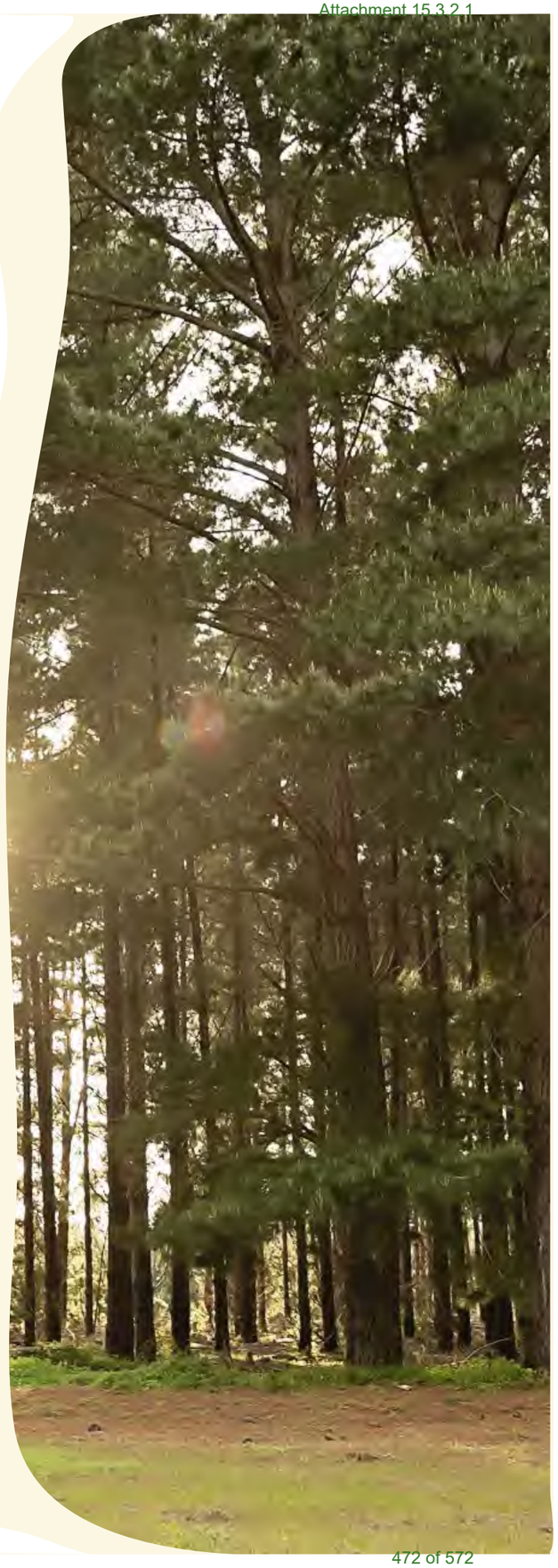
Some areas may be presently zoned for development, but may be environmentally constrained. In principle, the Overlays outlined above should prevent any environmentally inappropriate development where these Overlays are correctly applied. However, where it can be demonstrated that a site, which may be currently zoned for development, is not appropriate for such development, then it should be rezoned to reflect its true development potential. This prevents a false impression being given with regard to that land should someone seek to purchase it. However, further investigation work will generally be required to confirm the environmental suitability of such sites for development.

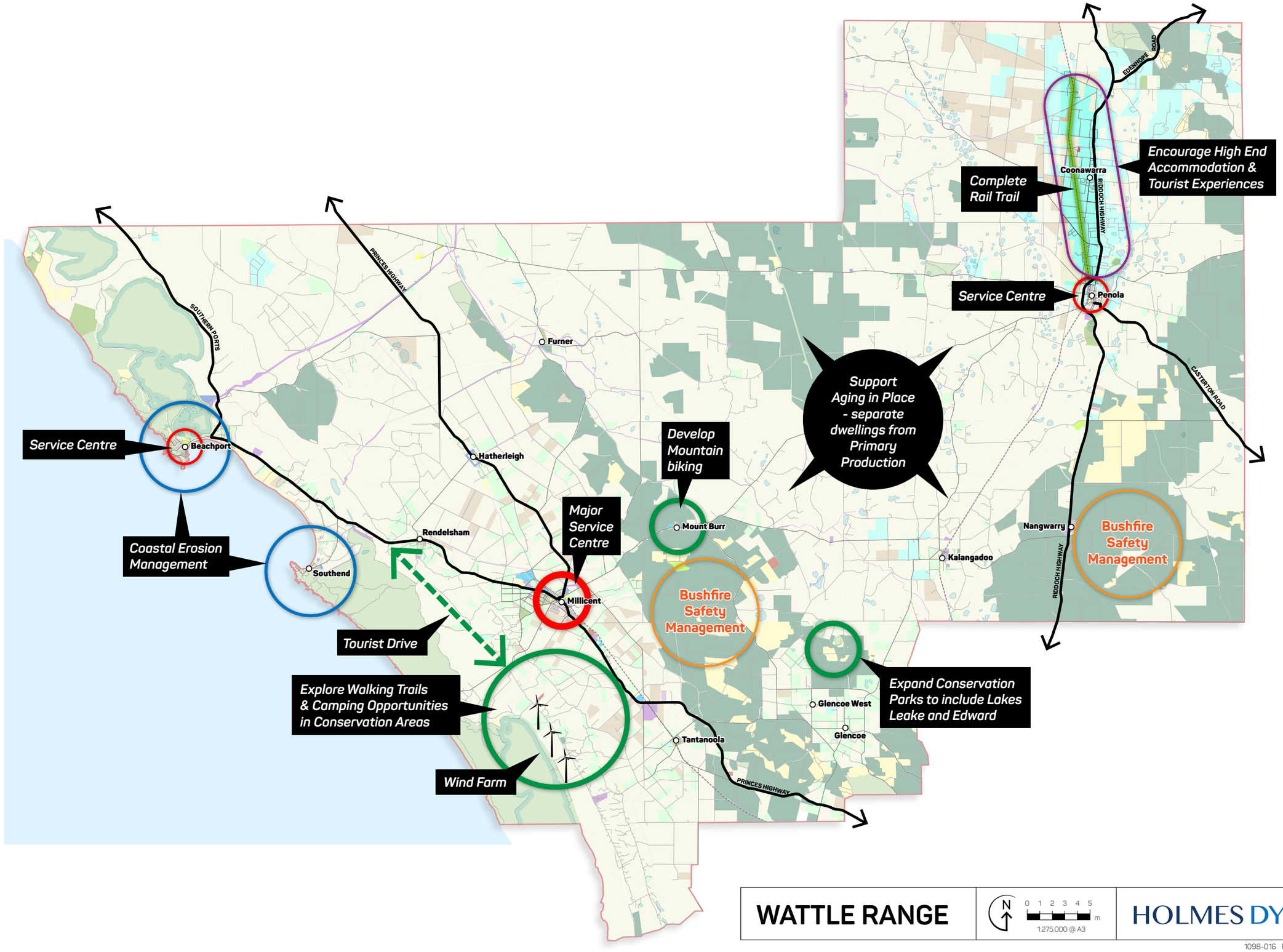
One of the key principles of land use planning is that of minimising conflicts between uses e.g. some industrial uses which are generally not compatible with residential areas. Across Wattle Range there are many examples of businesses operating in what is otherwise a residential area. Sometimes this is desirable, such as small shops, but other times less so, for example where there can be adverse impacts such as noise and dust.

The Planning and Design Code generally envisages some small-scale businesses in areas which are predominately residential, and Council should generally support this. Context is likely to be an important factor in this as it will vary the impact- for example a workshop in a rural residential area will have a far lower impact on neighbouring residents than in a township residential area because of the increased separation between neighbours. However, in order to ensure that conflicts are minimised, medium-large scale businesses, or those with adverse impacts such as dust or noise, should be located outside of residential areas.

Actions

1. Liaise with State Government to resolve a position regarding coastal erosion in Beachport and Southend
2. Liaise with State Government to seek to list Lake Leake and Lake Edward as Conservation Parks
3. Support the development of high-end accommodation in the Penola-Coonawarra area
4. Support the development of walking/cycling trails, camping sites and other infrastructure which supports tourism
5. Seek to apply the Dwelling Excision Overlay over the Rural Zone as part of an amendment to the Planning and Design Code
6. Liaise with State Government agencies to refine the application of environment and hazards overlays in the Planning and Design Code
7. Where development is demonstrated to be inappropriate due to environmental constraints, seek to ensure that land is zoned in a way so as to not misrepresent its development potential
8. Seek to ensure that future medium-large scale employment generating uses, or those with adverse impacts such as dust or noise, are located outside of residential zones
9. Support, in principle, the location of small-scale non-residential uses ancillary to a dwelling, particularly in rural residential areas




Complete Rail Trail
Encourage High End Accommodation & Tourist Experiences
Coonawarra
RIDDOCH HIGHWAY
EDENHOPE ROAD
Service Centre
Penola
CASTERTON ROAD
Support Aging in Place - separate dwellings from Primary Production
Furner
PRINCES HIGHWAY
SOUTHERN PORTS
Service Centre
Beachport
Hatherleigh
Develop Mountain biking
Major Service Centre
Mount Burr
Rendelsham
Coastal Erosion Management
Southend
Millicent
Kalangadoo
Nangwarry
Bushfire Safety Management
Bushfire Safety Management
Tourist Drive
Explore Walking Trails & Camping Opportunities in Conservation Areas
Wind Farm
Expand Conservation Parks to include Lakes Leake and Edward
Glencoe West
Glencoe
Tantanoola
PRINCES HIGHWAY
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4

Township Plans

4. Township Plans

4.1. Millicent

4.1.1. Context

Millicent is the key service centre of the district, and its size reflects this. With Millicent being home to roughly 40% of the district's population, it inevitably sees much of the district's development activity. Millicent is in the first decile on three of the four measures of the SEIFA index, meaning that it is in the top 10% of the most socio-economically disadvantaged areas in Australia. Housing is therefore less expensive than many other areas, with a median house price from 2019-2021 of $195,000.

Millicent's population is relatively old, with a median age of 47 compared to the state-wide figure of 40. With population growth among the over 65's cohort expected to be strong, with 380 additional people over 65, 140 of whom would be over 80, by 2036, there is an emerging need to better support an ageing population. This is likely to include expansions to aged care capacity, and other potential works to support ageing in place.

Millicent's population has been relatively stable since 2012, but has declined by 1% during the COVID-19 pandemic (i.e. comparing the 2021 population estimates to the 2019 estimates). State Government projections expect Millicent to decline in population over the next 20 years, but these projections were made in 2016 and population dynamics have since changed substantially. While 2020 and 2021 did see population declines of around 0.5%, this is too soon to be a discernible trend.

Millicent already has a substantial amount of land which is currently zoned for urban development which has not been taken up. This includes land surrounding the existing residential development around the high school, land near Teagle Excavations, and to the south of Fred Bolton Sports Park. This illustrates one of the key challenges in strategic land use planning, that land may be zoned for a use, but any number of factors may prevent its use for these purposes. The market decides where development will occur, and providing it with more options will aid in facilitating this. As such, there is a need to identify many areas which may be suitable for urban development, above and beyond the expected demand. Nonetheless, given this preponderance of vacant infill land, there is unlikely to be any need to rezone agricultural land for urban use, at least in the short-medium term.

Being the largest town in the district, Millicent home to several pieces of key social infrastructure and public open space. This includes Millicent High School, two public primary schools and a Catholic primary school, a hospital, the Millicent Swimming Lake, Lake McIntyre, sporting facilities such as McLaughlin Park and Fred Bolton Sports Park, the domain, and the Millicent public library and Civic and Arts Centre. It is anticipated that there will be additional demand for services which support an ageing population such as healthcare facilities.

4.1.2. Actions

Millicent will continue to be the major service centre of the district, and its town centre is the focal point of this. Council has already produced the Millicent Town Centre Concept Design which provides a Master Plan for this area, and this plan seeks to be consistent with this. It is unlikely that there will be strong demand for expanded commercial or retail development in the town centre, with some potential excess land. In order to encourage activation in the town centres, dwellings are supported where these are ancillary to a commercial use, or do not prejudice the commercial use of the area. For example, a flat above a shop would be acceptable, but demolishing shops along George Street to replace them with houses would not be.

1. Council to support the development of Millicent's town centre consistent with the Town Centre Concept Design, including potential residential development which is ancillary to, or does not prejudice the operation of, commercial facilities.

Given Millicent's ageing population, Council should encourage an age-friendly urban environment in Millicent. One key part of this will be in providing more age-appropriate housing, particularly close to the town centre. Independent Living Units are likely to be a major part of this, with the 25 existing units at the Boneham Aged Care Services unlikely to be sufficient to cope with the likely need for these services in the future. There is also expected to be an increased demand for residential aged care. Council should support the development of these services where possible, including potentially through public realm upgrades to facilitate ease of movement for mobility impaired residents.

2. Support the development of age-friendly housing including Independent Living Units and Residential Aged Care, particularly close to the town centre, including with public realm upgrades.

One key site near the town centre is the railway lands precinct. Development of this area has long been desired, but has been hindered by issues of site contamination. While a portion of the site is understood to be contaminated, it is understood that there are parts of the site which are likely to be suitable for residential development. This development is considered to be beneficial in order to provide modern housing close to the centre of Millicent. Furthermore, in future, should market conditions make remediation of the land viable, development of land which is not dedicated to public reserve is desirable. Therefore, Council should continue to support the development of this area. This is again likely to include coordinating public realm improvements to link this precinct with George Street and the broader Town Centre.

The area is currently a part of the Community Facilities Zone under the Planning and Design Code. This would need to be amended to a zone which supports residential development such as the Neighbourhood Zone, in order for the area to be appropriately developed.

3. Support the development of the railway lands precinct, including seeking a rezoning of the site under the Planning and Design Code

Natural assets are important to the town, with Lake McIntyre being the most obvious example. This is currently part of the Strategic Employment Zone, which is fundamentally industrial. While this is unlikely to present any problems given the ownership circumstances of the site, this site should be rezoned to reflect its actual intended use, such as the Community Facilites Zone.

4. Rezone Lake McIntyre to a Zone reflective of its use for recreational purposes and an important space for biodiversity

The broader Strategic Employment Zone is large in size, and is mostly undeveloped. There is therefore not likely to be any need for additional industrially zoned land, but it is important that this area is realistically available for development and is not unavailable due to ownership issues. The area east of Saleyards Road is privately owned, but the land north and west of the saleyards is owned by Council. In order to support development in this employment precinct, Council should, in principle, support its development, including selling its land around the saleyards to potential developers if approached to do so and an appropriate arrangement can be reached.

5. Support, in principle, industrial development in the Strategic Employment Zone to the west of the town

It is noted that the part of the Strategic Employment Zone to the south of the Southern Ports Highway, bounded between Williams Road and Boandik Drive, has a series of existing dwellings in it, as well as businesses. This is currently zoned only for industrial use, which is not reflective of its use. This should therefore be rezoned to reflect its actual mixed-use nature, such as the Township Zone.

6. Consider rezoning the part of the Strategic Employment Zone to the south of the Southern Ports Highway (Rendelsham Road) for a zone which is more reflective of its mixed-use nature

Millicent currently has over 100 students leaving each day for non-Government schools in Mount Gambier, mainly Catholic. It would be desirable for these students to be able to study in Millicent. This could be a campus of an existing school in order to reduce the administrative burden of a new school. While such a school could conceivably be located in any number of places, it would be logical for it to have links to existing sporting facilities. Therefore, two clear locations would be in the existing Neighbourhood Zone around Fred Bolton Sports Park, or on the Pony Club site which can link to the facilities in McLaughlin Park. Council should support the development of such a school where possible.

While the district's ageing population may suggest that this is less likely to be feasible, the development of a campus here would drive demand. When considering a broader catchment which would likely attend a school in Millicent over Mount Gambier, the 2016 Census suggested that there were 149 students already attending non-Government schools, before considering how the location of the school in Millicent would encourage additional enrolments. It is also notable that there are currently only eight students who live in the District Council of Robe and attend a non-Government school, and the reduced distance may encourage enrolments from Robe. Furthermore, this plan seeks to encourage people to live in Wattle Range and raise a family, and a non-Government school campus would further support this aim.

7. Support the development of a non-Government Secondary School campus

Millicent has a large amount of land which is zoned for rural residential development, i.e. the Rural Neighbourhood and Rural Living Zones. This land has seen a good take up, with a few undeveloped allotments remaining. However, in order to preserve agricultural land, it would be preferable not to expand the existing rural living area. Therefore, it would be better to allow for smaller allotments in this area, perhaps of 5000sqm as opposed to the current 10,000sqm. Over a longer timeframe, it would also be possible to expand the current Rural Neighbourhood Zone into the Rural Living Zone on the western side of town, in order to allow for allotments of 2000sqm in this area.

8. Allow smaller allotments in the existing Rural Living Zone, without expanding the spatial extent of this zone and allow for the future expansion of the Rural Neighbourhood Zone into the adjacent Rural Living Zone

The land on the western side of Lossie Road is currently an Employment Zone (generally consistent with light industry), but is largely vacant. Given the proximity of key recreational facilities such as the Domain and McLaughlin Park, and the existing residential properties fronting Plunkett Terrace, this site would generally be more suitable for residential uses. It would therefore be preferable for this to be rezoned for residential development, and for industrial development to locate in the Strategic Employment Zone between Rendelsham Road and Belt Road.

9. Consider rezoning the Employment Zone on Lossie Road for residential purposes

Another area currently zoned Employment is on the eastern edge of the town, along the Princes Highway. However, this area has both dwellings and businesses in it, and is therefore mixed-use in character. Development continues along the Princes Highway to the east of Enderby Lane, although this area is within the Rural Zone. A mixed-use zone would be more appropriate for this area, such as the Township Zone.

Given this area is at the gateway to the town from Mount Gambier, it would be desirable for this to present a positive view of the town. Council may therefore consider streetscape upgrades in this area in order to present a tidier appearance.

10. Consider a mixed-use zone, and streetscape upgrades and township entrance statement along the Princes Highway on the eastern fringe of Millicent

On the opposite side of the Princes Highway is a small portion of Rural Zone between the urban area (Neighbourhood Zone) and the Rural Living Zone. This area would be more suitable for township sized allotments, given it is higher up on the ridge and could be serviced with appropriate infrastructure.

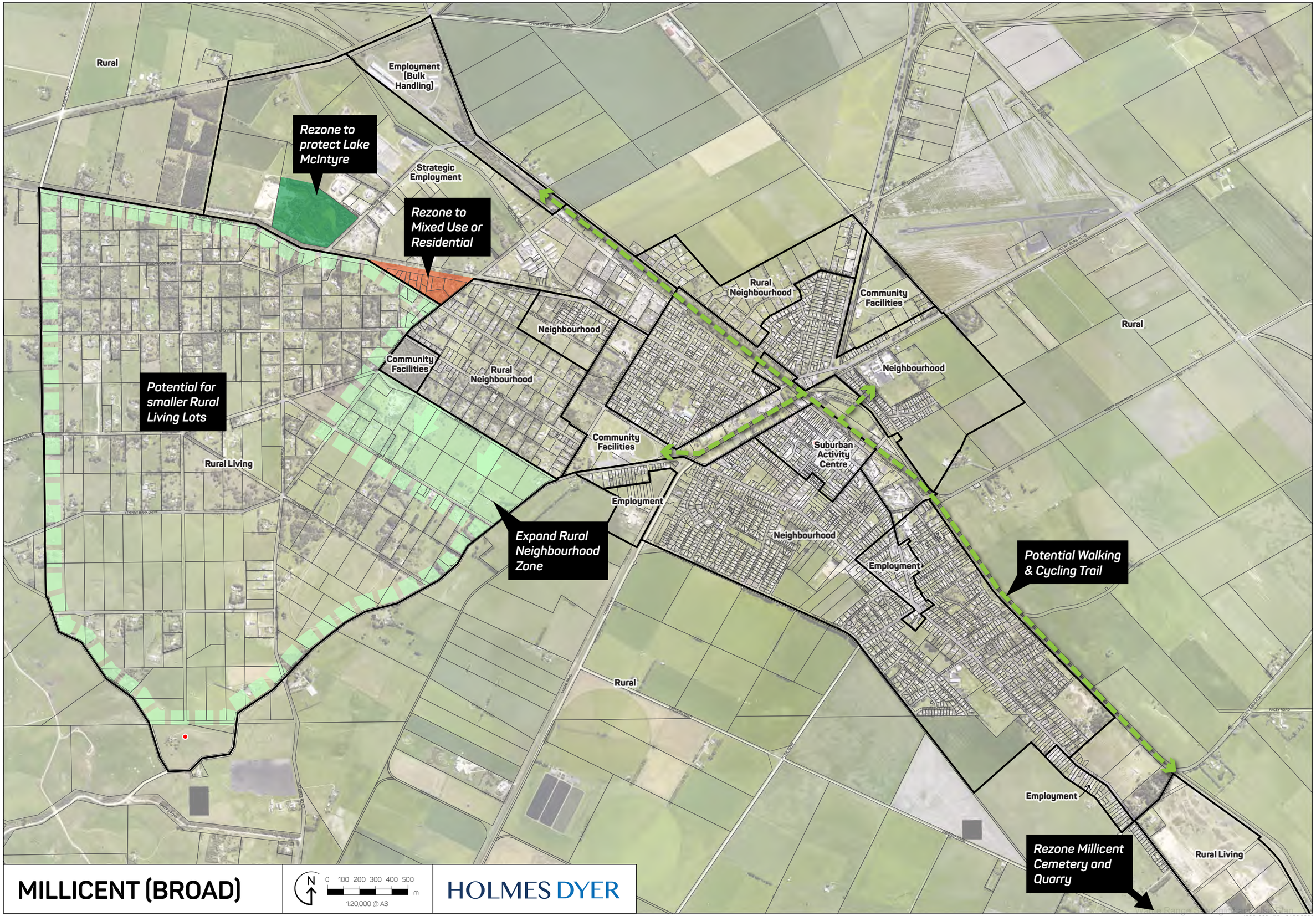
11. Rezone the area of Rural Zone between Willow Bank Road, the railway line and the Princes Highway for township sized residential development

The Rural Living Zone to the east of the town does have the capacity for more allotments under the current zoning and with the current minimum allotment size of one hectare. However, much of this area is taken up by the quarry and cemetery, which are generally not consistent with this zoning. These areas would be better suited to specialised zoning such as Resource Extraction and Community Facilities respectively.

12. Rezone the cemetery and quarry with an appropriate zone to reflect their use

While this has looked at a series of key sites, there are many more infill sites across Millicent, which would be suitable for development. These are identified on the plan provided, but are not necessarily limited to this should additional areas become available.

13. Support the development of a variety of infill sites across Millicent



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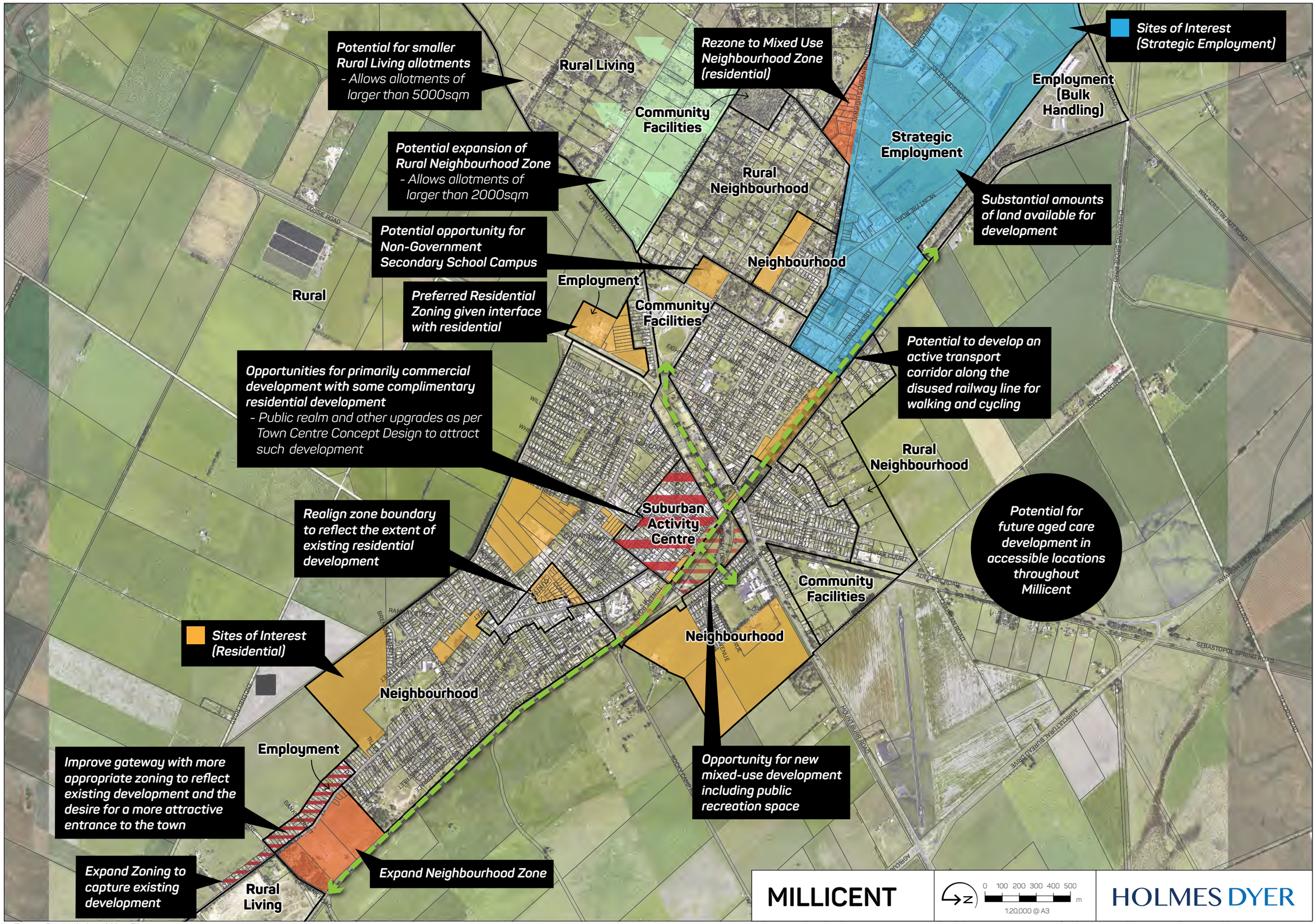
Potential for smaller Rural Living allotments
- Allows allotments of larger than 5000sqm
Rural Living
Rezone to Mixed Use Neighbourhood Zone (residential)
Sites of Interest (Strategic Employment)
Employment (Bulk Handling)
Community Facilities
Strategic Employment
Potential expansion of Rural Neighbourhood Zone
- Allows allotments of larger than 2000sqm
Rural Neighbourhood
Substantial amounts of land available for development
Potential opportunity for Non-Government Secondary School Campus
Neighbourhood
Employment
Rural
Preferred Residential Zoning given interface with residential
Community Facilities
Potential to develop an active transport corridor along the disused railway line for walking and cycling
Opportunities for primarily commercial development with some complimentary residential development
- Public realm and other upgrades as per Town Centre Concept Design to attract such development
Rural Neighbourhood
Realign zone boundary to reflect the extent of existing residential development
Suburban Activity Centre
Potential for future aged care development in accessible locations throughout Millicent
Community Facilities
Sites of Interest (Residential)
Neighbourhood
Neighbourhood
Employment
Improve gateway with more appropriate zoning to reflect existing development and the desire for a more attractive entrance to the town
Opportunity for new mixed-use development including public recreation space
Expand Zoning to capture existing development
Rural Living
Expand Neighbourhood Zone
MILLICENT
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HOLMES DYER

4.2. Penola

4.2.1. Context

Penola is the district's second largest town, and the centre of the eastern side of the district. Penola is a well-regarded tourist destination, being the major town of the Coonawarra wine region, and home to the sites of Saint Mary MacKillop.

At the 2016 Census, Penola had a population of 1592, 1312 of whom lived within the township itself, leaving 280 living in the immediately surrounding area. With a median age of 43, it is more youthful than Millicent, but nonetheless likely to age significantly in coming years. This will bring with it a need for expanded medical facilities including aged care and supported accommodation.

Penola also has many facilities to support its population. These include the Penola High School, Penola Primary School, Mary MacKillop Memorial School, McCorquindale Park sports facilities, Penola Swimming Pool, and the Penola War Memorial Hospital. While there may be some need for additional facilities to support an ageing population, it is unlikely that additional public recreation facilities will be needed over the term of this strategy, though existing facilities and land such as the Commonage may be better used for public recreation purposes.

4.2.2. Actions

Penola has a number of zoning anomalies in the Planning and Design Code which should be rectified. The first of these is the Employment Zone along Church Street. This zone is mostly aligned to Light Industrial uses, which is not consistent which Church Street's function as a main street. This should be changed to a zone more consistent with the existing mixed-use character of this area, such as the Township Zone. The other anomaly in Penola is the misalignment of the zone boundaries on the western side of town, along the bypass. The current boundaries do not line up with the bypass, which should be rectified.

1. Seek to fix the zoning anomalies in Penola through an amendment to the Planning and Design Code

The bypass now represents a logical western boundary for the town's urban area, replacing the railway line which had previously been a logical barrier to development. The area between the railway line and the bypass is bisected by Robe Road, with the area to the north of this having now mostly been developed as an industrial area. Given the strong take-up in this area, there is a need to identify further industrial land in Penola, which is further discussed below.

To the south of Robe Road, between the railway line and the bypass, is vineyards, however this area is designated as a Deferred Urban Zone. This zoning is used where land is expected to be used for urban development, but where this may not be immediate. Therefore, this would be the most logical area for the township to expand into. It is expected that this would be residential development, with relative proximity to the town centre and the primary school being important to this. However, being a site of some 32ha, it is expected that this would take many years to fully develop, and it will be important to ensure that infrastructure is provided with a view to the long-term outcomes of development of this site. As such, it would be advisable to include a Concept Plan within the Planning and Design Code in order to ensure that such appropriate infrastructure is provided.

2. Seek to rezone the current Deferred Urban Zone south of Robe Road for residential use, and include a Concept Plan to provide for orderly provision of infrastructure as part of an amendment to the Planning and Design Code

While the bypass would provide a logical boundary, this does not mean that there cannot be any development to the west of this. Indeed, there is already a Rural Living Zone between Clay Wells Road and Riddoch St. This Rural Living Zone is approximately 90ha in size, with a minimum allotment size of 1ha, and has seen some development of approximately this size. However, there is capacity for additional rural residential development within this area. However, the land immediately to the west of this zone is already divided into allotments which are too small for productive agriculture. Therefore, Council should seek to expand this rural residential area up to Cupnum Lane/Messenger Road. This road is currently partly unbuilt, but it does have a defined road reserve. Further westward expansion beyond this point would generally be inappropriate, in order to ensure the continued preservation of agricultural land.

3. Support the development of the existing Rural Living Zone west of the bypass, as well as expansion of the Rural Living Zone to Cupnum Lane/ Messenger Road

As stated above, there is a need to identify more industrial land supply for Penola. This should come on the opposite side of the bypass from the current industrial area, east of Marks Road and north of Clay Wells Road. This area does extend the town beyond the bypass, but provides the clearest opportunity for development which can be appropriately serviced and provide appropriate access for freight vehicles. The triangular parcel of land between the bypass, the railway line, and Jessie Street is also suitable for industrial development. These areas should be suitably rezoned in order to provide for industrial development.

4. Seek to rezone the triangular parcel between the bypass, the railway line and Jessie Street for industrial development

5. Seek to rezone the parcel between Clay Wells Road, Marks Road and Jessie Street for industrial development

To the south of the township is the Commonage. This land is held in trust by the Wattle Range Council, and may only be used for community purposes. Part of this land, to the south of the bypass, is currently used for the town's Community Wastewater Management System. Given this land is an important community asset, it may be worthwhile to develop a specific vision for this area, which may seek to outline how it could best serve the community, through a Master Plan for the Commonage. This was also included in the Community Town Plan for Penola, which sought to, "Review usage of commonage land and develop a plan for passive, reserve and recreational spaces". One idea raised was the creation of a wetland in this area which can serve a recreational purpose as well as improving biodiversity and helping manage stormwater and wastewater. This may be considered as part of a plan for the Commonage.

6. Review the usage of the Commonage, and develop a Master Plan for this land

One area which already has a Master Plan is the town centre, where Council has developed the Town Centre Concept Design. The Concept Design and this Strategic Land Use Plan are broadly consistent, as the works under the Concept Design working to make the town centre of Penola an active, vibrant and beautiful place.

7. Continue the implementation of the Penola Town Centre Concept Design

The Concept Design also envisages improved cycling infrastructure to link to the Coonawarra Rail Trail. This road treatment would likely be along Arthur Street or Robe Road as these provide through road connections to the former rail alignment.

8. Create appropriate road treatments to support cycle connectivity between the Coonawarra Rail Trail and the Town Centre

With proximity to the Coonawarra comes a heightened demand for accommodation for seasonal workers, such as those involved in grape picking. While Council can provide in principle support to the development of seasonal worker accommodation, it can also take a more proactive approach. This can include making Council sites available for use (where appropriate), conducting feasibility studies, concept planning, and approaching operators, in order to encourage them to locate in or around Penola.

9. Support the provision of accommodation for seasonal workers

The Penola Caravan Park site is one site which could support workers' accommodation. This site is currently under the Rural Zone which does not generally reflect its current use, or any potential future uses. This should be rezoned to reflect that it is not rural land, and is instead part of the Penola township.

10. Seek to rezone the Penola Caravan Park to reflect its use

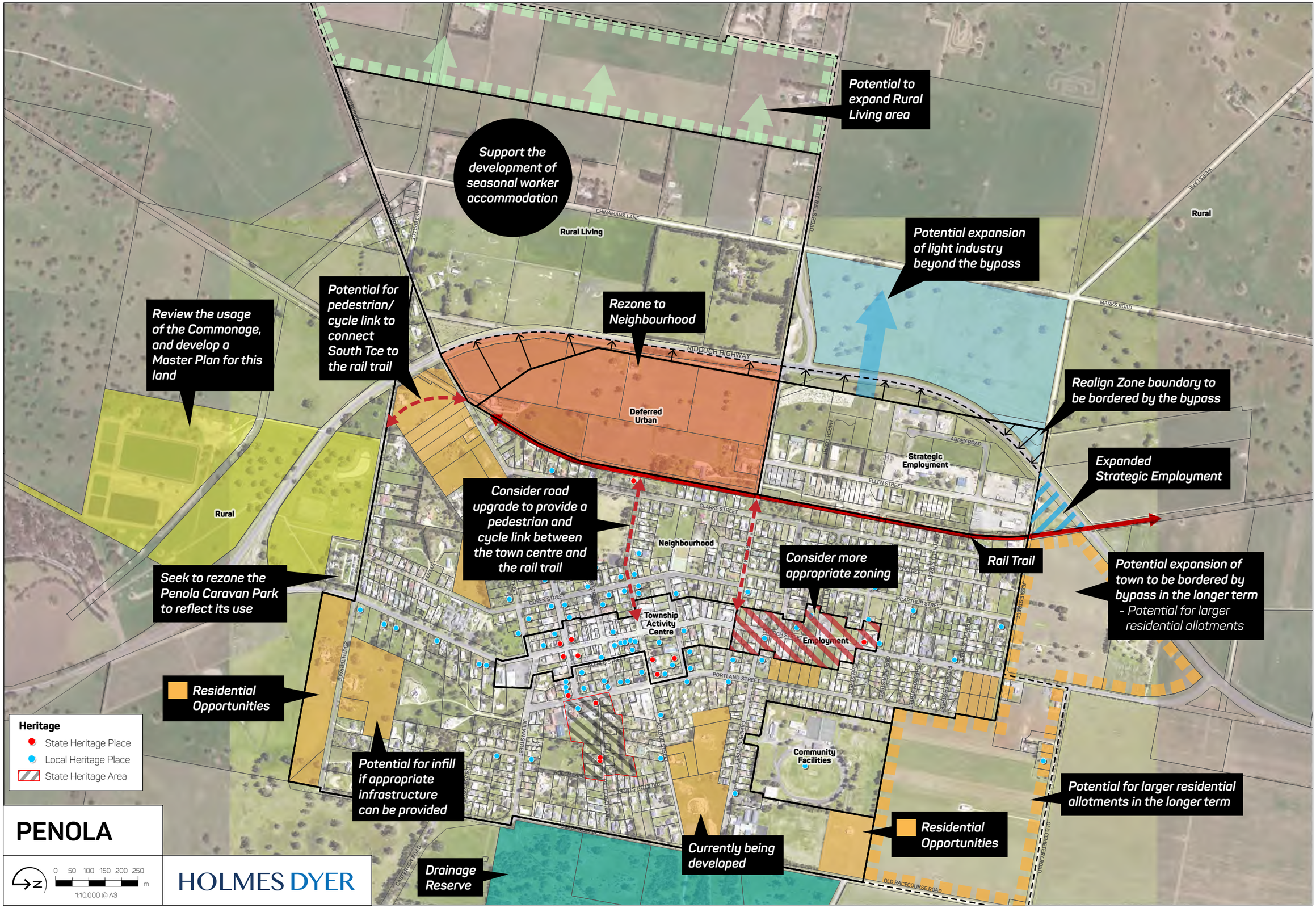
As with Millicent, there is a substantial amount of infill land available within Penola. This would be suitable for residential development, provided that appropriate infrastructure is made available. However, ownership issues may mean that there are limited real opportunities for development.

11. Support the development of smaller infill sites across Penola

Using the bypass as the boundary of urban development would suggest that land to the north of Penola could also be used for urban development. Given the location of the bores for the town water supply, any such development would likely be of a residential nature. Like the land in the Deferred Urban Zone, this is currently under vines, however it is considered that it would be preferable to retain this land as viticultural land over the land to the west. This retains the contiguous vines to the north, which is preferable.

Nonetheless, this plan aims to identify future urban land supply, and this area forms part of that. It would be preferable to see development of the existing Deferred Urban Zone first, however the area to the north of the township is the next area for residential development, once land supply in the area to the west of the railway line is running out. This area to the north should first seek to develop the area between the bypass and Church Street, and then, once supply in this area is coming to an end, to develop the area between the township and Old Cemetery Road.

12. As land supply to the west of the railway line diminishes, seek to rezone land to the north of Penola for residential development


Potential to expand Rural Living area
Support the development of seasonal worker accommodation
Rural Living
Potential expansion of light industry beyond the bypass
Rural
Review the usage of the Commonage, and develop a Master Plan for this land
Potential for pedestrian/ cycle link to connect South Tce to the rail trail
Rezone to Neighbourhood
Deferred Urban
Realign Zone boundary to be bordered by the bypass
Strategic Employment
Expanded Strategic Employment
Consider road upgrade to provide a pedestrian and cycle link between the town centre and the rail trail
Neighbourhood
Consider more appropriate zoning
Rail Trail
Potential expansion of town to be bordered by bypass in the longer term
- Potential for larger residential allotments
Rural
Seek to rezone the Penola Caravan Park to reflect its use
Township Activity Centre
Employment
Residential Opportunities
Heritage
State Heritage Place
Local Heritage Place
State Heritage Area
Community Facilities
Potential for infill if appropriate infrastructure can be provided
Potential for larger residential allotments in the longer term
Residential Opportunities
Currently being developed
Drainage Reserve
PENOLA
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4.3. Beachport

4.3.1. Context

Beachport is subject to rather different pressures than Millicent and Penola. Being on the coast, it is subject to different environmental pressures, including rising sea levels and coastal erosion. Being located on a peninsula, surrounded by Conservation Park, the main township of Beachport is already constrained. With time, these pressures on land supply will only become further exacerbated. While the main township is located on an isthmus, it is strongly linked to a large area of rural residential properties known as Muggleton.

Beachport has a much lower occupancy rate than other townships in the district, with more holiday homes, including those for short-term rental. This means that Beachport is substantially larger geographically than its population would suggest, with seasonal swells due to holiday makers being a key challenge in terms of providing appropriate services in the town.

Beachport is also a popular retirement destination, with this contributing to its much higher median age of 52 years, compared to the State average of 40. This is only likely to continue as time goes on, which is likely to increase the demand for medical services and aged care. This may be to the extent that an aged care facility or supported accommodation/independent living units will be needed in Beachport. These are typically linked to a hospital or high-quality health care services, which would suggest that further development of these services in Beachport may be needed.

The 2016 Census suggests that Beachport had a population of 652 people, including Muggleton and outlying farms. Comparisons to previous years are only available for the main township due to changes in Census geography. The table below outlines the changes in the main township from 2011-2016, and compares these to the broader area (including Muggleton and outlying farms) to provide an indication of the differences between Beachport itself and Muggleton.

Table 1: Beachport Population Comparisons 2011-2016

	Main Township (2011)	Main Township (2016)	Broader Area (2016)
Population	382	436	652
Dwellings	413	434	528
Occupied Dwellings	154	162	229
Unoccupied Dwellings	253	253	275
Occupancy Rate	37.8%	39.0%	45.4%

Source: ABS Census

This shows that the majority of homes in the main township are unoccupied, mostly for use as a holiday home, and that only two thirds of Beachport's permanent population live in the main township. However, 92% of unoccupied dwellings are in the township. This suggests that the Muggleton area has a more permanent population, reflecting the attractiveness of the rural living lifestyle, rather than this being a product for short-term stays.

Beachport has a primary school, which in term 3 of 2021 had 54 enrolled students. It also has a golf course, bowls club, indoor recreation centre, tennis courts and other recreational facilities across the Beachport Lagoon and Centennial Park. Beachport's ageing population suggests that there will be a need for social infrastructure, public realm and housing to support a growing population of older people.

4.3.2. Actions

Erosion in Beachport is primarily in two areas, with drift away from the town beach to the north and east along Rivoli Bay, and with the erosion around the Salmon Hole. The former of these is outlined in the Rivoli Bay Study by Worley Parsons, and is managed by the Beachport Sand Management Plan. The area around the Salmon Hole however is not comprehensively managed at present. Erosion in this area is rapid, and threatens the existing alignment of Bowman Scenic Drive, and the Pool of Siloam.

As coast protection is primarily the responsibility of the State Government, Council will need to work collaboratively with the Department of Environment and Water, and the Coast Protection Board on managing these issues.

1. Work with the Coast Protection Board and the Department of Environment and Water to form an appropriate strategy to manage the erosion of the Salmon Hole and surrounding coastline

Previous work with the State Government, from data produced in 2008, has identified areas which are likely to be susceptible to flooding as a result of sea level rise stemming from climate change. However, subsequent development and other changes have suggested that this may not be a true reflection of the risks associated with flooding. Therefore, there is a need for Council to work with the State Government to further consider these risks, and how these are reflected in the planning system, such as through the application of the Coastal Flooding Overlay.

2. Work with the State Planning Commission and DEW to appropriately understand and map environmental hazards, to allow planning policy to appropriately reflect these hazards (e.g. the Coastal Flooding Overlay)

While there are many allotments laid out across the sand dunes, development of these would be inappropriate for environmental reasons. The existing planning and ownership schemes should be retained in order to prevent development in these areas.

3. Retain the existing regulatory and ownership context to prevent inappropriate development in the sand dunes

There is nonetheless a clear demand for housing in Beachport, whether for permanent residency or for short-term stays. Therefore, it is important for Council to support development opportunities where these are appropriate.

With such a constrained land area, increased densities are necessary to provide a supply of new dwellings. Demand is particularly strong closer to the beach and the town centre. Therefore, the planning policy in these areas may need to be amended to support smaller allotments, and heights of up to three storeys.

4. Seek to amend the Planning and Design Code to allow increased densities and height (up to three storeys) close to the beach and town centre

One site which is currently vacant is the area between the golf course and the bowls club. This could be defined in any number of ways depending on how this is separated from the golf course, but is likely to be in the order of 1ha in size, with access likely to be from Millicent Road. This area is in close proximity to the town centre and would generally be suitable for residential development. However, it is currently within the Community Facilities Zone under the Planning and Design Code, which does not support residential development. This should be amended appropriately to reflect this.

5. Support residential development on the land between the Beachport Bowls Club and the Beachport Golf Course

Another area which is not currently developed is the area to the northwest of Linnell Drive. Much of this area is clear of native vegetation, and its development is unlikely to harm the natural environment further. However, it will be important to ensure that development appropriately minimises flood risk. This could involve raising the land using the material which has created the delta inside Lake George, as was previously approved.

6. Support the development of the area to the northwest of Linnell Drive, provided that an appropriate flood risk solution is found

Beachport's main street, Railway Terrace, has a series of mature Norfolk Island Pines which provide valuable shade and shelter, and an iconic streetscape. There are however parts of the street where additional trees could be planted to reinforce this, such as in front of Bompas and the Beachport Hotel. It is noted that there are powerlines that would cause an obstruction, and this would need to be managed by methods such as undergrounding the power supply in this location.

7. Seek to reinforce the planting of Norfolk Island Pines along Railway Terrace, Beachport

With a growing population of older residents, Beachport is likely to see a growing need for facilities to support older people. This may include more extensive medical facilities, public realm upgrades and more age-friendly housing such as independent living units.

8. Support the development of facilities to support an ageing population, potentially including more medical facilities, public realm upgrades and independent living units.

Several areas in Beachport currently have specialised uses, but are not within the appropriately specialised zone under the Planning and Design Code. As outlined above, the general intent is that where a specialised zone exists for a relatively unique use, this should be applied as these are likely to better fit the requirements of that use. This includes the boat launching and storage facilities for the commercial fishing fleet along with the public boat ramp and jetty. This area may be better suited to the Infrastructure (Ferry and Marina Facilities) Zone. Lanky's Well is another example, with the scrub area currently under the Neighbourhood Zone, which is not reflective of its conservation and community use. The Southern Ocean Tourist Park could also be amended to apply a more appropriate zoning.

9. Apply appropriately specialised zones to the caravan parks, Lanky's Well and the foreshore/jetty area

The Beachport Golf Course is an important recreation facility for the town. It also could see a specialised zone applied to it in the form of the Golf Course Estate Zone. Notably, this zone permits dwellings and short-term accommodation which can take advantage of the amenity provided by the golf course. This would be a beneficial outcome which could allow for additional development in an otherwise very constrained area. However, much of the golf course is potentially subject to flooding, and the development would need to ensure that it appropriately mitigates these risks.

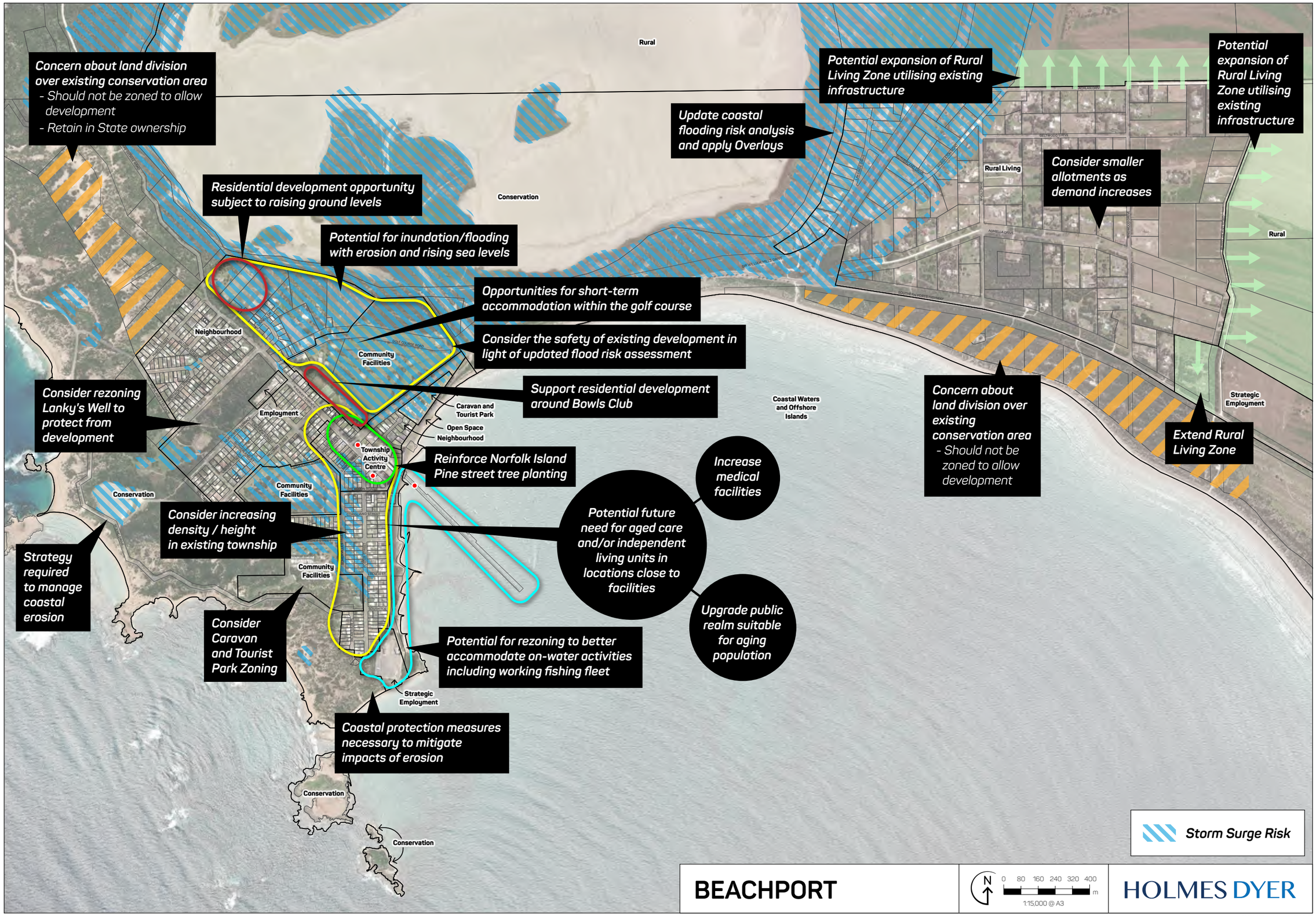
10. Seek to apply the Golf Course Estate Zone to the Beachport Golf Course, and support, in principle, the construction of dwellings or short-term accommodation that appropriately mitigates flood risk

With the constraints on land supply in the main township of Beachport, there is likely to be increasing demand for land in Muggleton. The take up in this area has been strong, but there remain allotments available for development. However, it is unlikely that this will be sufficient to cope with the demand that is likely over the timeframe of this strategy. As such, there is considered to be a need to allow smaller allotments (such as 5000sqm), and for a limited expansion of the spatial extent of the zone. This expansion would need to be balanced with the need to preserve the surrounding agricultural land, and with the risk of flooding from Lake George. To the east, this would generally align with the extension of Burks Island Road, with the existing land division pattern generally allowing for such an alignment. To the north, zoning should generally allow for one allotment to be built along the northern side of McLachlan Drive, in order to take advantage of existing infrastructure provision.

11. Seek to amend the Planning and Design Code to allow smaller allotments in Muggleton and expand the Rural Living Zone to a limited extent, where land can utilise existing infrastructure and is able to be appropriately protected from natural hazards such as flooding from Lake George

Muggleton also has a Strategic Employment Zone of 28.5ha, which has generally not been taken up. However, Beachport does not have another area for industrial development. Given that this location allows for easy access to the Southern Ports Highway, it is generally considered that this would be an appropriate location for future industrial development, and that is worthwhile to identify such a location. However, it should be amended slightly to allow rural residential on the western side of Burks Island Road, while retaining the Strategic Employment Zone on the eastern side of the road, with a minor amendment to correct the discrepancy between the boundary of the zone and of the allotment.

12. Amend the Strategic Employment Zone in Muggleton such that rural residential is permitted to the west of Burks Island Road, but it remains Strategic Employment zoning to the east of the road


Concern about land division over existing conservation area
- Should not be zoned to allow development
- Retain in State ownership
Rural
Potential expansion of Rural Living Zone utilising existing infrastructure
Potential expansion of Rural Living Zone utilising existing infrastructure
Update coastal flooding risk analysis and apply Overlays
Rural Living
Consider smaller allotments as demand increases
Rural
Residential development opportunity subject to raising ground levels
Conservation
Potential for inundation/flooding with erosion and rising sea levels
Opportunities for short-term accommodation within the golf course
Consider the safety of existing development in light of updated flood risk assessment
Neighbourhood
Community Facilities
Support residential development around Bowls Club
Consider rezoning Lanky's Well to protect from development
Employment
Caravan and Tourist Park
Open Space Neighbourhood
Coastal Waters and Offshore Islands
Concern about land division over existing conservation area
- Should not be zoned to allow development
Strategic Employment
Extend Rural Living Zone
Township Activity Centre
Reinforce Norfolk Island Pine street tree planting
Increase medical facilities
Conservation
Community Facilities
Consider increasing density / height in existing township
Potential future need for aged care and/or independent living units in locations close to facilities
Strategy required to manage coastal erosion
Community Facilities
Upgrade public realm suitable for aging population
Consider Caravan and Tourist Park Zoning
Potential for rezoning to better accommodate on-water activities including working fishing fleet
Strategic Employment
Coastal protection measures necessary to mitigate impacts of erosion
Conservation
Conservation
Storm Surge Risk
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HOLMES DYER

4.4. Glencoe

4.4.1. Context

Glencoe is in many ways two townships, Glencoe and Glencoe West. At the 2016 Census, Glencoe had a population of 661; larger than Beachport, although Beachport has 528 dwellings in comparison to Glencoe's 266 homes. Glencoe's median age of 40 is the same as the state-wide figure, which suggests that Glencoe is relatively youthful, or is at least less likely to strongly experience the impacts of population ageing.

The town grew by approximately 50 people in the five years from 2011-2016, and is likely to have potential for further growth. Glencoe offers a rural lifestyle, only 20 minutes from both Mount Gambier and Millicent, which is an attractive proposition particularly for people looking to raise a family. It also has a primary school and small shop, which add to its attractive rural lifestyle offering.

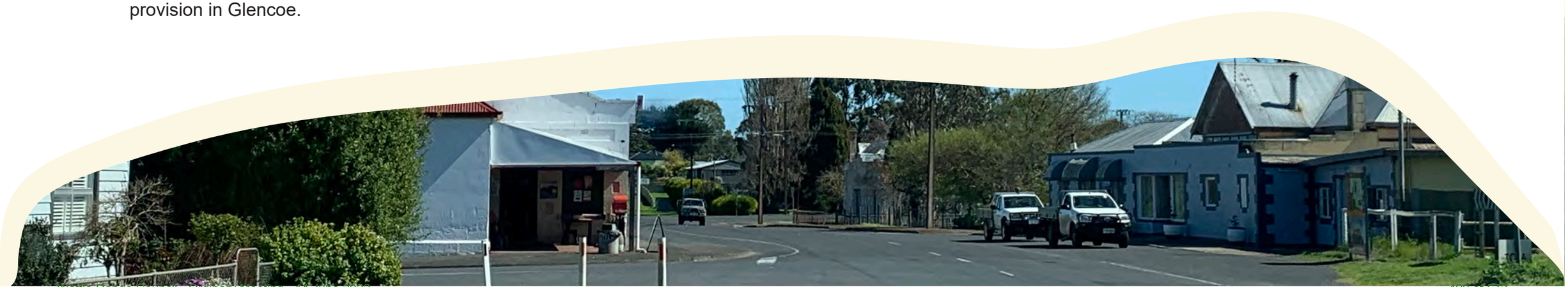
All of Glencoe is currently within a Rural Living Zone, but there remain many allotments which are either undeveloped or could be divided further. There is therefore not considered to be a need to expand the existing zoned area in order to protect the integrity of the surrounding agricultural land.

Glencoe has a limited level of social infrastructure provision, consistent with its low-density nature. It has a primary school, which in term 3 of 2021 had 63 enrolled students. It has a football and netball club, tennis courts and a playground, all located in Glencoe West. Given the size of allotments in Glencoe, there is not likely to be a need for additional public open space provision in Glencoe.

4.4.2. Actions

With an advantageous location which is relatively well serviced and provides an attractive rural lifestyle, Glencoe is likely to continue to see growth over the period of this plan. However, land supply is much more straightforward, and as a rural residential area, it has relatively limited infrastructure requirements.

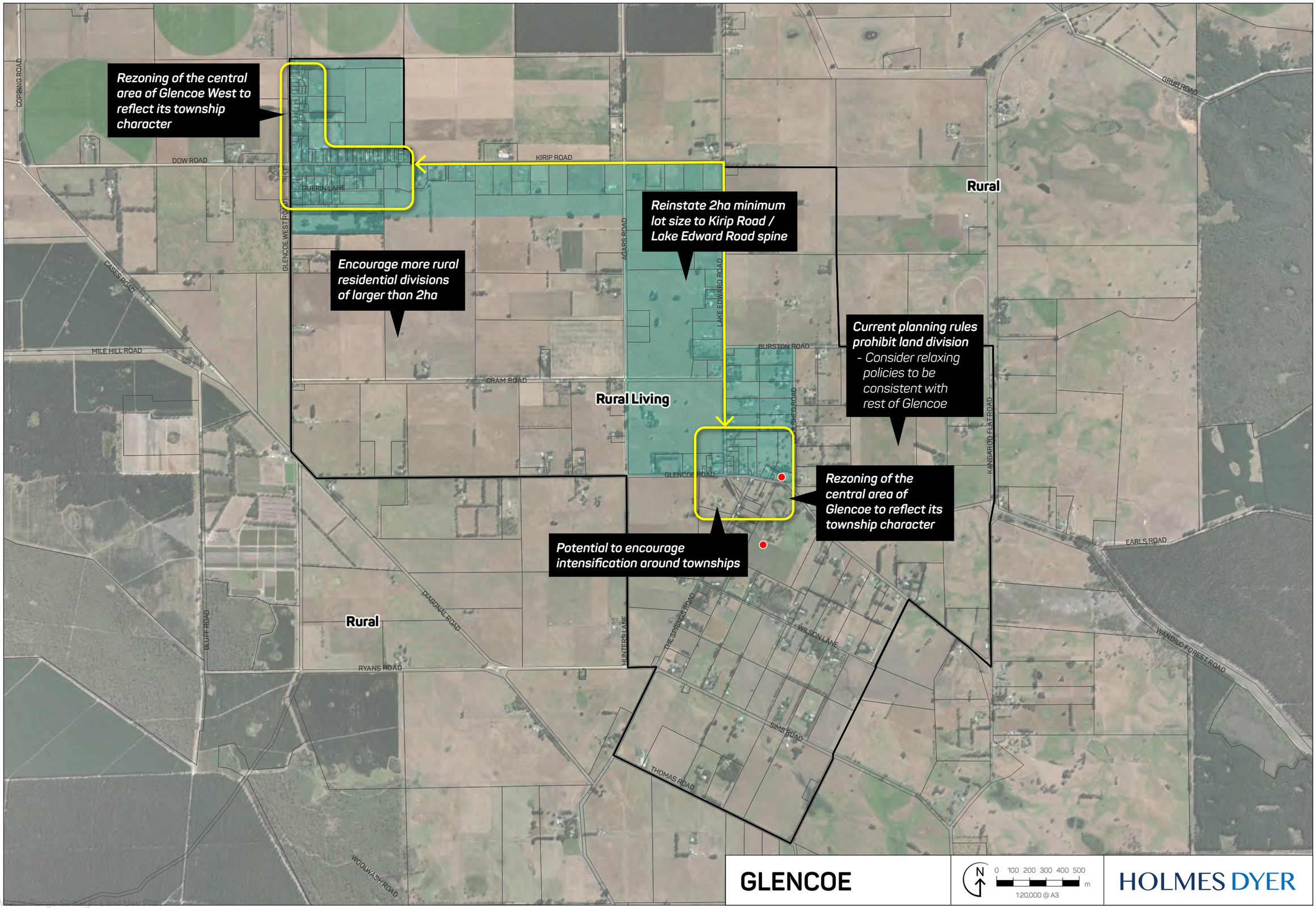
All of Glencoe is currently zoned Rural Living, but two different minimum site area standards are applied. Along the "spine" that is formed by Kirip Road and Lake Edward Road, the Planning and Design Code allows a minimum site area of 10ha. This is a misinterpretation of previous policy under the Development Plan, which allowed land division down to 2ha, provided that an appropriate site frontage was provided such that the allotment was not unreasonably narrow, such as 80m. Outside of this spine area, the Limited Land Division Overlay is applied, which limits land division of any size. Therefore, it would be valuable to amend these provisions to allow land division to 2ha in the spine area as was the case before, possibly in conjunction with a minimum frontage requirement, and remove the Limited Land Division Overlay from the rest of the area, and put in place an appropriate site area minimum here, such as carrying through the 2ha minimum from the spine area.



1. Amend the Planning and Design Code to allow allotments of two hectares in Glencoe's "spine" area along Kirip Road and Lake Edward Road, and remove the Limited Land Division Overlay from the rest of the Rural Living Zone in Glencoe.

There is also the potential to encourage smaller allotments in the centres of Glencoe and Glencoe West. These areas are zoned Rural Living just like the rest of the township, but have much smaller allotments at present. These areas could be rezoned, perhaps to the Township Zone, which also allows for commercial development.

2. Consider amending the Planning and Design Code to apply a Township Zone over the core areas of Glencoe and Glencoe West.


Rezoning of the central area of Glencoe West to reflect its township character
Reinstate 2ha minimum lot size to Kirip Road / Lake Edward Road spine
Encourage more rural residential divisions of larger than 2ha
Current planning rules prohibit land division
- Consider relaxing policies to be consistent with rest of Glencoe
Rezoning of the central area of Glencoe to reflect its township character
Potential to encourage intensification around townships
Rural
Rural Living
Rural
COPPING ROAD
DOW ROAD
KIRIP ROAD
GUERIN LANE
GLENCOE WEST ROAD
AGARS ROAD
LAKE EDWARD ROAD
GRUB ROAD
CASES ROAD
MILE HILL ROAD
CRAM ROAD
BURSTON ROAD
GLENCOE ROAD
KANGAROO FLAT ROAD
EARLS ROAD
BLUFF ROAD
DIAGONAL ROAD
HUNTERS LANE
THE SPRINGS ROAD
WILSON LANE
WANDILO FOREST ROAD
RYANS ROAD
SIMS ROAD
THOMAS ROAD
WOOLWASH ROAD
GLENCOE
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1098-011 R5 > 01.06.2022

4.5. Nangwarry

4.5.1. Context

Nangwarry is a forestry town, developed for workers in the local forestry industry, based around the local mill. At the 2016 Census, the suburb of Nangwarry had a population of 520, 483 of whom lived within the township itself.

The SEIFA Index of socio-economic disadvantage places Nangwarry in the first decile, meaning that Nangwarry has a more disadvantaged population. While these figures are from 2016, the closure of the Nangwarry mill in 2018 has had a significant impact on the town, given the substantial loss of jobs. Nonetheless, services do remain in Nangwarry, including a primary school, swimming pool, ambulance station, petrol station and shop.

Housing in Nangwarry is particularly affordable, with a median house price in 2019-2021 of $114,500. When compared to a median price in Mount Gambier of $289,000, and considering an easy 25-minute drive along the Riddoch Highway, Nangwarry may be an attractive prospect for commuters to Mount Gambier.

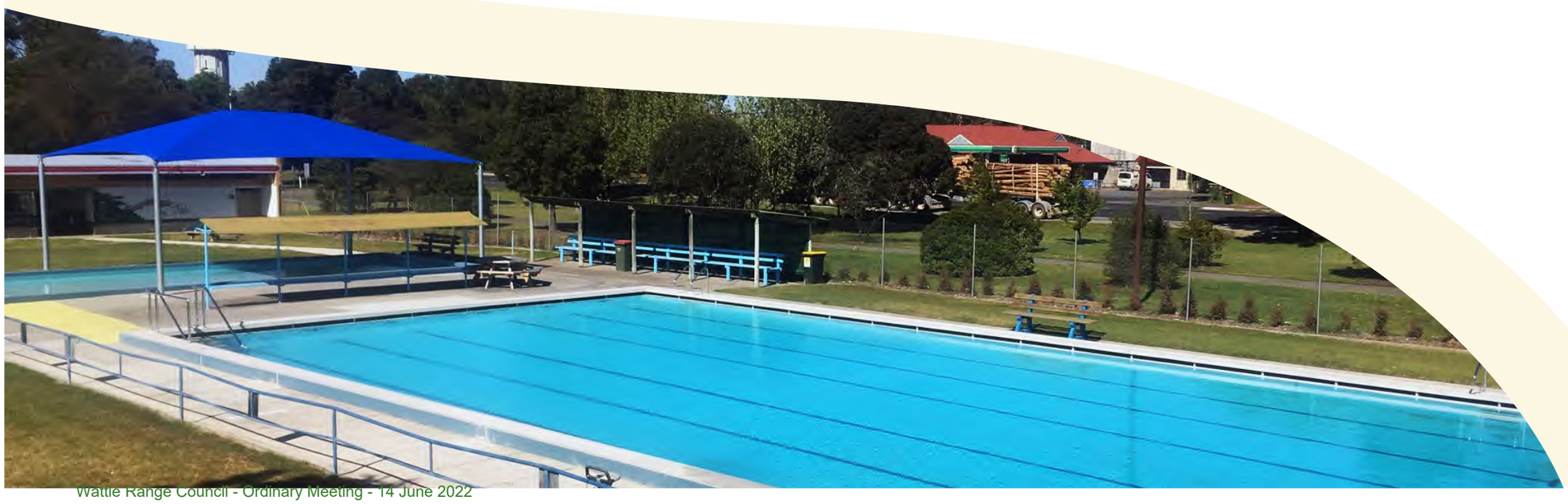
4.5.2. Actions

The future of the mill site is a key consideration in the future of Nangwarry. In the short-term, with the timber industry particularly strong, there is likely to be a better prospect for the return of timber milling. Therefore, in the short-term, Council should support efforts to bring back timber milling to the mill. However, if this is unsuccessful, in the medium-long term, a plan for an alternative use, or for “tidying-up” the site should be developed.

1. Support the return of timber milling on the former mill site in Nangwarry

Demand for housing in Nangwarry is likely to be relatively limited. However it is possible, particularly if the mill were to reopen, that demand would increase. There is the potential for a row of allotments to be created on the southern side of Blesing Street, but there are also various vacant allotments across the town. In general, given the age and condition of Nangwarry’s housing stock, investment and renewal is generally considered to be positive where it is possible, and should in general be supported.

2. Support in principle the renewal of housing stock and development of vacant allotments in Nangwarry



Given that Nangwarry is surrounded by forest, bushfire presents a major threat to the town. The town is surrounded by a fire break, which is substantially wider on the northern and eastern sides. To the west the residential areas of the town area separated from the forest by the non-residential development (including the mill) and the highway. However on the southern side the fire break is only approximately 30m wide on the southern side of Seven Sisters Road. Council will need to continue to work with the CFS, OneFortyOne, and local residents, to ensure the town is prepared for the potential of a bushfire.

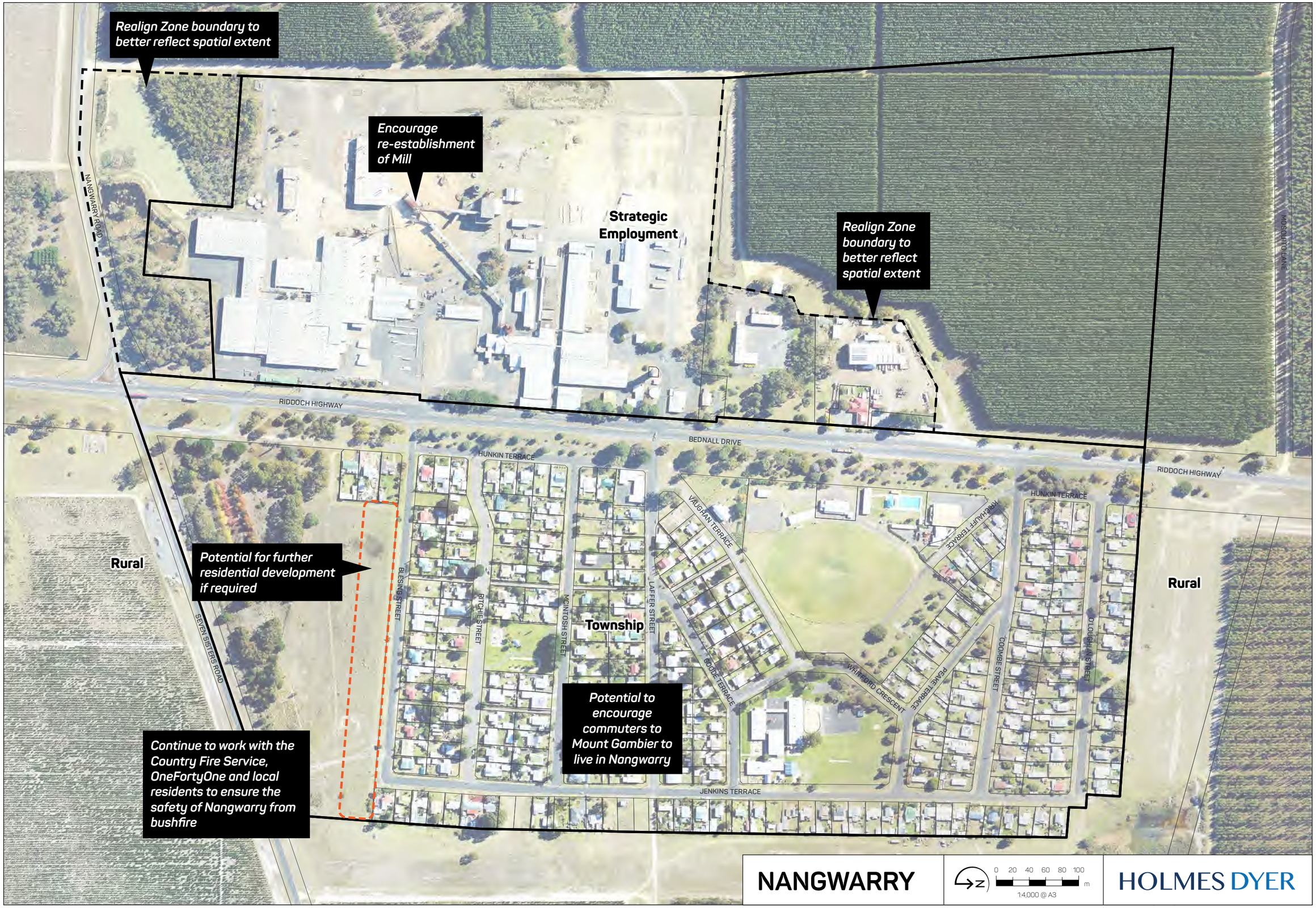
3. Continue to work with the Country Fire Service, OneFortyOne and local residents to ensure the safety of Nangwarry from bushfire

It is also noted that the zone boundary of the Strategic Employment Zone is not necessarily reflective of actual boundaries on the ground. This may therefore be realigned to better reflect existing conditions.

4. Amend the Planning and Design Code to reflect the true extent of non-residential development on the western side of the Riddoch Highway

One further consideration would be how the firebreak land may be used more effectively for community benefit. The northeastern corner has a low-point where water will generally pond, and some additional works could seek to improve this as a wetland and allow for public access. However, ownership and liability issues will need to be considered, and may impact the viability of this.

5. Consider how the firebreak around Nangwarry could be more effectively used for community benefit



1098-006 R5 > 01.06.2022

4.6. Kalangadoo

4.6.1. Context

Kalangadoo is tied to both forestry and agriculture, being home to a timber mill but surrounded by farmland. The wider Kalangadoo locality had a 2016 population of 473 but the township itself was only home to 288 residents. The town has some businesses and shops along John Street, including a hotel and general store.

The town straddles the disused railway corridor, with the eastern side of this now a public park. The town's major employment generator is the mill on the northern side of the town, but the town also has a primary school on its southwestern fringe. The existing provision of public open space in Kalangadoo is considered sufficient to meet the town's needs over the term of this strategy.

4.6.2. Actions

Kalangadoo currently does not have an area of Rural Living Zone, which is unlike most other towns in similar settings. However, land to the east of town is already divided in a pattern which would likely be conducive to this type of lifestyle. Therefore, this area should potentially be rezoned to the Rural Living Zone to reflect this. This can provide for rural lifestyle blocks which are generally attractive to the market.

1. Amend the Planning and Design Code to allow for rural residential development to the east of Kalangadoo

The mill on the northern side of town is within the Strategic Employment Zone, which is generally appropriate. However, this zone extends beyond the mill for some 800m to the north, across flood prone land. This would generally be inappropriate, and the zone should be reduced in size to reflect this. However, some room for expansion of timber milling facilities may be appropriate.

2. Amend the Planning and Design Code to reduce the size of the Strategic Employment Zone to the north of Kalangadoo

Another zone which may warrant a boundary realignment is the Community Facilities Zone. At present, this only covers the open space to the southeast of the disused railway line. This could be expanded to incorporate the school, football club and bowls club, better reflecting the use of these areas.

3. Amend the Planning and Design Code to reflect the community uses of Kalangadoo Primary School and the sporting facilities on the northwestern side of Kalangadoo

Kalangadoo is also relatively unlikely to experience strong growth in the township. The largest area of undeveloped land which is currently zoned for development is the land opposite the Football Club and the Bowls Club. This land is however generally flood prone which would make it less appropriate for development. However, there are several already created allotments which are currently vacant. Therefore, it would be desirable to encourage the development of existing vacant blocks, and the renewal of housing stock in Kalangadoo.

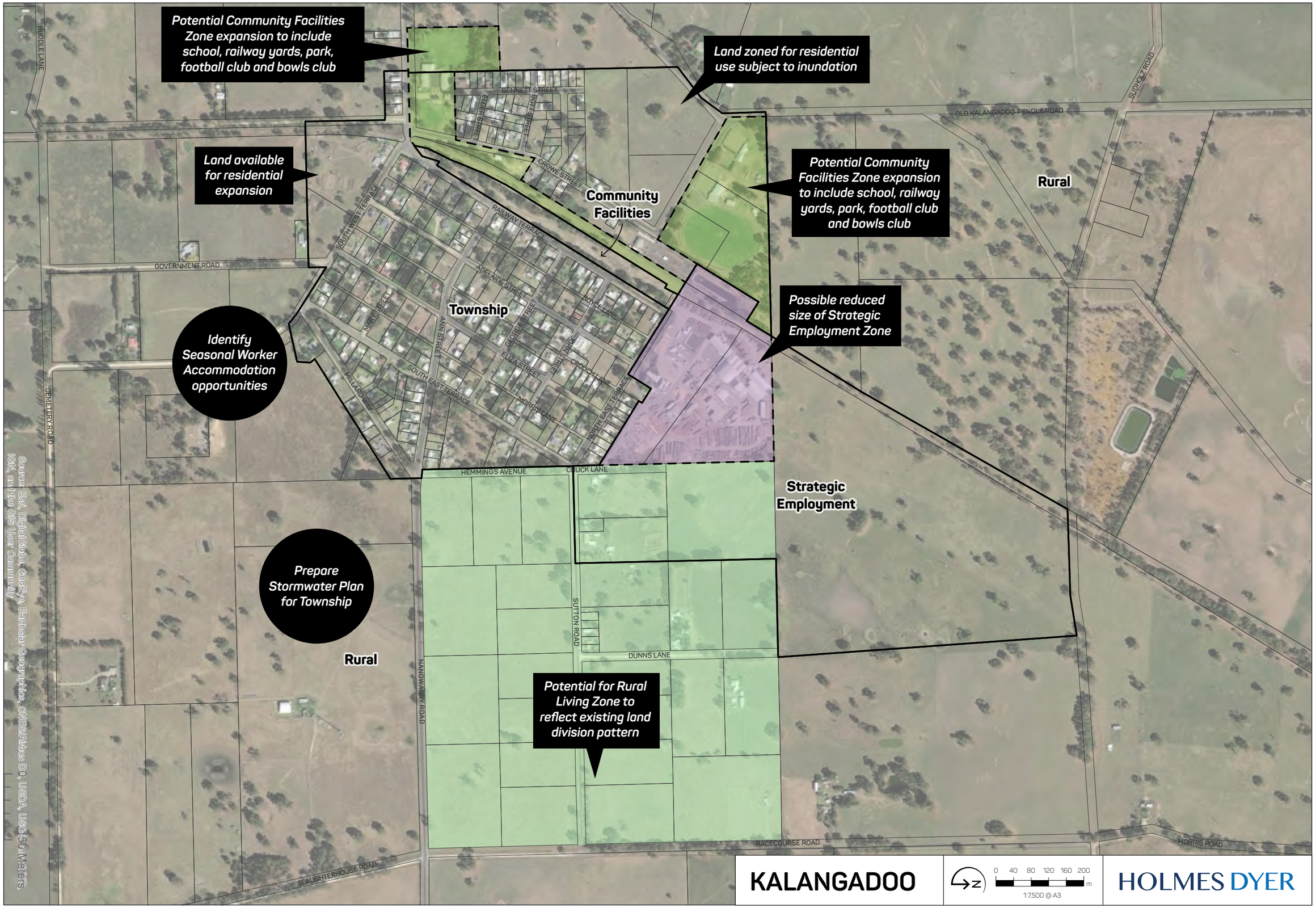
4. Support, in principle, the development of vacant allotments and the renewal of housing stock in Kalangadoo

It has also been identified that Kalangadoo has a heightened need for seasonal workers' accommodation. Council should generally support the development of this around Kalangadoo. Like in Penola, while Council can provide in principle support to the development of seasonal worker accommodation, it can also take a more proactive approach. This can include making Council sites available for use (where appropriate), conducting feasibility studies, concept planning, and approaching operators, in order to encourage them to locate in or around Kalangadoo.

5. Support the development of seasonal workers' accommodation in Kalangadoo

Kalangadoo also has issues with stormwater and drainage. Specific consideration of how this may be better managed may be needed, such as via a Stormwater Management Plan.

6. Consider the development of a Stormwater Management Plan for Kalangadoo



1098-007 R6 > 01.06.2022

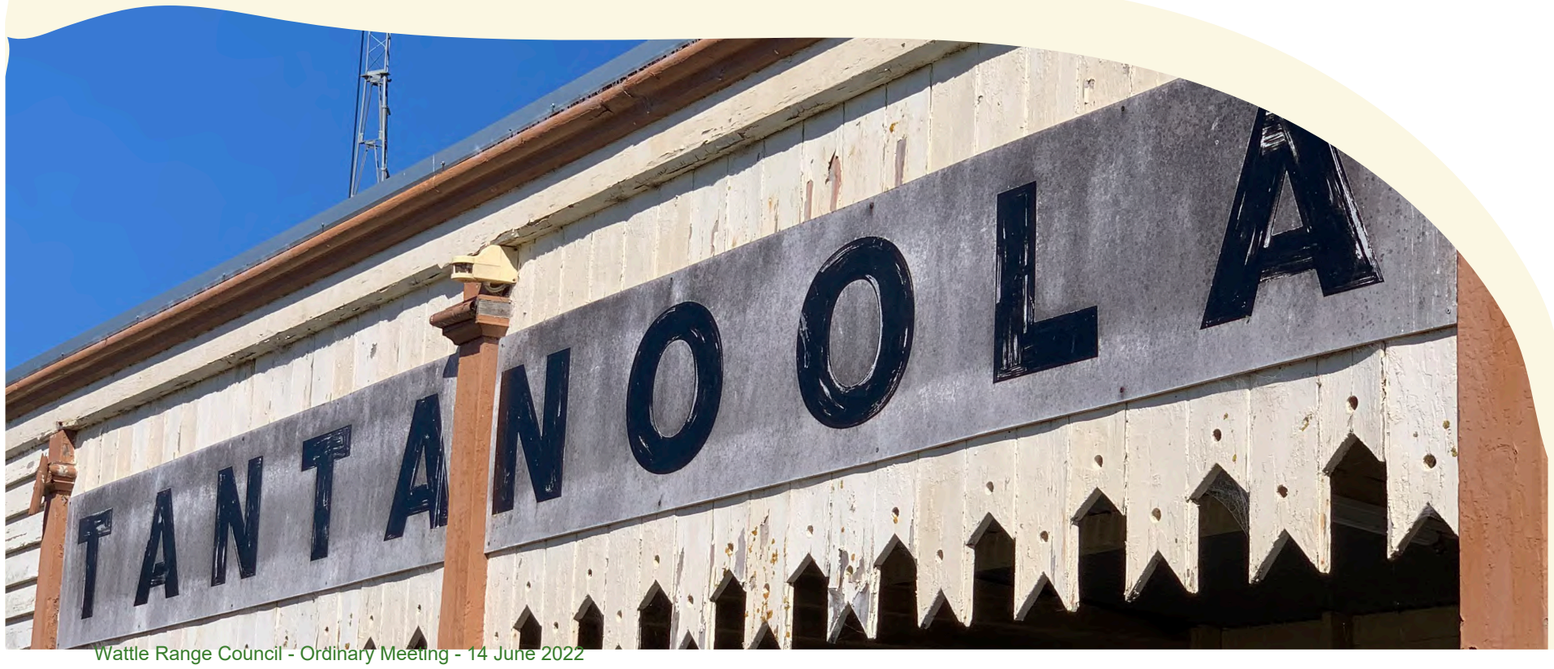
4.7. Tantanoola

4.7.1. Context

Tantanoola is an example of a Government Town laid out in the latter half of the 1800's, based around a figure eight of park lands. Through the middle of this ran the now disused railway line, which forms a key part of Tantanoola's heritage, along with its hotel and the infamous Tantanoola Tiger.

Tantanoola had a population at the 2016 Census of 496 across the broader area, but the township itself has only 231 residents, with a median age of 48. The town is the closest to the Kimberly Clark mill, the district's largest employer, though the workforce for this mill is spread out far beyond Tantanoola. On the south-western side of the town is the Holla Fresh herb farm, which is also a major employer.

Tantanoola Primary School closed in 2020, and the land is currently for sale. The future of the school site is currently to be determined. Tantanoola's park lands are also home to sporting facilities for the Tantanoola Football and Netball Club.



4.7.2. Actions

Tantanoola currently does have a demand for housing, primarily from workers at the Holla Fresh herb farm. Currently, many of these workers come to the town from Mount Gambier, and a more local workforce would be preferable. However, it is considered likely that these workers would typically lack the capital required for the development of new housing.

Tantanoola has approximately 51ha of Rural Living Zone to the north of the town. Forty hectares of this is on the northeastern side, between Kennedy Road and Telfers Road, and is almost entirely undeveloped. The other part of this zone sits between Kennedy Road and Tantanoola Road, and while more developed than the larger section, still has space for further development. In general, rural residential development in this area would be beneficial in providing residential land supply for the town.

1. Support rural residential development on the northern side of Tantanoola

Land on the eastern side of Tantanoola Road is divided into allotments generally of approximately 7ha for some 500m beyond the existing zone boundary. These would be too small for productive agricultural use and the Rural Living Zone should be extended over these to provide further land supply.

2. Seek to amend the Planning and Design Code to extend the Rural Living Zone along Tantanoola Road

The Holla Fresh site to the southwest of Tantanoola is currently located within a Rural Living Zone. This zone is not one which supports intensive horticulture, and it is therefore inappropriate. This zone should therefore be amended to a zone more aligned to its current use, in order to better allow Holla Fresh to expand in future if necessary.

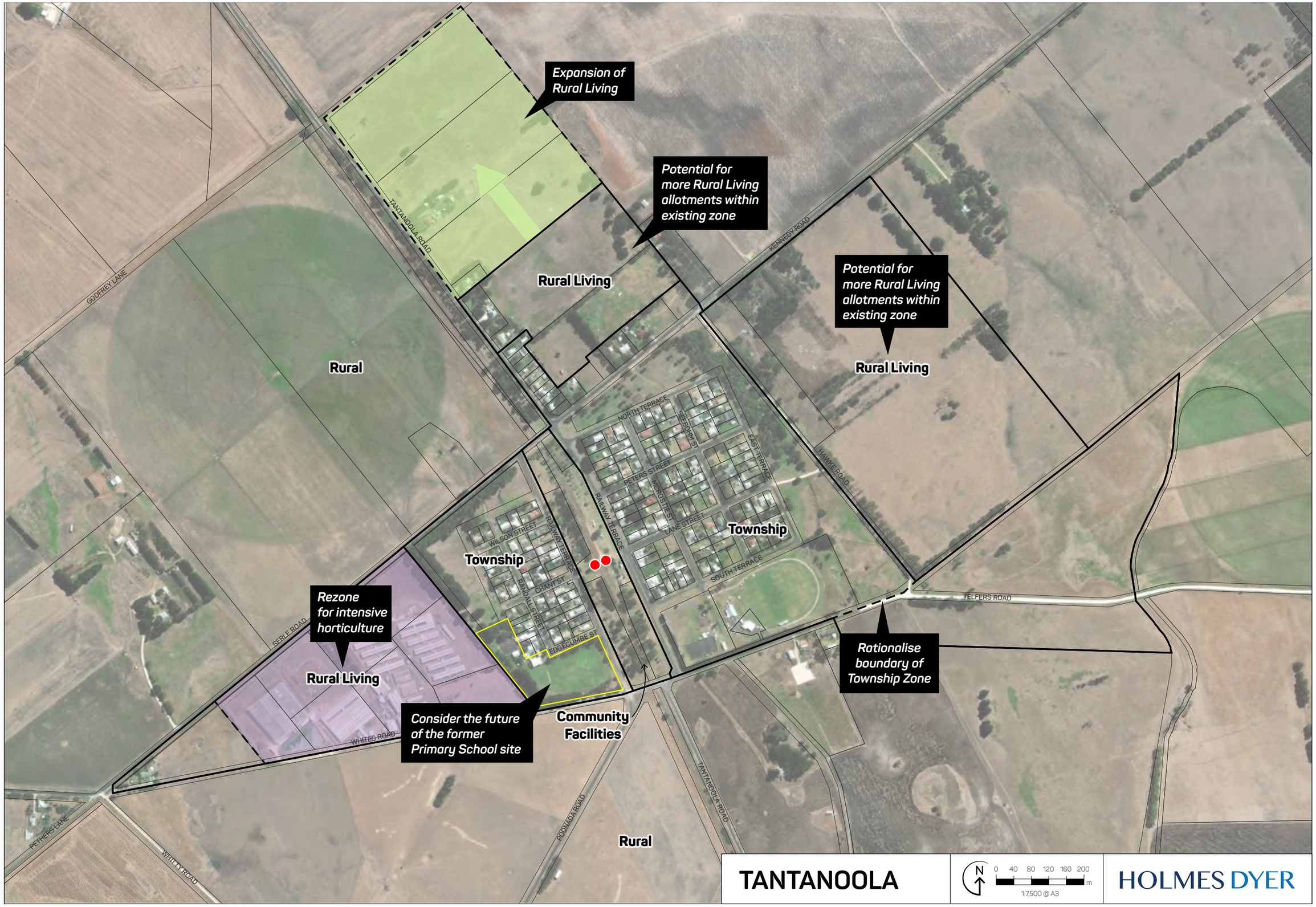
3. Amend the Planning and Design Code as it relates to the Holla Fresh site in Tantanoola to reflect the true use of this land

It is not considered likely that there would be a need to identify additional land for township sized allotments in Tantanoola. Indeed, there is an existing area of Township Zone to the east of the town along Telfers Road. This is surplus to requirements and should revert to the Rural Zone.

4. Amend the Planning and Design Code to remove the undeveloped area of Township Zone to the east of Tantanoola

With the closure of the school, the future of this site will need to be considered. While the return of the school would be welcome, it is unlikely to be feasible. Council should therefore seek to work with the State Government to find an appropriate use for the site.

5. Work with the State Government to appropriately reuse the Tantanoola Primary School site


Expansion of Rural Living
Potential for more Rural Living allotments within existing zone
Potential for more Rural Living allotments within existing zone
Rural Living
Rural Living
Rural
Township
Township
Rezone for intensive horticulture
Rural Living
Consider the future of the former Primary School site
Community Facilities
Rationalise boundary of Township Zone
Rural
TANTANOOLA ROAD
GODFREY LANE
KENNEDY ROAD
HAWKE ROAD
TELFERS ROAD
SERLE ROAD
WHITES ROAD
PETHERS LANE
WHITTY ROAD
POONADA ROAD
TANTANOOLA ROAD
NORTH TERRACE
SEBOHM ST
EAST TERRACE
PETERS STREET
WORDSTREET
LANE STREET
SOUTH TERRACE
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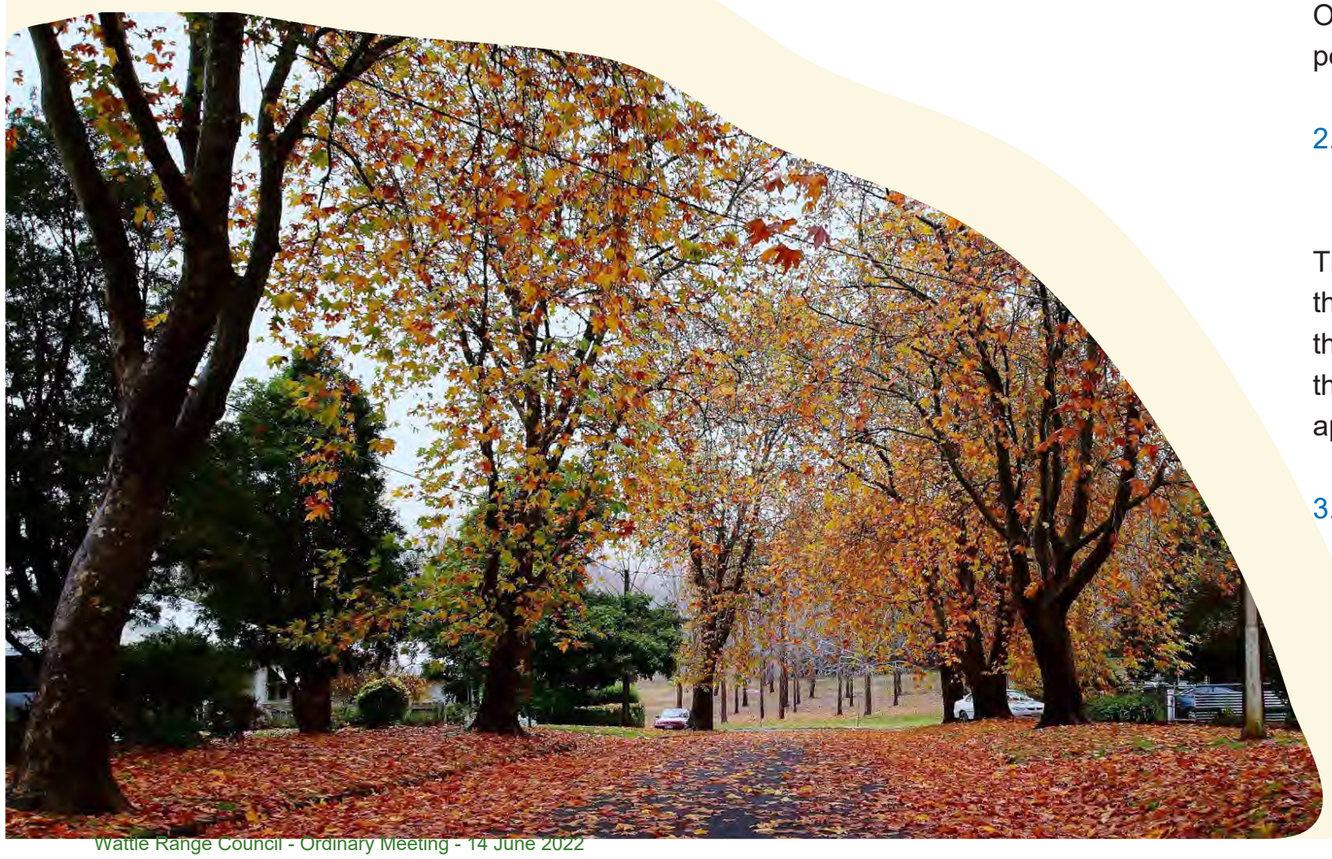
4.8. Mount Burr

4.8.1. Context

Mount Burr is another forestry town which has suffered from the closure of the town's mill, but is now rebounding. A 10-minute drive from Millicent, the suburb of Mount Burr had a 2016 population of 361, with 314 in the township itself.

Housing in Mount Burr is very affordable, with a median house price of $107,500. It therefore may be a good option for people looking to commute to Millicent. It also has a primary school, so may be attractive to those looking to raise a family. Aside from the primary school, Mount Burr also has a football club and netball courts.



4.8.2. Actions

Mount Burr is currently within the Township Zone, which provides for a range of uses at an intensity of land use appropriate for a rural character. However, Mount Burr's township zone is not truly defined, being instead simply a large rectangle in the forest. It would therefore be useful to better define the township in terms of zoning. This may include a strip of land along Mount Burr Road which would include the cluster of homes to the west of the town itself.

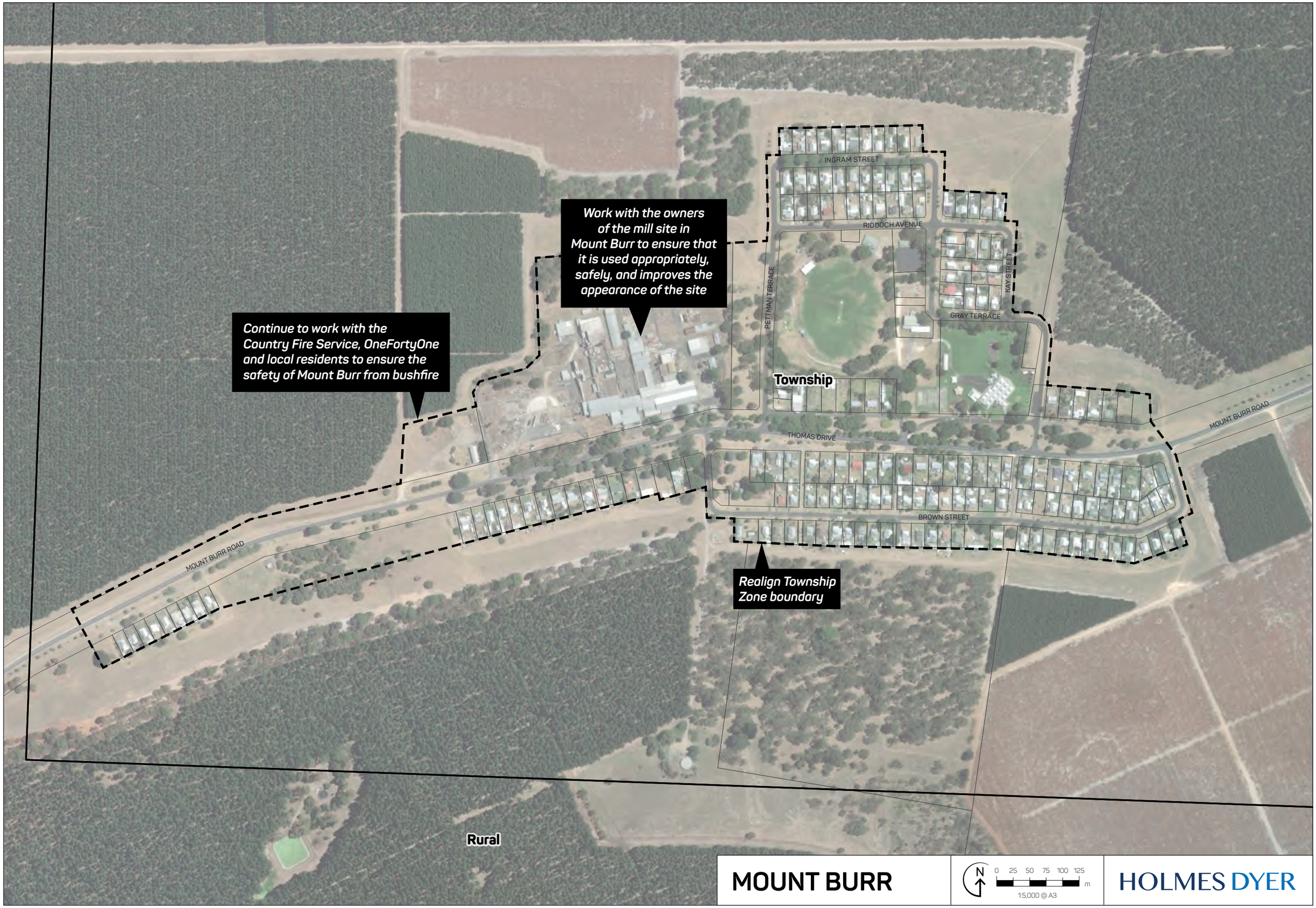
1. Amend the Planning and Design Code to clarify the boundary of the Mount Burr township

Like Nangwarry, Mount Burr is surrounded by forest, which brings with it the threat of bushfire. Council will need to continue to work with the CFS, OneFortyOne, and local residents, to ensure the town is prepared for the potential of a bushfire.

2. Continue to work with the Country Fire Service, OneFortyOne and local residents to ensure the safety of Mount Burr from bushfire

The mill site in Mount Burr, unlike Nangwarry, has seen new uses move into the mill. This includes a bed and breakfast and a recycling facility. However, there are compliance issues with the mill in its current state. Council should therefore seek to work with the owners of the site to ensure that it is used appropriately, safely, and improves the appearance of the site.

3. Work with the owners of the mill site in Mount Burr to ensure that it is used appropriately, safely, and improves the appearance of the site.



1098-010 R2 > 02.06.2022

4.9. Southend

4.9.1. Context

Southend, like Beachport, has significant environmental challenges relating to coastal protection. The Southend area had a population of 263, with the vast majority, 254, of these being in the township itself. The township has 180 dwellings, meaning that it is generally larger geographically than its population would suggest, and is subject to seasonal swells from holiday makers.

Given its coastal location, Southend is likely to see increasing demand for housing, particularly from people looking to purchase holiday homes, and retirees looking for a seachange.

In 2018, Council commissioned the Southend Adaptation Study, which examined the impacts and risks of coastal erosion and inundation around Southend. It found that there would be a need for the managed retreat of assets from areas at risk from erosion. This included relocation of the Caravan Park and Sailing Club. Council resolved to renew the lease at the Southend Caravan Park in late 2020 and works have been undertaken on the existing caravan park site.

The Southend Social Club is an important part of the town during the tourist season, based in the Southend Community Hall. In front of the hall is a playground and tennis courts, as well as the playground at the corner of George and Giles Streets. This is generally considered to be sufficient.

4.9.2. Actions

With coastal protection being a State Government responsibility, any resolution of issues regarding coastal erosion will need to be made in collaboration with the State Government, as well as local residents and landowners.

1. Work with the State Government, as well as local residents and landowners, to reach an agreed response to the issues of coastal erosion in Southend

Southend has a lively local fishing fleet, which requires large sheds for storage, maintenance and other work. This is generally not consistent with the Neighbourhood Zone which covers most of Southend, but is consistent with the Employment Zone along Harvey Street. There are approximately a dozen blocks available within the existing Employment Zone, currently owned by the Department of Environment and Water. These are understood to be subject to an ongoing Native Title Claim, but this does not necessarily preclude the development of these allotments if an appropriate Indigenous Land Use Agreement (ILUA) can be agreed upon.

2. Work with the Department of Environment and Water and First Nations groups to allow development on the undeveloped allotments along Harvey Street

The fishing fleet uses the boat ramp and jetty located on Cape Buffon. This is currently part of the Conservation Zone due to it being part of Canunda National Park. However, this does not reflect the actual use of this area, and may limit development which would support this industry. Additionally, this location is well-suited to tourist development, with a beautiful outlook over Rivoli Bay. Therefore, it may be preferable to rezone this area to a more suitable Zone, such as the Infrastructure (Ferry and Marina Facilities) Zone. Any such development would nonetheless need to be considerate of the natural environment including native vegetation and coastal erosion.

3. Seek to amend the Planning and Design Code to reflect the uses and tourism potential around the Southend jetty

4. Support, in principle, small-scale tourism development near the Southend jetty

As outlined in the district-wide section, some land in Southend is currently zoned for development, but may not be suitable based on environmental constraints. This includes the prevalence of native vegetation, and potential bushfire risks, specifically relating to the land behind Cape Buffon Drive (currently a Neighbourhood Zone) and the Rural Living Zone on the seaward side of Southend Access Road. While there is presently insufficient evidence to confirm this to the required standard of evidence, should land prove to be unsuitable for development, it should be rezoned to reflect this.

5. Where development is demonstrated to be inappropriate due to environmental constraints, seek to ensure that land is zoned in a way so as to not misrepresent its development potential

Land which may be more suitable for development is on the inland side of the Southend Access Road, with this land having mostly been cleared of vegetation. At present, the Neighbourhood Zone continues beyond Watson Street and the Southend Social Club, with around 27ha of land not currently developed, though some of this is still vegetated. This can be used for residential development where environmental factors permit. Part of this area is owned by Council, and Council should generally support selling this land for development.

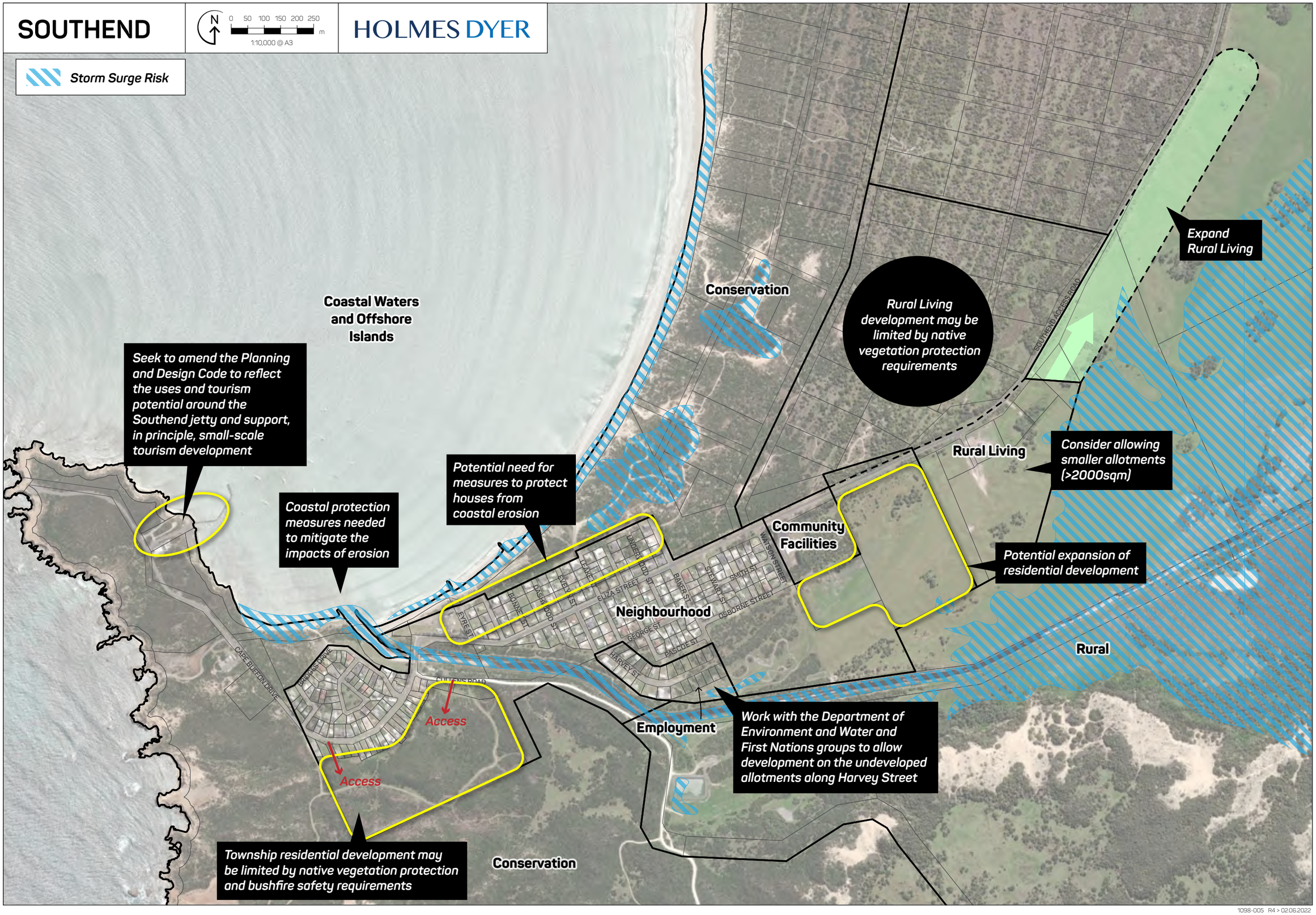
6. Where possible, support the development of new housing in Southend, within the existing zoned area

There is also an existing Rural Living Zone on the inland side of the access road, of approximately 18.5ha. This zone could be further expanded along the inland side of the road, on land not subject to potential flooding from Lake Frome.

7. Amend the Planning and Design Code to extend the Rural Living Zone along the inland side Southend Access Road

With an expanded Rural Living Zone, the current zoned area may allow for smaller allotments (albeit still larger than those in the township itself). However, given that this area is only now being developed, it is unlikely that substantial redevelopment activity will occur in this area in the short-term. However, in the longer-term, amendments could be made to the Planning and Design Code to permit smaller allotments in this area.

8. In the longer term, amend the Planning and Design Code to allow for smaller, rural residential allotments in the existing Rural Living Zone on the inland side of Southend Access Road



1098-005 R4 > 02.06.2022

4.10. Rendelsham

4.10.1. Context

Rendelsham is located only a 10-minute drive from Millicent along the Southern Ports Highway. The town straddles the highway, and the former railway line. It is also home to a primary school, being the smallest town in the district to host a school.

The suburb of Rendelsham had a population of 200 (2016), but has a large geographic extent, taking in nearly 80sqkm surrounding the town. The township itself has a population of 58, but this does not include the Rural Living Zone immediately surrounding the township.

Rendelsham is another example of a Government Town from the late 19th century, with its ring of park lands. An oval which is home to the Rendelsham Cricket Club is located on the southern side of the town.

4.10.2. Actions

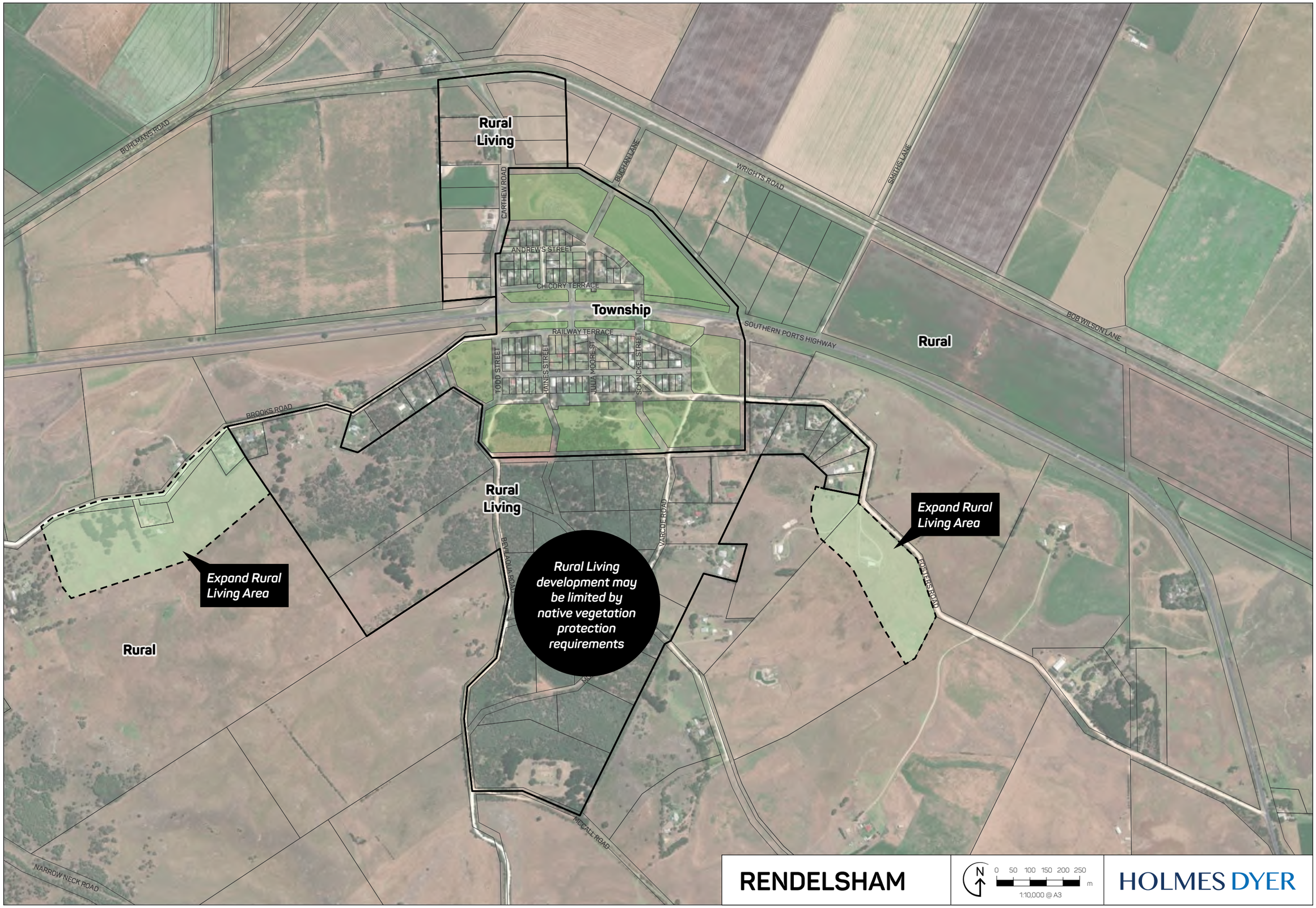
Given Rendelsham's proximity to Millicent, pleasant setting, and primary school, the town has significant potential, and is an attractive prospect, especially for younger families looking for rural living. As such, there is likely to be demand for larger allotments immediately surrounding Rendelsham. Indeed, examining the potential for further rural living was included in the Rendelsham Community Town Plan.

As outlined in the district-wide section, and similar to Southend, the scrub land to the south of Rendelsham is currently zoned for development, but may not be suitable based on environmental constraints, specifically native vegetation. While there is presently insufficient evidence to confirm this to the required standard of evidence, should land prove to be unsuitable for development, it should be rezoned to reflect this.

1. Where development is demonstrated to be inappropriate due to environmental constraints, seek to ensure that land is zoned in a way so as to not misrepresent its development potential

It may be preferable to see rural residential development along Fosters Road and Brooks Road to the east and west of the town respectively. While the land to the south of Wrights Road is currently laid out in a pattern which would generally be considered conducive to rural residential development, this land is subject to inundation to a degree which is generally considered to make it inappropriate for development.

2. Seek to amend the Planning and Design Code to provide additional land for rural residential development in Rendelsham, particularly along Fosters Road and Brooks Road.



1098-014 R6 > 02.06.2022

4.11. Coonawarra

4.11.1. Context

Coonawarra is the heart of the wine region of the same name, a 10-minute drive north of Penola. The locality of Coonawarra had a 2016 population of 137, however smaller level data from the Census suggests that the township itself has a population of only 20. The local wine industry, and the tourism that comes with that, is the key employer in the area.

Coonawarra township is not simply surrounded by vineyards, but vineyards penetrate the township itself. This does add to the township's character, but development pressures may mean that these plots of land should be developed for housing or workers' accommodation. However, given the importance of the vineyards, no expansion of the township should occur beyond its existing boundaries.

Coonawarra Memorial Park is located along Memorial Drive, and has appropriate public facilities including a playground. This is considered an appropriate level of public open space provision for the town.

4.11.2. Actions

The main road connecting Coonawarra to the Riddoch Highway is Memorial Drive. The two commercial businesses in the township, cellar door and restaurant Ottelia and the Coonawarra Store, are both situated on Memorial Drive. Concentrating shops and restaurants like this along this drive is preferable, with better access to transport connections and providing a more concentrated activity centre, visible to tourist traffic.

1. Support commercial development in Coonawarra along Memorial Drive

To the west of the town along Memorial Drive is Coonawarra Siding, with its now disused railway station. This is a popular spot for tourists, and tourist traffic is likely to increase with the creation of the cycling trail along the rail line. Connections between the trail and cellar doors and the township of Coonawarra itself will be important in the success of the trail. Therefore, Council should work with stakeholders to ensure that appropriate connections are provided.

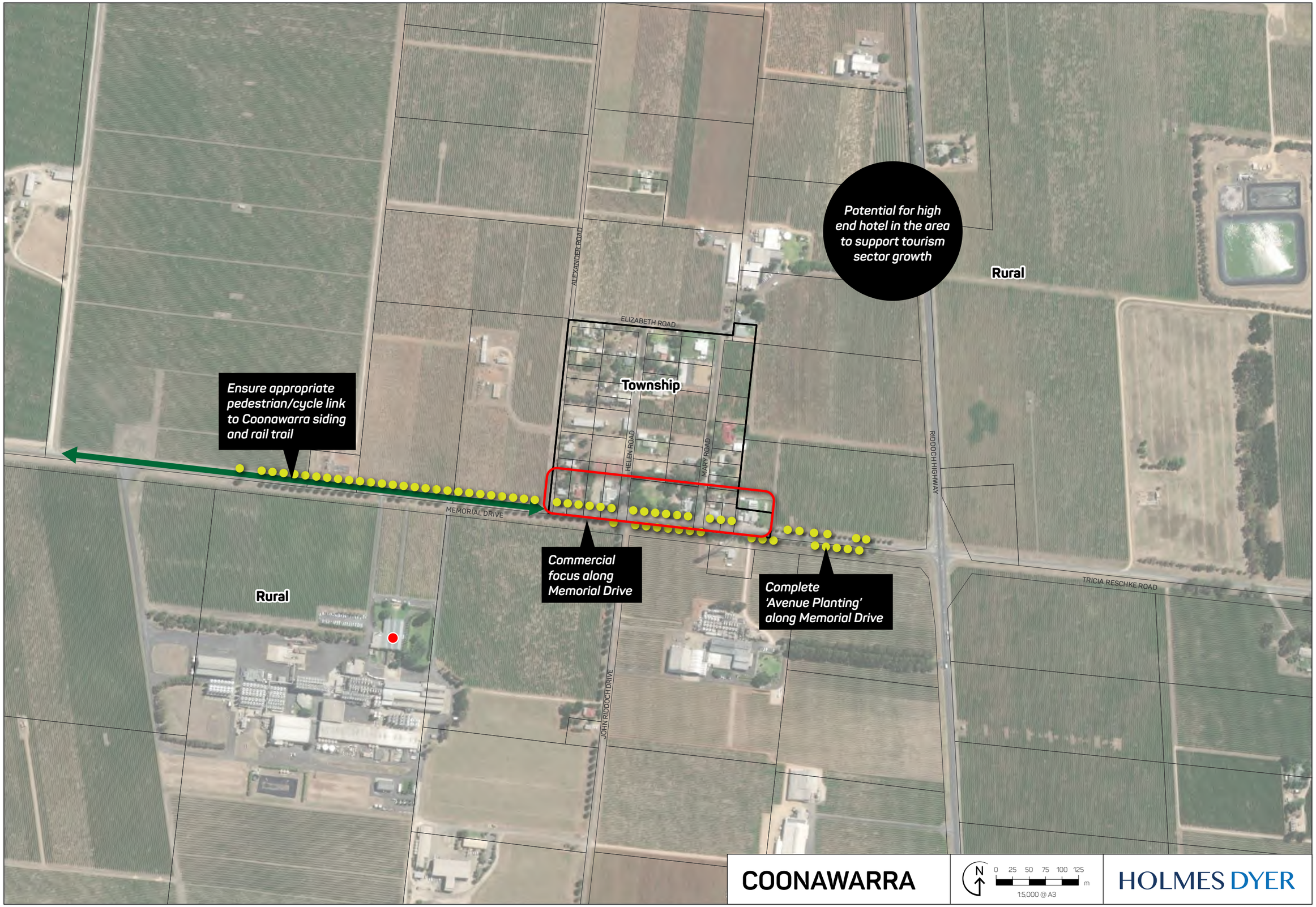
2. Work with land owners and local businesses to connect businesses, including those in the Coonawarra township, to the Coonawarra Rail Trail

Memorial Drive also has an incomplete "avenue planting" of oak trees which adds to the character and amenity of the town. Completing this planting along both sides of the road would add to this further, and enhance the commercial offering and cycle link outlined above.

3. Reinforce the "avenue planting" of oak trees along Memorial Drive in Coonawarra

There has also been a long-standing desire to improve the standard of tourist accommodation available in the Coonawarra, and previous plans have suggested that a high-end hotel would be of value. This plan does not consider any specific site for a potential hotel, motel or resort facility, but it is considered that it would be a valuable development which would support tourism in the region.

4. Support, in principle, high-end tourist accommodation in the Coonawarra region


Potential for high end hotel in the area to support tourism sector growth
Rural
ALEXANDER ROAD
ELIZABETH ROAD
Township
HELEN ROAD
MARY ROAD
RIDDOCH HIGHWAY
Ensure appropriate pedestrian/cycle link to Coonawarra siding and rail trail
MEMORIAL DRIVE
Commercial focus along Memorial Drive
Complete 'Avenue Planting' along Memorial Drive
TRICIA RESCHKE ROAD
Rural
JOHN RIDDOCH DRIVE
COONAWARRA
N
0 25 50 75 100 125
m
1:5,000 @ A3
HOLMES DYER
1098-009 R3 > 02.06.2022

4.12. Hatherleigh

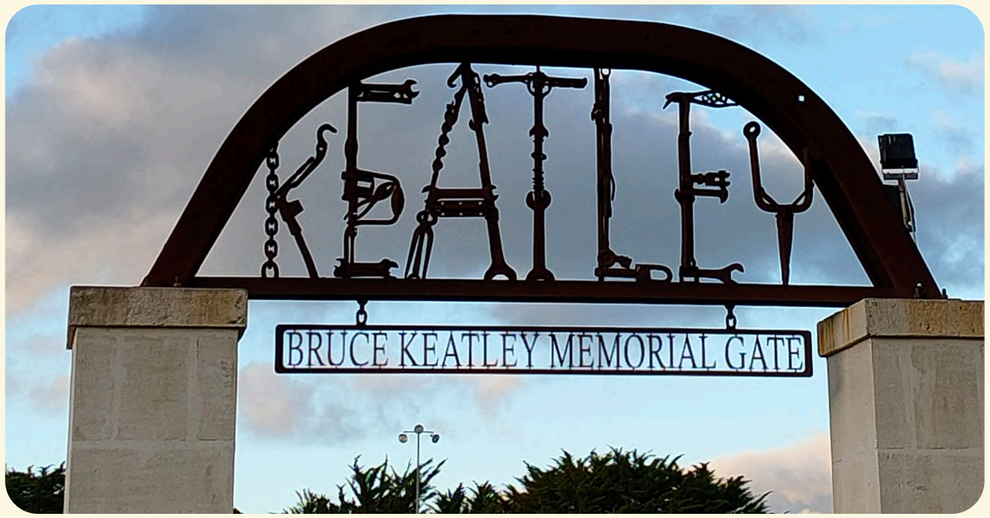
4.12.1. Context

Hatherleigh is a small community located on the Princes Highway, a 10-minute drive north of Millicent. It is another example of the late 19th century Government Towns with a ring of park lands.

At the 2016 Census, the broader suburb of Hatherleigh had a population of 131, but no smaller level of geography was available to better understand the population of the township itself.

The land division pattern of Hatherleigh suggests it is a much larger town than is really the case, with many allotments across both the township and rural living areas north and south of the town. In each case, properties are typically currently made up of several allotments, with township allotments typically being approximately 1000sqm, and rural living allotments around 3ha, but residential sites typically comprise multiple allotments.

The Hatherleigh Sports Club is an important hub for the community, and has three netball courts as well as an oval. This is considered an appropriate level of public open space provision for the town.



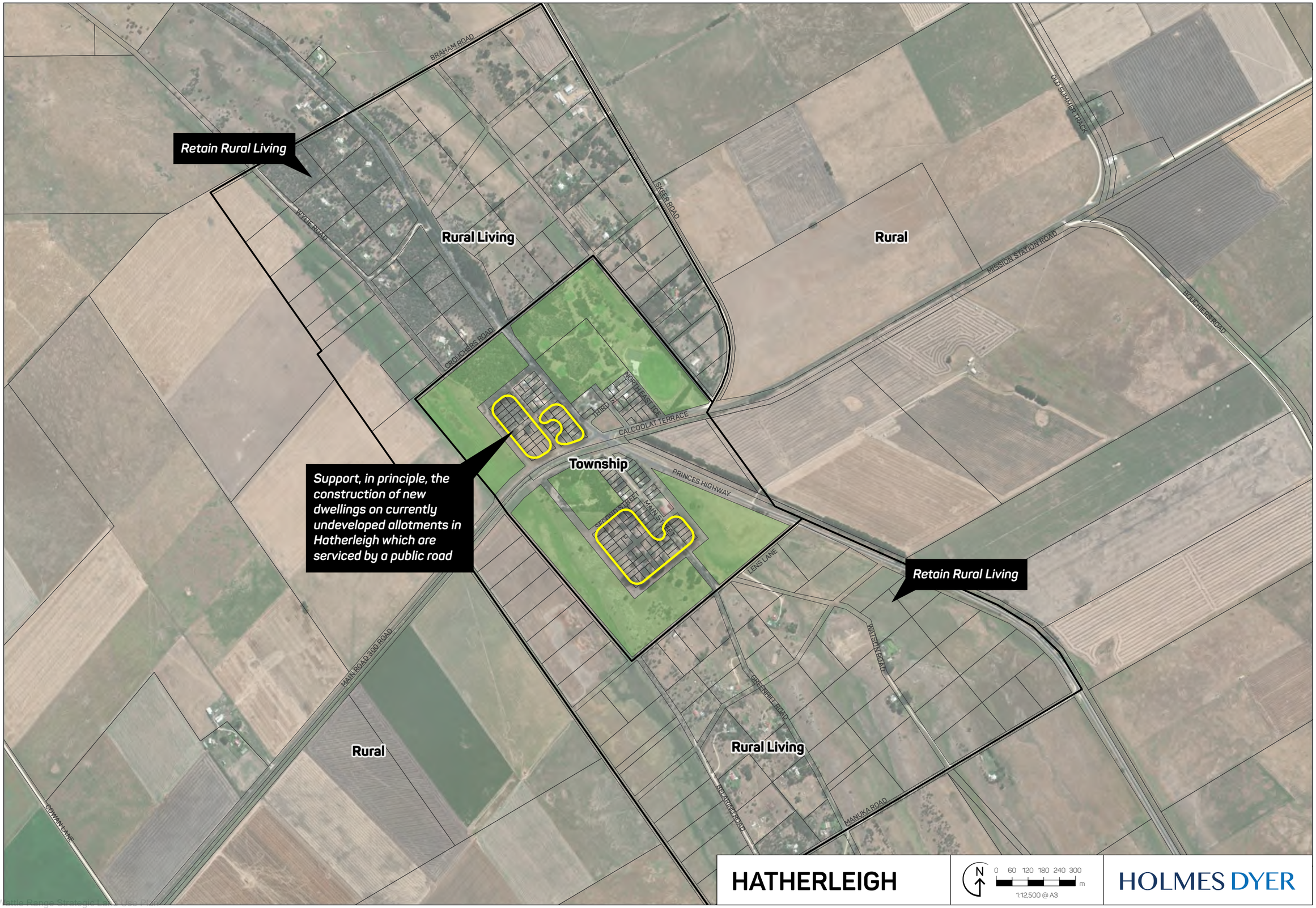
4.12.2. Actions

In other areas the large land division pattern with undeveloped allotments could present a problem because of the lack of infrastructure or due to environmental considerations. However, in Hatherleigh, this is not the case. While there is a substantial area of native vegetation to the north of the town, this area has mostly already been developed, with dwellings on most of these allotments. Therefore, the only likely problems which would be associated with the development of these allotments would the potential service infrastructure requirements. Given the nature of the town and its existing service infrastructure, the only such requirements are an electricity connection and a public road. Some roads have already been constructed, and already have an electricity line to service existing homes, so the development of allotments on these roads is theoretically not an issue.

The Township Zone area has a minimum lot size applied of 1200sqm, and the Limited Land Division Overlay is applied across the Rural Living Zone. Both of these are effectively redundant given the land is already divided, and the township allotments are already below the minimum size, however, this does have the effect of preventing the creation of additional allotments in Hatherleigh.

Therefore, Council can support, where desired, the construction of new dwellings on currently undeveloped allotments with a connection to a public road.

1. Support, in principle, the construction of new dwellings on currently undeveloped allotments in Hatherleigh which are serviced by a public road.


Retain Rural Living
Rural Living
Rural
Support, in principle, the construction of new dwellings on currently undeveloped allotments in Hatherleigh which are serviced by a public road
Township
Retain Rural Living
Rural Living
Rural
BRAHAM ROAD
WYLIE ROAD
CROUCHERS ROAD
SYKES ROAD
OLD SUMMER TRACK
MISSION STATION ROAD
ROUCHERS ROAD
NORTHEAST LOOP
THIRD ST
CALCOOLAT TERRACE
PRINCES HIGHWAY
SECOND STREET
MAIN STREET
LENS LANE
WATSON ROAD
GREENHILL ROAD
BEARING ROAD
MANUKA ROAD
MAIN ROAD 300 ROAD
POWAN LANE
HATHERLEIGH
N
0 60 120 180 240 300 m
1:12,500 @ A3
HOLMES DYER
1098-012 R4 > 02.06.2022

4.13. Furner

4.13.1. Context

Furner is a farming community on the northern side of the district. The 2016 Census registered a population of 121 across the suburb of Furner, but as with Hatherleigh, no smaller geography level is available for the township itself.

Unlike other towns in the district, Furner is not zoned as a township. It is currently in the Rural Zone with nothing in a planning policy sense differentiating it from the farmland surrounding it.

Furner, like Hatherleigh, has many more allotments already divided than there are houses. Allotments are typically 1000sqm, but many allotments are either unoccupied, or function as though they were amalgamated. In terms of infrastructure provision, Furner only has roads and electricity, and all bar two allotments are on a constructed public road. Those two which are not are on the northern edge of the town, west of West Terrace.

Furner also has an oval and sports club. There is not considered to be any need for additional public open space in Furner.

4.13.2. Actions

The current zoning of Furner as part of the Rural Zone is not reflective of its character. The core township area should instead be designated a Township Zone or similar to reflect this character.

1. Seek to amend the Planning and Design Code to define the township of Furner

The Furner Community Town Plan also stated a desire for rural living land around the town, with allotments of 10-100 acres (4-40ha). To the southeast of the town, east of Figg Lane and south of Furner-Redhill Road are a series of allotments of approximately 8ha. These are therefore approximately the right size for rural living, and appear to be used for this in reality. As such it may be reasonable to apply the Rural Living Zone over these allotments. There may, however, also be a need for further land to be made available for rural living. This may be considered further in the plan itself.

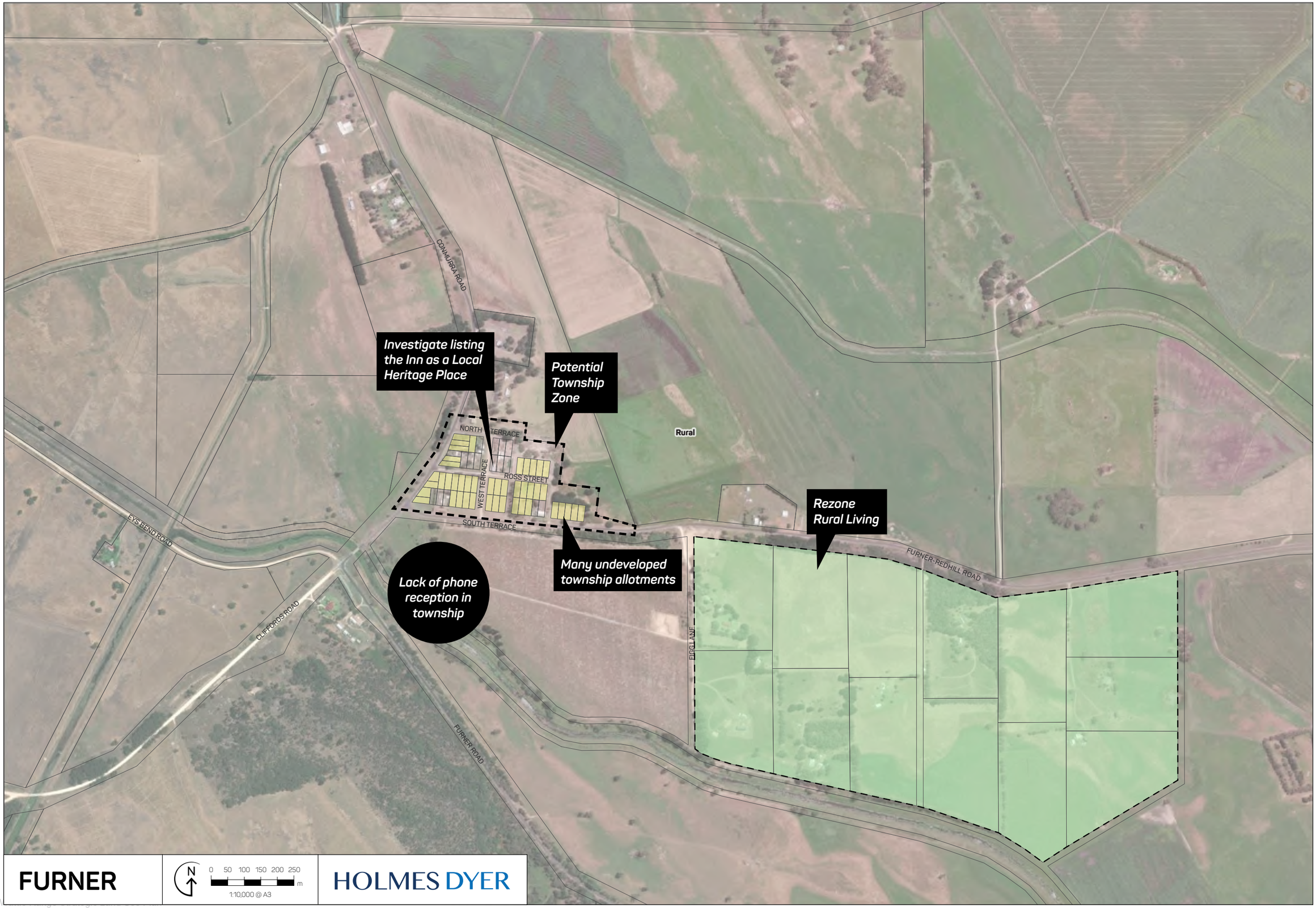
2. Amend the Planning and Design Code to allow for rural residential development to the southeast of Furner

Another point which may be worthy of consideration is one of heritage listing. The former Kintore Inn building is one with clear heritage value, and is an important landmark in the town, but is not currently protected. It may therefore be worth seeking an expert investigation into listing this building on the heritage register, and potentially the ruins to the rear of the building, as a Local Heritage Place.

3. Consider investigating the potential to list the former inn in Furner as a Local Heritage Place

Furner has also been identified as a blackspot for phone reception. This is something which may need to be remedied.

4. Work with appropriate agencies to resolve the mobile phone reception blackspot in Furner



1098-013 R2 > 02.06.2022

4.14. Rocky Camp

4.14.1. Context

The settlement of Rocky Camp is a rural living area on the edge of the Mount Burr forest, just over a 5-minute drive from Millicent. The 2016 Census puts the population of the suburb of Rocky Camp at 141, with no smaller geography level available.

Allotments can vary in size but are typically approximately 2ha in size. While no expansion of the functional rural living area is anticipated, the northern portion of the area is not currently part of the Rural Living Zone, despite allotments already having been divided.

Rocky Camp has no public open space. This is consistent with its rural residential character, and it is not anticipated that any new public open space should be made available.

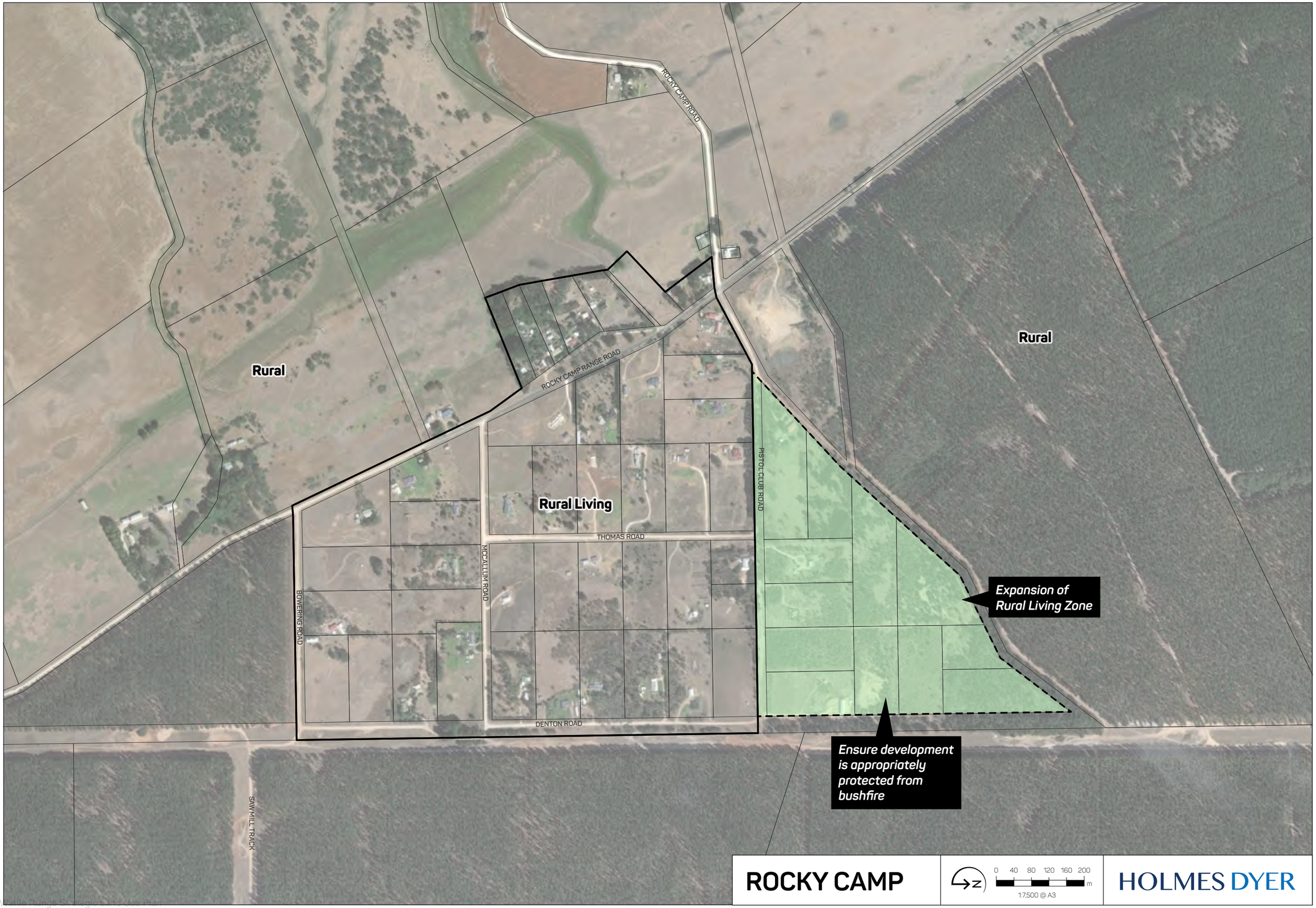
4.14.2. Actions

It is not anticipated that the Rocky Camp area will grow over the next 20 years. However, it is considered that the existing pattern of development should be formalised under the Planning and Design Code. This means rezoning the area on the northern side to reflect the same planning policy conditions as the southern side of the Rocky Camp settlement.

1. Amend the Planning and Design Code to reflect the existing pattern of development in Rocky Camp

Being on the edge of the forest, Rocky Camp is at increased risk of bushfire. It will be important to ensure that development is and remains as safe as possible from a bushfire threat.

2. Continue to work with the Country Fire Service, OneFortyOne and local residents to ensure the safety of Rocky Camp from bushfire.


ROCKY CAMP ROAD
Rural
Rural
ROCKY CAMP RANGE ROAD
Rural Living
THOMAS ROAD
PISTOL CLUB ROAD
MCCALLUM ROAD
BOWERING ROAD
DENTON ROAD
SAWMILL TRACK
Expansion of Rural Living Zone
Ensure development is appropriately protected from bushfire
ROCKY CAMP
0 40 80 120 160 200 m
1:7,500 @ A3
HOLMES DYER
1098-021 R2 > 02.06.2022

15.4 Director Engineering Services

15.4.1 Update to Parking Register - Beach Road Beachport

Report Type	Officer Report
Department	Engineering
Author	Ahmad Ouban
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Low
Strategic Plan Reference	**Theme 4 - Infrastructure & Asset Sustainability** 4.2 Plan and provide for a safe local road network that meets the future and current needs of our community. 4.3 Advocate for safe and trafficable network of State Roads
File Reference	GF/20.71.1/1
Attachments	1. Beachport Parking Restrictions rev 2 [**15.4.1.1** - 1 page]

Purpose of Report

To recommend a new “No Standing” zone to improve road safety conditions for pedestrians in front of Beachport Brewing on Beach Road, Beachport.

Report Details

Council received a request from Beachport Brewing in Beachport to extend the existing no standing zone line marking to make it safer for visitors to access the town centre. As a temporary measure, the owners have placed large logs (shown below) to prevent vehicles from parking in this location.

Council’s Engineer assessed the site and determined that the existing conditions are not satisfactory and there is continuous risk for the road users and pedestrians. This is caused by a high volume of vehicles and high numbers of caravans in peak season, which coincides with an increase in foot traffic on Beach Road.

Therefore, Council officers have recommended changes to parking that will further improve safety, without impacting access to nearby shops and tourist attractions.

The images below show the existing parking conditions. The two parallel parking spaces are often used by visitors and residents to walk along Beach Road from the caravan park to the town centre. Vehicles towing caravans often encroach on parallel parking spaces as pedestrians are walking because of the kerb extension and paving providing access to the Jetty on the other side of the road.

40

There is an existing no standing zone in front of the property and it is recommended that this no standing zone is extended on Beach Road for the extents shown on the attached map.

This will ensure that pedestrian and vehicle paths are clearly delineated, and risk of injury is reduced. It is also proposed to install temporary spike down kerbs along the parallel parking line markings to prevent intrusion of vehicles into pedestrian space.

The no standing zone will be indicated with a yellow line on the road, as well as “No Standing” signs directly in front of Beachport Brewing and along the yellow no stopping line (see map).

Once these measures are in place, the owner of Beachport Brewing will be requested to remove the logs as these also pose a safety issue.

It is proposed to seek community comment on the proposed parking changes, by sending out letters to neighbours that may be affected by these changes. The response to community consultation will be brought back to Council.

Financial Considerations

Budget Allocation	TBD
Budget Spent to Date	0
Budget Variation Requested	TBD

There are no known financial considerations related to this report.

Risk Considerations

The extension of the no standing zone will reduce parking in undesirable locations allowing more spacing for pedestrian access along the property frontage. Possible risks relate to community expectation for being able to park at this location, however there is sufficient parking nearby.

Policy Considerations

There are no known policy considerations related to this report.

Legislative Considerations

There are no known legislative considerations related to this report.

Environmental / Sustainability Considerations

There are no known environmental or sustainability considerations related to this report.

Communication & Consultation Considerations

The proposed consultation on changes will be undertaken in accordance with Council's Community Engagement Policy.

RECOMMENDATION

That Council:

1. Receive and note the report.

2. Seek community comment on the proposed no standing zone to be created on Beach Road, Beachport in front of Beachport Brewing to improve public safety and accessibility on Beach Road.

Legend:
- Proposed Spikedown Kerbing
- Proposed No Standing Sign (indicative)
- Existing No Standing Zone
- Proposed No Standing Zone

Map Title:

Proposed Parking Restrictions
Beachport Brewing
Beach Road, Beachport

Datum: GDA2020	Date: May 2022
Projection: UTM - MGA2020	Scale on A3L: 1:300
Zone: 54 Units: m	Sheet: 1 of 1

Wattle Range Council
Engineering Services Division
Ph: 08 8733 0901 Fax: 08 8733 4999
PO Box 27, Millicent, 5290

This drawing was created for the Wattle Range Council. The Council is not liable for any damages resulting from its use.

15.4.2 Beachport Entrance Signage - Public Consultation Outcome

Report Type	Officer Report
Department	Engineering Services
Author	Mr. Muni Krishna S.R. Project Manager
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	Medium
Strategic Plan Reference	**Theme 2 - Economic Prosperity** 2.1 Support and advocate for improved infrastructure that enhances and creates economic and business opportunities. 2.5 Promote Wattle Range as a tourism destination through provision of appropriate tourist facilities and advocacy. **Theme 4 - Infrastructure & Asset Sustainability** 4.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use.
File Reference	GF/16.65.1
Attachments	Nil

Purpose of Report

To provide Council an update on the public consultation for Beachport Entrance Signage Concept Designs and to seek endorsement to finalise and implement the preferred design.

Report Details

Council installed a couple of large signs on approach to Beachport from Millicent and Robe on Southern Ports Highway over ten years ago. Whilst the signage is a wonderful depiction of the town and the experiences it provides, the signs are showing evidence of age and exposure to the coastal environment and need to be replaced.

With ever-increasing visitor numbers to Beachport, these entrance signs are a crucial part of creating a positive and consistent experience for both locals and visitors. Therefore, the proposal is to renew the pictures on new aluminium composite panels on both signs.

The images below show the poor condition of existing entrance signs.

Millicent Road / Southern Ports Highway

Robe Road / Southern Ports Highway

Each year, Council receives a number of photographs from avid photographers during the Wattle Range photograph competitions. Council stores these photographs in its database and uses them for several applications including advertisements, marketing, promotions, etc. with permission from its owners for the benefit of the broader community.

Officers reviewed a collection of relevant photographs for Beachport signage and shortlisted a couple of suitable photographs for concept design development, public consultation, and replacement of signage.

The following photographs were provided by local Beachport resident and talented photographer, Liam Mills:

a) Drone photography – Summers Day, 2021

b) Industry – Travellers, 2020

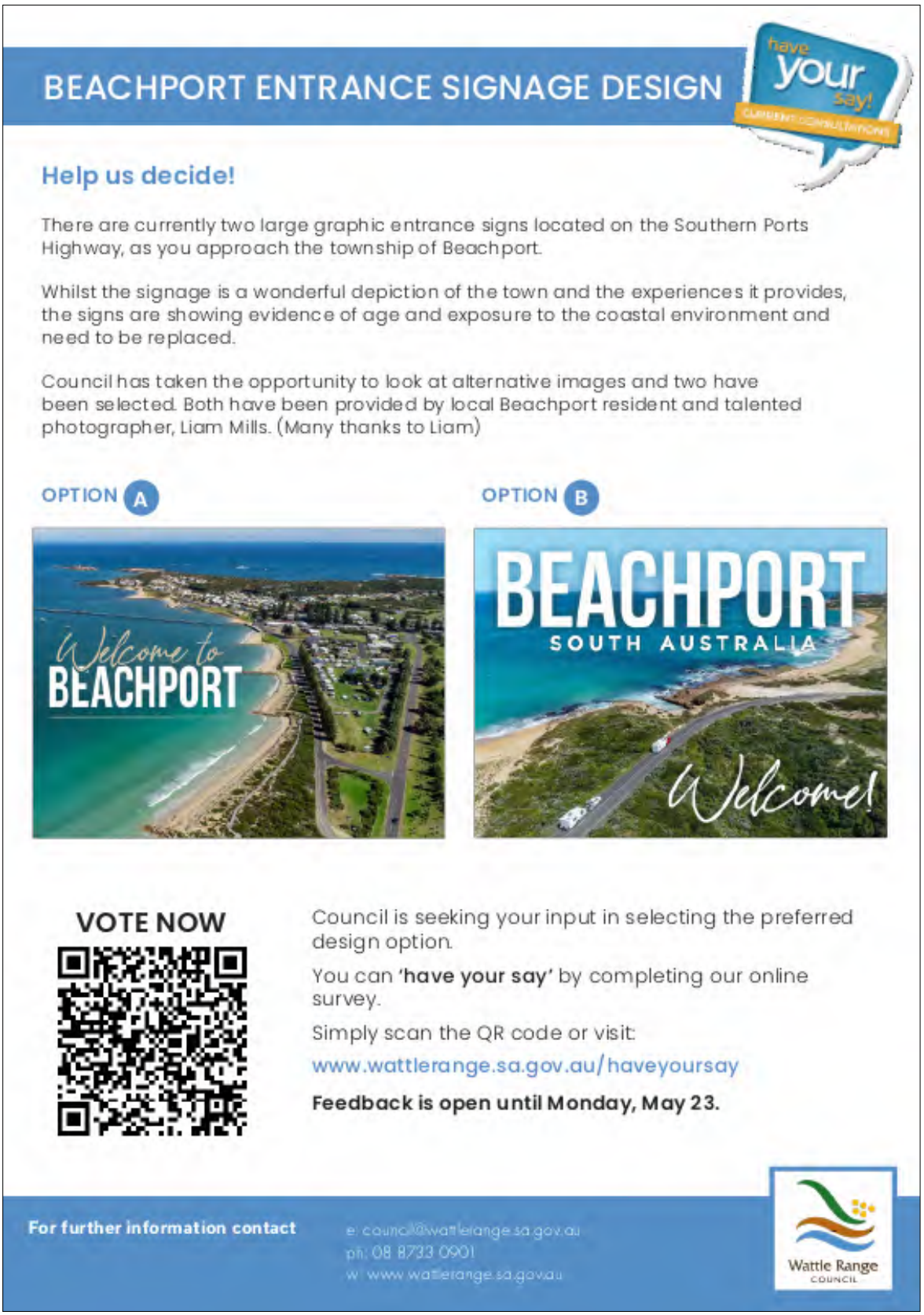
Officers requested quotes from a couple of signage suppliers and resolved to issue a purchase order to the preferred supplier being Hyland Fox Signs to undertake design, supply, and installation of signage in March 2022.

With inputs from the Officers, Hyland Fox Signs developed concept design options for the Beachport Entrance Signage, as shown below:

4000mm (w) x 3000mm (h) - Sign Option A

4000mm (w) x 3000mm (h) - Sign Option B

Officers developed a poster for public consultation and published it on Council's website, social media, and local newspapers in early April 2022.



BEACHPORT ENTRANCE SIGNAGE DESIGN

have your say!

Help us decide!

There are currently two large graphic entrance signs located on the Southern Ports Highway, as you approach the township of Beachport.

Whilst the signage is a wonderful depiction of the town and the experiences it provides, the signs are showing evidence of age and exposure to the coastal environment and need to be replaced.

Council has taken the opportunity to look at alternative images and two have been selected. Both have been provided by local Beachport resident and talented photographer, Liam Mills. (Many thanks to Liam)

OPTION A

OPTION B

VOTE NOW

Council is seeking your input in selecting the preferred design option.

You can **'have your say'** by completing our online survey.

Simply scan the QR code or visit:

www.wattlerange.sa.gov.au/haveyoursay

Feedback is open until Monday, May 23.

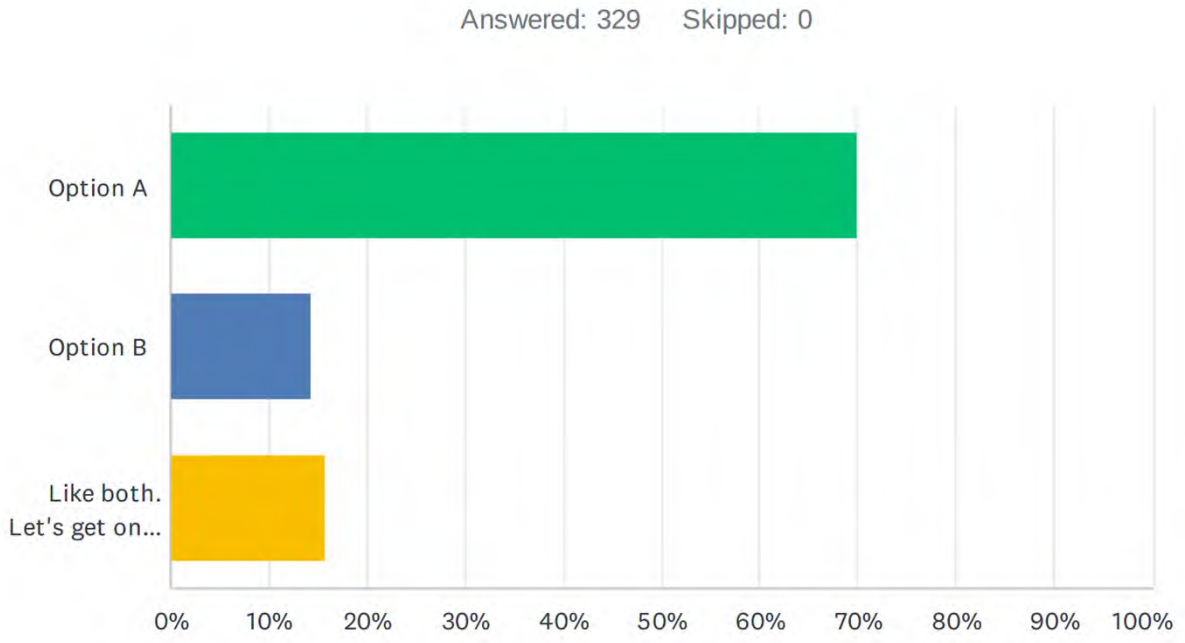
For further information contact

e: council@wattlerange.sa.gov.au
ph: 08 8733 0901
w: www.wattlerange.sa.gov.au

Wattle Range COUNCIL

As seen above, feedback via an online survey was open until 23 May 2022. At the close of the public consultation, 329 responses were recorded on the survey; of which, 230 (69.91%) respondents voted for Option A; 47 (14.29%) voters preferred Option B; and 52 (15.81%) voters considered both options were good.

The graph below represents the distribution of votes for each design option.



ANSWER CHOICES	RESPONSES	
Option A	69.91%	230
Option B	14.29%	47
Like both. Let's get one of each.	15.81%	52
TOTAL		329

As seen above, a majority of the community have chosen Option A, which shows both natural and commercial aspects of Beachport being open spaces, recreation, landmarks, tourism, etc.

The preferred Option A, appropriately designed, will create a positive first impression and fosters pride within our Beachport community. This design provides a welcoming signage with a sense of arrival to Beachport. The picture is clear, effective, and represents the township of Beachport as a whole.

It is recommended that Council approves Option A for further design development and proceed with its installation, i.e., replacement of the existing signs.

The supplier will supply two Aluminium Composite Material (ACM) panels, full colour digital prints with ultraviolet protective laminations and non-reflective signs. The overall dimensions of the signs will be 4 meters (width) by 3 meters (height).

The signage replacement is planned in July 2022.

It is also recommended that Council make a small financial contribution to the photographer who submitted these photos. Whilst it is appropriate for Council to use these photographs as per their submission to the Millicent Photography Competition it would seem appropriate that Council make this contribution to thank Liam. Officer opinion that a $250 contribution would be reasonable. This is the equivalent amount that would be received in being the major award winner in each category for the photo competition.

Financial Considerations

Budget Allocation	$5,405 for design, supply, and installation of 2 signs
Budget Spent to Date	$0
Budget Variation Requested	$0

Risk Considerations

Please refer to Wattle Range Council's SharePoint Register – Capital Works Progress.

Policy Considerations

Policy 1.5 - Community Engagement.

Legislative Considerations

There are no known legislative considerations related to this report.

Environmental / Sustainability Considerations

Environmental or sustainability considerations related to this project will be dealt with in accordance with Council's current Policies and Procedures.

Communication & Consultation Considerations

Council has undertaken public consultation for a period of 21 days in accordance with Policy 1.5 – Community Engagement.

RECOMMENDATION

That Council:

1. Receive and note the report.

2. Proceed with concept design 'Option A' for further design development and installation of two Beachport Entrance Signs on Southern Ports Highway.

3. Provide Liam Mills (the photographer) $250 as a thank you for providing the photos to Council.

16 Correspondence

16.1 Letter of Thanks - Nick McBride MP

Report Type	Correspondence
Correspondent	Nick McBride MP Member for MacKillop
File Reference	GF/2.42.2/1 EI2022/201412
Attachments	1. 20220516 Corro Out - Mayor Des Noll - Letter of thanks for attending a meeting with the Hon. David S [**16.1.1** - 1 page]

RECOMMENDATION

That the correspondence from Nick McBride MP dated 13 May 2022 regarding the meeting with him and new Liberal Leader Hon David Spiers MP be received and noted.

13th May 2021

Mayor Des Noll
Wattle Range Council
PO Box 1157
NMILLICENT SA 5280

Email: des.noll@wattlerange.sa.gov.au

Dear ~~Mayor Noll~~ Des,

I write to extend my thanks to you for attending the meeting at the Naracoorte Public Library on the 27th of April 2022 with myself and the new Liberal Leader, the Hon David Spiers MP.

The time you took to attend and share your views with the Leader and myself was very much appreciated. I know that the Leader found the discussions to be of great benefit in increasing his understanding of the region and challenges faced by local government.

Once again thank you for your time, I hope to see the Leader visiting the region again in the near future to ensure he and our Parliamentary Party are well across priorities for regional communities.

Yours sincerely

Nick McBride
Member for MacKillop

08 8762 1211 mackillop@parliament.sa.gov.au 146 Smith Street, Naracoorte SA 5271 www.nickmcbride.com.au

16.2 Letter of Thanks - State Liberal Leader David Speirs MP

Report Type	Correspondence
Correspondent	David Speirs MP State Liberal Leader
File Reference	10.85.1/1 EI2022/201279
Attachments	1. Letter to Mayor Des Noll E I 2022 201279 10.85.1 1 [**16.2.1** - 2 pages]

RECOMMENDATION

That the correspondence from David Speirs MP regarding his visit to the Limestone Coast be received and noted.

STATE LIBERAL LEADER

Mayor Des Noll
Wattle Range Council
PO Box 27
MILLICENT SA 5280

Dear ~~Mayor~~ Noll, Des,

I write in relation to my recent visit to the Limestone Coast region and to specifically thank you for taking the time to meet with me and my parliamentary colleague, Nick McBride MP.

This was the first of my regional trips since becoming Leader of the South Australian Liberal Party and I can assure you that it will be one of many.

These visits are about respect: listening to and learning from community leaders, businesses and people who call your region home. I will use what I hear and learn to formulate a robust policy platform and powerful vision for South Australia, with a specific, measurable and authentic focus on supporting our regions.

I greatly enjoyed our discussions. Thank you for highlighting of key priorities for the Limestone Coast, as well as outlining what you saw as the strengths and weaknesses of the previous Liberal Government. There is nothing to be gained in the Liberal Party trying to reinvent history. We should certainly acknowledge the good things that we did for regional South Australia, but equally we must admit that there were things we did not get right and we must commit to doing better in the future.

Under my leadership I will ensure that my Shadow Ministers visit the Limestone Coast regularly and catch up with your council whenever possible. We will also look at other mechanisms to connect, whether that be through a Country Shadow Cabinet model or similar. I will be working on these approaches with Nick McBride in his capacity as Shadow Parliamentary Secretary for Regional Engagement.

Parliament House, North Terrace, Adelaide, South Australia, 5000
P | (08) 8237 9137 E | leaderoftheopposition@parliament.sa.gov.au

In the meantime, I am only an email or a phone call away, so please do not hesitate to get in touch with feedback, an idea, or an issue you would like me to pursue.

I look forward to catching up soon.

Yours sincerely,

Yes, thank you for taking the time to catch up. It was appreciated.

David Speirs MP
Leader of the South Australian Liberal Party
Shadow Minister for Environment

Cc Nick McBride MP, Shadow Parliamentary Secretary for Regional Engagement and Member for Mackillop.

Parliament House, North Terrace, Adelaide, South Australia, 5000
P | (08) 8237 9137 E | leaderoftheopposition@parliament.sa.gov.au

16.3 Letter from Hon Nicola Centofanti MLC

Report Type	Correspondence
Correspondent	Hon Nicola Centofanti MLC
File Reference	GF/10.85.1 I201379
Attachments	1. Letter from Nicola Centofanti [**16.3.1** - 2 pages]

RECOMMENDATION

That the correspondence from Hon Nicola Centofanti MLC regarding being appointed leader of the Opposition in the Legislative Council be received and noted.

LEADER OF THE OPPOSITION

LEGISLATIVE COUNCIL
PARLIAMENT HOUSE
ADELAIDE, S.A. 5000
TELEPHONE: 8237 9100

THE HON. NICOLA CENTOFANTI, M.L.C.
PARLIAMENT OF SOUTH AUSTRALIA

Mayor Des Noll
Wattle Range Council
PO Box 27
Millicent SA 5280

LETTER NO: 1/201379
FILE REF: 10.85.1
DATE RCVD: 17 MAY 2022
REFER TO: EA
CEO | DCS | DCE | DES | | FILE

Dear Mayor Noll

I am proud to have been appointed Leader of the Opposition in the Legislative Council, Shadow Minister for Regional South Australia, Shadow Minister for Primary Industries and Shadow Minister for Water Resources and the River Murray.

It is an incredible honour to have been entrusted in these crucial roles and I see myself as a strong regional voice embedded in the Liberal Party leadership group and an active regional representative in Parliament.

The new Leadership Team has a strong vision for the future of South Australia with a focus around health, the regions and the economy. In particular, regional South Australia is a key priority with three specific portfolios and seven Shadow Cabinet members based in the country.

Personally, I am a country veterinarian with a horticultural background and the River Murray is my home.

I am committed to improving economic and social outcomes for our regional communities through job creation, investment opportunities, improved infrastructure and services, and responsible management of our precious water resources.

Our primary industries and agribusiness sector is South Australia's largest exporter and generates state-wide employment. We must ensure the industry is protected now and well into the future.

I am grateful for this opportunity to serve our regions and this state. I look forward to working with you to develop a set of policies that really speak to the heart of regional South Australia.

If you have any issues you would like to discuss with me please contact my Parliamentary Adviser, Ms Narelle Hards, by phone on 0420 639 252 or by email at Narelle.Hards@parliament.sa.gov.au,to arrange a suitable time.

Kind regards,

Hon Nicola Centofanti MLC

Leader of the Opposition in the Legislative Council
Shadow Minister for Regional South Australia
Shadow Minister for Primary Industries
Shadow Minister for Water Resources & the River Murray

16.4 Sam Telfer MP - Shadow Minister for Local Government

Report Type	Correspondence
Correspondent	Sam Telfer MP Shadow Minister for Local Government
File Reference	GF/10.75.1/1 EI2022/209176
Attachments	1. E I 2022 2091761 10.75.1 1 Sam Telfer - Letter to SA Councils [**16.4.1** - 1 page]

RECOMMENDATION

That the correspondence from Sam Telfer MP regarding introducing himself as the Shadow Minister for Local Government following the recent State Government Election in March be received and noted.

Dear Mayor & Councillors

I would like to take this opportunity to introduce myself as the Shadow Minister for Local Government following the recent State Government Election in March.

Although I already know many of you from my previous roles as Mayor of the District Council of Tumby Bay and past President of the Local Government Association, I thought it very important to make the connection with you in my new Shadow role.

From my previous experience in local government, I recognise that a strong working relationship between Local and State government is very important. Because of this, I am committed to ensuring good communication lines to establish consistency and effectiveness of our advocacy and parliamentary work.

I have a real passion for our local communities and the vital role which local government plays, and this will give me the opportunity to work closely with our councils to help deliver positive outcomes. I also have a strong working relationship with the Local Government Association of SA which will enable me to be aware of any issues and opportunities that are being driven by them. Although there have been significant reforms delivered to the local government sector over the last few years, I still believe we need to be proactive in making changes that will suit our communities both now and into the future.

I will be working closely with the Shadow Minister for Regional South Australia – the Hon Nicola Centofanti MLC, and the Shadow Minister for Planning, Housing, and Urban Development – the Hon Michelle Lensink MLC,on these areas which are so important to local government. As well as this, I have been appointed the Shadow Minister for Regional Planning and am the Opposition spokesperson on Planning in the House of Assembly, and the Shadow Minister for Regional Population Growth. These are both portfolio areas which are well-suited to my skill set and experience, and I am looking forward to collaborating with you all to help develop strong and effective policy platforms to put forward. These portfolios will cover important subjects such as regional housing development, childcare, accommodation, and economic growth constraints.

Once again, I want to make sure that we are working together to look for opportunities for local government, and I look forward to that collaboration being successful. Please keep in contact if there are any local government challenges which I might be able to help with, and I would also encourage you to CC me into any appropriate correspondence your council is sending to Ministers and Departments so I am aware of all issues in our sector.

Best regards

Sam Telfer MP – Member for Flinders
Shadow Minister for Local Government

Port Lincoln Office
36 Washington Street, Port Lincoln SA 5606
PO Box 1798, Port Lincoln, SA 5606
08 8683 0722 flinders@parliament.sa.gov.au

Ceduna Office
O'Loughlin Terrace, Ceduna SA 5690
PO Box 287, Ceduna, SA 5690
08 8625 2392 flinders.ceduna@parliament.sa.gov.au

Printed and authorised by S Telfer, 36 Washington Street, Port Lincoln SA 5606.

16.5 Peter Rymill - Penola / Coonawarra Rail Trail

Report Type	Correspondence
Correspondent	Peter Rymill
File Reference	GF/14.16.4/1 EI2022/201718
Attachments	1. Trees and trains [**16.5.1** - 1 page]

RECOMMENDATION

That the correspondence from Peter Rymill dated 28 May 2022 regarding illumination of the Eucalypts at the southern end of Penola and the Penola – Coonwarra Rail Trail be received and noted.

From: Peter Rymill <peter.rymill@outlook.com>
Sent: Saturday, 28 May 2022 11:11 AM
To: des.noll@bigpond.com; Ben Gower (bjg@wattlerange.sa.gov.au) <bjg@wattlerange.sa.gov.au>
Subject: Trees and trains

Dear Des and Ben
This is an informal note to tell you both how impressed I am with the illumination of the Eucalypts at the southern end of Penola. The concept is inspirational and its execution exceptional. Congratulations!
I'm also impressed with the progress of the Penola-Coonawarra Rail Trail, and thought it might be of interest if I mentioned that John Riddoch turned the first sod for the original railway on 19 November 1885. The tale is told in my *Penola and Coonawarra* book, starting on page 125. A silhouette of the Bayer Peacock Wx 2-6-0 locomotive (p 136, and with a link below) might make a suitable logo for the project.
With best wishes
Peter Rymill
https://www.google.com/search?q=beyer+peacock+2-6-0&rlz=1C1CHZL_enAU767AU767&source=lnms&tbm=isch&sa=X&ved=2ahUKEwjPwfCKh4H4AhU4SmwGHXHhAQQQ_AUoAXoECAEQAw&biw=1306&bih=908&dpr=1

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16.6 Glencoe Progress Association - Lake Leake

Report Type	Correspondence
Correspondent	Mrs Fay Childs President
File Reference	GF/4.14.3/5 I201715
Attachments	1. I 201715 4.14.3 5 Glencoe Progress Association [**16.6.1** - 2 pages]

RECOMMENDATION

That the correspondence from Mrs Fay Childs dated 24 May 2022 regarding care and control of Lake Leake be received and noted.

Glencoe Progress Association

C/o PO Box

Glencoe 5291

24th May 2022

LETTER NO: 1/201715
FILE GF/ 4.14.315 PF/
DATE RCVD 30 MAY 2022
REFER TO: EA
CEO | DCS | DDS | DES | | FILE

Attention: Wattle Range Council

Dear Councillors,

The Glencoe Progress Association has had "Dedication and Care" of the Lake Leake area surrounding and including the boat launching area, the Aquatic Clubrooms, other sheds and the toilets for many years. Rosters for members dating back to the early 1990's show members of the Association, volunteering to clean, repair and maintain the toilets, remove rubbish and mow the grounds. For some of this period, the Wattle Range Council has contributed towards the cost of doing so. Most of these funds have been returned to the area via repair costs, installation of a bore and pump, and more recently the upgrade of the bathroom areas in the Clubrooms.

Originally the 'care and control' of the area was granted to the Mount Gambier aquatic Club. When the Club was unable to maintain the area the Glencoe Progress Association stepped up to take over the agreement so the area wasn't returned to its original state with all buildings etc removed.

The Association's success in developing the area has resulted in increasing local and tourist patronage. Often there will up to 10 or more camping groups staying in the area. This is welcome, as they bring many economic benefits for our whole Council area. The downside is that our aging Association members are finding it physically difficult to maintain the standard of the area as we would like or expect.

Some twelve months or so ago, Council realized the toilets at Lake Leake were actually a Council owned asset and subsequently have undertaken some renovation work. Likewise, Councillors voted to have the Lake area incorporated in the Council staff mowing roster. Both initiatives GPA members greatly appreciate.

At our May meeting members unanimously moved a motion requesting Council consider accepting the 'Dedication and Care' of Lake Leake. This would obviously have to been done with the agreement of the Department for Environment and Water. We would also be hopeful that an agreement can be reached to accommodate the Lake Leake Rowing Club which have a substantial shed on location housing their canoes.

As stated earlier, the popularity of Lake Leake and Lake Edward has increased significantly and now draw tourists to our Council area. Local patronage is notably higher as well. Members are keen to see Lake Leake gain the same status as other Council areas of a similar nature.

Members will be pleased to meet with Council representatives onsite to discuss this request if necessary.

Yours sincerely,

Mrs. Fay Childs

President

87394236

16.7 Green Triangle Freight Action Plan Implementation

Report Type	Correspondence
Correspondent	Cr Karen Stephens, Chair Green Triangle Freight Action Plan Implementation
File Reference	GF/14.14.2/1 I201745
Attachments	1. I 201745 [**16.7.1** - 2 pages] 2. coulet mayor Green Triangle Freight Action Plan Group Governance 100522 [**16.7.2** - 2 pages]

RECOMMENDATION

That the correspondence from Cr Karen Stephens dated 23 May 2022 regarding the Green Triangle Freight Action Plan be received and noted.

XE\2022\201745
LETTER NO: 1/201745
FILE GF/ 14.14.2/1 PF/
DATE RCVD 31 MAY 2022
REFER TO: EA
DES FILE

GREEN TRIANGLE
Freight Action Plan Implementation

23rd May 2022

Des Noll, Mayor
Wattle Range Council
Civic Centre
George Street
MILLICENT SA 5280

Dear Des & all Councillors

I acknowledge receipt of your letter dated 10 May 2022.

Thank you for pointing out our successful advocacy and the Federal Government's funding of $2.2mil for a Business Case to assess the freight task on the Maroona Portland Rail Line which is a strategically important rail freight route for the region. The Green Triangle Freight Action Committee (GTFAP) has rail freight identified within the report and will always be assessing all options as demand dictates.

GTFAPlan is aligned with the Victorian Freight Strategy and South Australia's 20year Infrastructure Strategy. In addition, there are a number of other reports such as the Limestone Coast RDA - *Rail corridor and freight analysis for the Limestone Coast and South West Victoria* (Millicent/Mount Gambier to Heywood rail line) report written by the CSRIO and released 26th February 2020. This importance of aligned strategies across the Green Triangle region cannot be underestimated.

GTFAP adopts an evidence-based model when advocating for funding and we are in the unique position of working collaboratively with all levels of government and industry. The evidence-based model has been critical to more than $200mil in road and bridges funding from both state governments and the Federal Government over the last 5 years.

I note your reference to how funding has been allocated across the region. We work within the respective budget models of the Federal and state governments. As you would appreciate governments have varying budgets and funding priorities and our advocacy, to be effective, should be aligned with those imperatives. The allocation of funding across the states, in the context of your comments, is correct. This isn't about being parochial it's about working with budgets and priorities of governments(s)

Address: P.O. Box 152, Portland, Vic 3305

I note your comments about governance, which you have raised via letters directly to me previously. GTFAP was formed by the SA and Victorian governments with the Glenelg Shire Council as the lead for local governments and industry. The MOU reflects this arrangement.

If you are unhappy with the governance arrangements, please direct your concerns to the SA Department of Transport. I should also point out that there are no financial contributions to become a member of GTFAP with membership being optional.

In relation to the Border Road funding matter, as I have advised previously, this road has not been raised at a GTFAP meeting as a key freight road, or one that requires funding. As Wattle Range Council has attended most meetings, I cannot recollect this being raised as a road of significance.

Any concerns about your funding application should be directed to the Glenelg Shire Council and West Wimmera Council.

If Wattle Range Council has a specific project of regional significance that your council wishes to raise with the committee for consideration this can be done either at a meeting or as a request for the item to be placed on the agenda, and tabled at the next meeting.

Yours sincerely

Cr Karen Stephens
Chair

Office of the Mayor

Wattle Range
COUNCIL

PO Box 27, Millicent SA 5280
www.wattlerange.sa.gov.au

Our Ref: *GF/14.14.2/1*
coulet mayor Green Triangle Region Freight Action Plan Group Governance 100522

10 May 2022

Councillor Karen Stephens
Green Triangle Region Freight Action Plan Group Chair
Glenelg Shire Council
PO Box 152
PORTLAND VIC 3305

Dear Karen

Green Triangle Region Freight Action Plan Group Governance

During the April 2022 Ordinary Meeting of Council, Wattle Range received and noted the Green Triangle Region Freight Action Plan (GTRFAP) Group's media release dated the 29th of March titled "Budget Game Changer for Green Triangle".

I congratulate the Group on successfully advocating for the upgrade of the Maroona Portland Rail Line and acknowledge the Federal Government's commitment to fund a $2.2 million business case to evaluate an upgrade of that line.

The GTRFAP identifies three railway lines of interest, being the Hamilton to Portland; the Heywood to Millicent via Mt Gambier; and the Mount Gambier to Wolseley (near Bordertown) lines. I note that the 2016 Update to the Plan was silent in relation to rail transport and instead focussed on road transport infrastructure as its main priority.

As a Green Triangle Council, Wattle Range would like to better understand the governance arrangements that are currently in place in relation to the GTRFAP Group, and more importantly how decisions are made in relation to the Group's advocacy priorities for regional transport infrastructure upgrades.

We ask this as a significant proportion of Federal Government infrastructure funding appears to have been allocated to projects that primarily benefit the Glenelg Shire area, with very little funding being allocated to other Local Government areas across the Green Triangle.

It is my understanding that the GTRFAP Group has been auspiced by the Glenelg Shire Council from the date of its formation. Information about the Group is hosted on the Council's website; the contact for Group media releases is a Glenelg Shire Council officer; meetings are predominantly held at Glenelg Shire facilities, and the Group is and has been chaired by a single Glenelg Shire Councillor. There is a direct and concerning correlation between the controlling elements of this Group and the prioritisation of Federal Government infrastructure funding across the Green Triangle.

This is particularly noteworthy given that this Council formally requested that the proposed upgrade of Border Road be tabled for discussion by the GTRFAP Group in early 2021. This request was made after Wattle Range secured $2 million of Federal Government grant funding to upgrade this regionally significant wood flow freight route. It was also done on the advice of the Glenelg Shire Mayor and CEO who advised us that they would only consider co-funding the project on the formal recommendation of the Group.

My formal request to have this matter tabled for discussion was denied, as was my request to attend the meeting in person to advocate for this important project. This matter was never

Office of the Mayor

considered by the Group and financial support for the project was subsequently withheld by Glenelg Shire.

This resulted in Wattle Range Council having to reject the vast majority of the Federal Government's $2 million infrastructure grant. More importantly, the region lost an important opportunity to upgrade a significant timber freight route that is clearly identified on the wood flow maps of both the original Green Triangle Freight Action Plan and its 2016 Update.

On behalf of Wattle Range Council I respectfully request that this letter be tabled at the next Green Triangle Region Freight Action Plan Group meeting. I also request that the Group consider how its membership has been determined; how the Chair of this Group is appointed and how often that appointment is reviewed; what meeting procedures and voting rights are in place for the Group; how Agenda items are requested, tabled and made available to the public in advance of any meetings; and how Minutes are recorded, stored and disseminated to ensure that there is adequate transparency around the decision making process of the Group.

Once these matters have been considered by the Group, I would appreciate your considered response to the above questions in writing. This request is made by formal resolution of the Wattle Range Council.

Yours sincerely

Des Noll OAM
MAYOR

Telephone: (08) 8733 0900
Email: mayor@wattlerange.sa.gov.au

Wattle Range - a great place to live and work

17 Motions On Notice

17.1 Motion on Notice - Cr Sharon Cox - South East Coastal Lakes Project Team

Report Type	Motions on Notice
Author	Cr Sharon Cox
File Reference	GF/9.24.1/6
Attachments	Nil

Cr Sharon Cox submitted the following Motion on Notice in regard to

I Cr Sharon Cox, give notice of my intention to move the following motion at the Council Meeting of 14 June 2022.

RECOMMENDATION

That Council invite a spokesperson from the South East Coastal Lakes Project Team / Department for Environment and Water Protected Area Management to present their findings from recent workshops to Council before they make any decisions on the future of Lake George, Lake Bonney and others that are in our Council area.

Rationale

The future of all these bodies of water are extremely important to both our ratepayers and tourists.

17.2 Motion on Notice - Cr Dean Burrow - Greenrise Commonage

Report Type	Motions on Notice
Author	Cr Dean Burrow
File Reference	GF/9.24.1/6
Attachments	Nil

Cr Dean Burrow submitted the following Motion on Notice in regard to Greenrise Commonage.

I Cr Dean Burrow, give notice of my intention to move the following motion at the Council Meeting of 14 June 2022.

RECOMMENDATION

That Council make a regulation prohibiting the stockpiling and burning of waste timber, sourced from anywhere other than that which is grown and generated from the Commonage land.

18 Urgent Motions Without Notice

Urgent Motions without Notice may be raised at this point of the Meeting.

20 Meeting Closure

Meeting Closure.