

Wattle Range - a great place to live and work



Des Noll OAM Mayor





Back (Left to Right): Cr Chris Brodie, Cr Richard Cassidy, Cr Emma Castine, Cr Deb Agnew, Cr Peter Dunnicliff (Deputy Mayor), Cr Dennis Mubovics, Cr David Wakhaw and Cr Dale Price. Front (Left to Right): Cr Sharon Co, Mr Ben Gower (Chief Executive Officer), Mayor Des Noll, Cr Moira Neagle and Cr. John Drew.



Ben Gower Chief Executive Officer

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 Council Chambers, Civic Centre,
Corner George Street & Ridge Terrace, Millicent on Tuesday 12 September 2023 at 5:00 PM.



Ben Gower

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



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

Civic Prayer

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.

Acknowledgement of Country

We acknowledge the Boandik people as the traditional custodians of the land on which we meet. We pay respect to all Australians who have made and continue to make a positive contribution to our culture and way of life.

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 C Brodie Cr S Cox

4 Disclosure Of Interests

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

General Conflicts of Interest

A member of a council has a *general conflict of interest* in a matter to be discussed at a meeting of the council if an impartial, fair-minded person might consider that the member's private interests might result in the member acting in a manner that is contrary to their public duty.

75B – Dealing with General Conflicts of interest

If a member of a council has a general conflict of interest in relation to a matter to be discussed at a meeting of the council, the member must deal with the interest in a transparent and accountable way and, in particular, must inform the meeting of—

- (a) the member's interest in the matter; and
- (b) whether or not the member proposes to participate in the meeting in relation to the matter; and
- (c) if the member proposes to participate in the meeting in relation to the matter—
 - (i) how the member intends to deal with the general conflict of interest, including whether the member intends to vote on the matter; and
 - (ii) the member's reasons for participating (and, if relevant, voting) in relation to the matter.

Material Conflicts of Interest

A member of a council has a *material conflict of interest* in a matter to be discussed at a meeting of the council if any persons related or known to the member as per the list S75(1) (on back of this form) would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting.

75C – Dealing with Material Conflicts of Interest

- (1) If a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council, the member must—
 - (a) inform the meeting of the member's material conflict of interest in the matter; and
 - (b) leave the meeting room (including any area set aside for the public) such that the member cannot view or hear any discussion or voting at the meeting and stay out of the meeting room while the matter is being discussed and voted on.

For further information please consult the Local Government Act 1999 via this link:

Local Government Act 1999

5 Confirmation Of Minutes

5.1 Ordinary Meeting of Council - 08 August 2023 (Folio10693 - Folio 10703)

Report Type	Minutes from Previous Meeting
File Reference	GF/9.24.1/1
Attachments	1. coumin council 080823 [5.1.1 - 11 pages]

RECOMMENDATION

That the Minutes of the Ordinary Meeting dated 8 August 2023 be taken as presented and confirmed.

WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Millicent Council Chamber, George Street, Millicent on 8 August 2023 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 R Cassidy Cr J Drew Cr P Dunnicliff Cr D Muhovics Cr D Price Cr D Walshaw

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 Cr E Castine

Cr S Cox Cr M Neagle

4. DISCLOSURE OF INTERESTS

NIL

5. CONFIRMATION OF THE MINUTES

5.1 Ordinary Meeting of Council – 11 July 2023 (Folio 10670 – Folio 10679)

Cr Dunnicliff moved that the Minutes of the Ordinary Meeting dated 11 July 2023 be taken as presented and confirmed.

Cr Agnew seconded

CARRIED

[Cr Agnew left the meeting at 5.03 pm]

[Cr Agnew resumed the meeting at 5.03 pm]

5.2 Audit & Risk Committee Meeting – 13 July 2023 (Folio 10680 – Folio 10684)

Cr Drew moved that the Minutes of the Audit & Risk Committee Meeting dated 13 July 2023 be taken as presented and confirmed.

Cr Walshaw seconded

CARRIED

5.3 Confidential Audit & Risk Committee Meeting – 13 July 2023 (CM 1049 – CM 1051) – Fully Released

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Cr Cassidy moved that the Minutes of the Confidential Audit & Risk Committee Meeting dated 13 July 2023 be taken as presented and confirmed.

Cr Brodie seconded CARRIED

5.4 Special Meeting of Council – 13 July 2023 (Folio 10685 – Folio 10692)

Cr Muhovics moved that the Minutes of the Special Meeting dated 13 July 2023 be taken as presented and confirmed.

Cr Agnew seconded

CARRIED

5.5 Confidential Special Meeting of Council – 13 July 2023 (CM 1052 – CM 1054) – Fully Released

Cr Brodie moved that the Minutes of the Confidential Audit & Risk Committee Meeting dated 13 July 2023 be taken as presented and confirmed.

Cr Cassidy seconded

CARRIED

6. MATTERS ARISING FROM THE MINUTES

NIL

7. ADJOURNMENTS

NIL

8. MAYORAL COMMUNICATIONS

8.1 Mayoral Communications

Cr Agnew moved that Mayoral Communications be received and noted.

Cr Muhovics seconded

CARRIED

9. **DEPUTATIONS**

NIL

10. PETITIONS

NIL

11. REPORTS FROM COUNCIL MEMBERS

Cr Cassidy advised that he attended on Tuesday, 18 July 2023 the Southend Progress Association Meeting with Director Development Services. He also attended the South East Coastal Lakes Project Proposal Meeting held in Millicent on Friday, 14 July 2023 (organised by Lake George Management Committee).

Cr Agnew advised that she attended the Nangwarry Logging Museum Meeting held on Wednesday, 2 August 2023. She advised that Mrs Florence Thomson had passed away and that her husband Robert Thomson had been an Elected Member for the District Council of Penola.

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12. QUESTIONS WITH NOTICE

NIL

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 Greenrise Lake Advisory Committee - Minutes of Meeting held on 29 May 2023

Cr Brodie moved that the Minutes of the Greenrise Lake Advisory Committee Meeting dated 29 May 2023 be received and noted.

Cr Dunnicliff seconded

CARRIED

14.2 Millicent Saleyards Advisory Committee - Minutes of Meeting held on 26 June 2023 and 24 July 2023

Cr Muhovics moved that the Minutes of the Millicent Saleyards Advisory Committee Meeting dated 26 June 2023 and 24 July 2023 be received and noted.

Cr Cassidy seconded

CARRIED

15. REPORTS FROM COUNCIL OFFICERS

- 15.1 Chief Executive Officer
 - 15.1.1 Monthly Project Status Report

Cr Walshaw moved that Council receive and note the report.

Cr Cassidy seconded

CARRIED

- 15.2 Director Corporate Services
 - 15.2.1 Monthly Financial Performance Report

Cr Brodie moved that Council receive and note the 2023/24 July Financial Performance Report.

Cr Walshaw seconded

CARRIED

15.2.2 Beachport New Year's Eve Dry Area 2023

Cr Dunnicliff moved that:

- 1. That Council apply to the Office of Consumer and Business Services and Liquor and Gambling Commissioner pursuant to the *Liquor Licensing Act 1997* for the establishment and operation of the following long term dry areas in the Beachport township: -
 - 1a. Centennial Park (Beachport Area 1)

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- between the hours of 12.01 a.m. and 7.00 a.m. each day during the period 26 December 2023 (Boxing Day) to 31 December 2023; and then
- 7.01 a.m. on 31 December 2023 to 12.00 p.m. on 2 January 2024; and
- 1b. Beachport Township (Beachport Area 2)
 - between the hours of 12.00 p.m. on 26 December 2023 (Boxing Day) to 12.00 p.m. on 2 January 2024.
- 2. That Council pursuant to Section 131 (1ab) of the *Liquor Licensing*Act 1997 declare the following a short-term dry area in the Beachport township:
 - 2a. Beachport Foreshore (Beachport Area 3)
 - between the hours of 12.00 p.m. on 31 December 2023 to 12.00 p.m. on 1 January 2024.

Cr Price seconded CARRIED

15.2.3 Proposed Road Closure & Sale, Sixth Street, Hatherleigh

Cr Muhovics moved that:

Council approve in principle the closure of the road reserve, being that portion of unmade road reserve immediately adjacent 6 Third Street, Hatherleigh, Hundred of Mount Muirhead, to Mr David Smith subject to:

- 1. Council undertaking public consultation in relation to the road closure proposal;
- 2. The road closure and sale complying with the provisions of the *Roads* (*Opening and Closing*) *Act 1991*;
- 3. A market valuation of the road reserve being undertaken by an independent licensed Valuer to establish the sale price of the road reserve;
- 4. The purchasers being responsible for all costs, including the road closure and valuation, associated with the purchase of the road reserve; and
- 5. Subject to no objections being received throughout the consultation period and the applicants agreeing to all terms and conditions, the Mayor and CEO be authorised to execute the necessary documents relating to the proposed road closure and sale including the affixing of the common seal if required.

Cr Drew seconded CARRIED

15.2.4 Proposed Road Closure & Sale, Lossie Road (Lane), Millicent

Cr Walshaw moved that:

1. Council approve in principle the sale of Lot 41 Lossie Road (Lane), Millicent, being an unmade walkway, to Mr Eli Strother & Ms Emma

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Cartwright subject to:

- Council undertaking public consultation in relation to the road closure proposal;
- b. The road closure and sale complying with the provisions of the Roads (Opening and Closing) Act 1991;
- c. A market valuation of the road reserve being undertaken by an independent licensed Valuer to establish the sale price of the road reserve;
- d. The purchasers being responsible for all costs, including the road closure and valuation, associated with the purchase of the road reserve; and
- e. Subject to no objections being received throughout the consultation period and the applicants agreeing to all terms and conditions, the Mayor and CEO be authorised to execute the necessary documents relating to the proposed road closure and sale including the affixing of the common seal if required.
- That Council approves in principle the sale and the closure of the road reserve, being that portion of unmade Kealy Street road reserve to Mr Eli Strother & Ms Emma Cartwright subject to:
 - a. Council undertaking public consultation in relation to the road closure proposal;
 - b. The road closure and sale complying with the provisions of the Roads (Opening and Closing) Act 1991;
 - c. A market valuation of the road reserve being undertaken by an independent licensed Valuer to establish the sale price of the road reserve:
 - d. The purchasers being responsible for all costs, including the road closure and valuation, associated with the purchase of the road reserve; and
 - e. Subject to no objections being received throughout the consultation period and the applicants agreeing to all terms and conditions, the Mayor and CEO be authorised to execute the necessary documents relating to the proposed road closure and sale including the affixing of the common seal if required.

Cr Agnew seconded

CARRIED

15.2.5 Asset Policy

Cr Price moved that Council:

- 1. Receive and note the report.
- 2. Adopt the revised Asset Policy as presented.

Cr Cassidy seconded

CARRIED

15.3 Director Development Services

15.3.1 Mount Burr Entrance Signage – Concept Designs

Cr Agnew moved that Council:

1. Receive and note the report.

Cr Price seconded

CARRIED

Cr Agnew moved that Council:

2. Endorse for public consultation the two preferred Mount Burr Entrance signage concepts, being:

Concept D

Concept E with Wattle Range Council logo being moved to another position on the sign

Cr Drew seconded

CARRIED

15.3.2 Limestone Coast Southern Regional Assessment Panel

Cr Muhovics moved that Council:

1. Receive and note the report.

Cr Price seconded

CARRIED

Cr Dunnicliff moved that Council:

2. Endorse the City of Mount Gambier as the host Council of the Limestone Coast Southern Regional Assessment Panel (LCSRAP) until 1 July 2024.

Cr Walshaw seconded

CARRIED

CARRIED

15.4 Director Engineering Services

NIL

16. CORRESPONDENCE

16.1 Friends of the Libraries Australia (FOLA)

Cr Drew moved that the correspondence from Jack Goodman, President, Friends of Libraries Australia dated 6 July 2023 regarding a letter sent to Premier Peter Malinauskas and Arts Minister Andrea Michaels be received and noted.

Cr Brodie seconded

Cr Drew moved that Council write to the Premier and the Arts Minister with a copy to Jack Goodman regarding the necessity for libraries to be adequately resourced and our concern that the current level of funding is insufficient to provide quality services.

[Cr Muhovics left the meeting at 6.15 pm]

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Cr Brodie seconded

CARRIED

[Cr Muhovics resumed the meeting at 6.17 pm]

16.2 Centenary of Millicent Cross of Sacrifice

Cr Agnew moved that the correspondence from CR Mathias, President, RSL Millicent Sub-branch dated 18 July 2023 regarding the Centenary of Millicent Cross of Sacrifice be received and noted.

Cr Cassidy seconded

CARRIED

16.3 Letter from Hon David Speirs MP – A strong Liberal voice for the Limestone Coast

Cr Agnew moved that the correspondence from Hon David Speirs MP dated 24 July 2023 regarding Member of the Legislative Council, Ben Hood to take on the role of 'paired member' be received and noted.

Cr Cassidy seconded

CARRIED

16.4 The Hon Kristy McBain MP – The Voice to Parliament

Cr Muhovics moved that the correspondence from The Hon Kristy McBain MP dated 5 July 2023 regarding The Voice of Parliament be received and noted.

Cr Brodie seconded

CARRIED

16.5 LGFA AGM Advance Notice 2023

Cr Cassidy moved that:

- The correspondence from the Local Government Finance Authority of South Australia dated 4 July 2023 regarding the AGM on 26 October 2023 be received and noted.
- 2. Mr Paul Duka, Director Corporate Services / Deputy Chief Executive Officer be Council's Delegate for the 2023 AGM to be held on Thursday, 26 October 2023.

Cr Brodie seconded

CARRIED

16.6 Kalangadoo Police House

Cr Price moved that the correspondence from Jane Featherstonhaugh dated 28 July 2023 regarding the police house in Anne Street, Kalangadoo be received and noted.

Cr Agnew seconded

CARRIED

Cr Price moved that Council's Mayor write to the respective government ministers advocating for the South Australian Government Police residence located at Ann Street, Kalangadoo, for a change in use from a single government agency use to a multi government agency use.

Cr Drew seconded

CARRIED

Cr Price moved that Council's Mayor write to the respective government ministers advocating for the South Australian Government Police Station located at Kalangadoo, for a change in use from a single government agency use to a multi government agency use or be sold if not used for Police activities.

[Cr Walshaw left the meeting at 6.28 pm]

Cr Dunnicliff seconded CARRIED

16.7 2024/25 Australian Government Black Spot Program – Call for Nominations

Cr Dunnicliff moved that the correspondence from Fiona Cartwright dated 24 July 2023 regarding nominations for infrastructure projects aimed at significantly reducing serious road casualties on South Australian roads for funding in 2024/25 be received and noted.

[Cr Walshaw resumed the meeting at 6.30 pm]

Cr Brodie seconded CARRIED

17. MOTIONS ON NOTICE

NIL

18. URGENT MOTIONS WITHOUT NOTICE

NIL

19. ITEMS FOR CONSIDERATION IN CONFIDENCE

19.1 Confidential – Planning Consultancy Service

Cr Muhovics moved:

- 1. That pursuant to Sections 90(2) and 90(3)(d)(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 supply of goods, the provision of services or the carrying out of works;

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 convey a commercial advantage

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on a third party; and

(ii) Would, on balance, be contrary to the public interest.

Specifically, the present matter relates to a Planning Consultancy Tender and commercial information the disclosure of which could reasonably be expected to prejudice the commercial position of the firms that provided the information.

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 Walshaw seconded

CARRIED

[Cr Cassidy left the meeting at 6.32 pm]

[Cr Agnew left the meeting at 6.32 pm]

Mayor Noll stated:

To all members of the gallery, I advise that Council has resolved that this matter is to be considered in confidence pursuant to section 90 of the Local Government Act 1999 because the matter relates to a tender and commercial information.

Accordingly, I have to ask all members of the public and press to leave the Council Chambers.

Thank you

[Cr Cassidy resumed the meeting at 6.33 pm]

[Cr Agnew resumed the meeting at 6.34 pm]

Cr Agnew moved:

- 1. Pursuant to Section 91(7) of the Local Government Act 1999, the 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)(d)(k) of the Act:
 - The Report of Item 19.1 of 8 August 2023
 - The Minutes of Item 19.1 of 8 August 2023

on the grounds that the document(s) (or part) is:

tenders for the supply of goods, the provision of services or the carrying out of works;

commercial information of a confidential nature (not being a trade secret) the disclosure of which:

- Could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to convey a commercial advantage on a third party; and
- (ii) Would, on balance, be contrary to the public interest.

Specifically, the present matter relates to a Planning Consultancy Tender and

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commercial information the disclosure of which could reasonably be expected to prejudice the commercial position of the firms that provided the information.

This order shall operate **until 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.

Cr Muhovics seconded

CARRIED

19.2 Confidential - CEO Annual Performance Review

Cr Cassidy moved:

- 1. Pursuant to Sections 90(2) and 90(3)(a) 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 19.2, excepting the following persons:
 - Mr BJ Gower Chief Executive Officer
 - Mr PA Duka Director Corporate Services
 - Ms CP Allen Executive Assistant / Minute Taker

to enable the Council to consider Item 19.2 in confidence on the basis that 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 19.2:

- 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 the personal affairs of Mr Ben Gower, Chief Executive Officer.
- 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 Brodie seconded CARRIED

Cr Muhovics moved that Council:

1. Receive and note the report.

Cr Agnew seconded

CARRIED

Cr Dunnicliff moved that Council:

- 2. Endorse the findings of the CEO Performance Review Committee.
- 3. Investigate South Australian Remuneration Tribunal classification of the Wattle Range Council CEO minimum and maximum remuneration band prior to the issuing of a new Contract.

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DATE

- 4. Acknowledge that the CEO has performed his role in a manner that meets the requirements of his contract and approves an increase to the CEO's annual base salary by 5.2% backdated to the CEO's 12-month anniversary of 4 April 2023.
- 5. Set the following 3 KPI's for the CEO in the forthcoming year:
 - 1. Achieve the awarding of a construction contract for the Council Service Centre.
 - 2. Complete the implementation of Datascape.
 - 3. Enhance Council's reputation as an employer of choice in order to attract and retain quality people.

Cr Muhovics seconded CARRIED

Cr Walshaw moved having considered Agenda Item 19.2 Chief Executive Officer – Annual Performance Review in confidence under section 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council pursuant to Section 91(7) of that Act **orders** that the Minutes and Report related to this item be released to the public.

Cr Brodie seconded	CARRIED
Meeting closed at 7.07 pm.	
Taken as presented and confirmed.	

MAYOR

5.2 Confidential Meeting of Council - 08 August 2023 (CM 1055 - CM 1058) - Not Fully Released

Report Type	Minutes from Previous Meeting
File Reference	GF/9.24.1/1
Attachments	1. coumin con council 080823 - Not Fully Released [5.2.1 - 4 pages]

RECOMMENDATION

That the Minutes of the Confidential Meeting dated 8 August 2023 be taken as presented and confirmed.

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	Mayoral Report
Author	Mayor Noll
File Reference	GF/9.24.1/2
Attachments	Mayoral Communication - September 2023 [8.1.1 - 4 pages]

RECOMMENDATION

That the Mayoral Communications be taken as presented and confirmed.







Mayoral Communication – 12th September 2023

Question To Councillors: Is Local Government currently structured to adequately service our communities for the next ten years and beyond?

Considerations:

Considering the current economics, productivity, growth, community demands, building capacity with the same work force, are we reaching our potential? Are we preparing for changing community needs? Amalgamations of Councils.

The Millicent Gallery – "Heartlines" Exhibition by Three Local Artists: It was a pleasure to attend and officially open this Gallery event. As a conservative community, we are very fortunate to have an art gallery that services the entire Council area and beyond. What our art galleries, outdoor art sculptures and art friendly public spaces are doing across our Council area, is building community culture that is surpassing personal differences both for communities and individuals. As a conservative community our galleries are allowing us all to grow and socially accept alternative lifestyles, engaging in conversations, and realising well-being as one sips a glass of red or white.

The variety of artwork that is being produced and exhibited is dynamic and sometimes controversial. Nevertheless, it delivers a story and impression that the artist is delivering no matter what one may personally think about it.

The "Heartlines" Exhibition delivered some thought-provoking and provocative pieces of work. Enduring power of our art galleries and public art spaces are working to deliver creativity and challenging our traditional values. Thank You to Artists Ann Carpenter, Kristen Johnson and Andrea Bartetzko. A job well done to all.

Hon Nick McBride – Independent Member of McKillop: Meeting with Nick McBride discussing how as an Independent MP this will assist Wattle Range Council. Various Local Government issues and advocating for continued funding and support as per the Wattle Range Council Strategic Plan.

Discussed was **Primary Production and Forestry Land valuations**. Referring to the letter from Value-General, Katherine Bartolo dated 29th June 2023 and I quote from the VG letter, "Whilst I appreciate that your elected members and rate payers are frustrated by their perceived variations in rates charged by Council, our analysis provides me with the confidence that our underlying values are sound. The valuation methodology utilised is well established and fit for purpose and as mentioned previously, our valuations follow the market as supported by evidence".

The current concern in regard to the rate differential rating valuation between Primary Production and Forestry is a legislative change. Being that we are the only forestry region within the state that this has become a concern (and I support the local concern), legislative change would require a significant amount of political will. There are various complexities connected to land valuations and these are outlined within the VG letter. Many of the complexities are not generally understood. Let's remember since the Wattle Range Council has taken this issue up with the Value-General an increase of forestry rating has been forthcoming. There has been much discussion with various politicians concerning this

and I addressed it with the Hon Nick McBride recently. The *Valuation of Land Act 1971* will give you further information to consider.

Kalangadoo Women in Agriculture and Business – One Hundred Year Centenary Celebration:

A state-wide organisation offering opportunities for education, friendship, and self-development. A voice for all women with rural, agricultural and business interests.

A wonderful day of celebration with eighty WAB members from around South Australia attending. A full program of activities and Women in Agriculture topics. State President Narelle Brooksby in attendance. My Mayoral address referenced the importance and benefits of Rural Women in Agriculture and Business, and the community rewards it brings.

Friends of Libraries Australia – State Funding of South Australia's Public Libraries: Re: Letter from Jack Goodman, President, Friends of Libraries Australia. SA State Government renews its modest commitment in support of public libraries while excluding any indexation for inflation. It is possible this will cost our state's public libraries at least \$16 million over the next five years. This was tabled at the LCLGA meeting on Friday the 11/8/23. The LGA is currently advocating with state government in relation to this matter. EO of the LGA Clinton Jury attended the LCLGA meeting and is taking this matter on notice and will report back.

Landscape SA Act: Minister Close is currently reviewing the Landscape SA Act. The LGA has asked that enough time is allocated to ensure genuine consultation with Councils. Issues include:

- Particular projects supported by regional landscape boards
- Engagements by RLBs with the councils in their area
- The role of council in collecting the Landscape Levy (which is essentially a State Government property-tax)
- The ability of councils to recover the costs incurred collecting the Landscape Levy

PIRSA Update – New Bushfire Detection Technology: Fire tower upgrades across the Limestone Coast are progressing in readiness for the 2023/24 fire season. A tender process has recently been finalised and company Pana Al announced for the roll out of a full camera-based fire detection system.

The transition to the bushfire detection and monitoring system will result in an Australian first, fully integrated active bushfire detection platform using satellite technology, ultra-HD 360-degree panoramic cameras and artificial intelligence aimed at improving early fire detection.

Limestone Coast Local Government Association Ordinary Meeting 11/8/23: I attended this meeting. LGA EO Clinton Jury was in attendance. Minutes of the meeting can be found at www.lclga.sa.gov.au.

LCLGA Executive Officer Search: Currently the search is on for a LCLGA full time Executive Officer. McArthur Management & Consulting Services has been engaged to facilitate the process. Currently an interim executive officer Mr Colin Byles is in the chair. Colin has a valued wealth of experience and knowledge in Local Government and is doing a great job.

Lions Clubs International President's Message: I was pleased to read an article published in the **"Lion Magazine"** recently by International President Lion Dr Patti Hill. Her message impacts on every Lions Club within Australia and around the World that as an organisation Lions Clubs, and Members can change the world with the work they do. We clearly see this by the work our Lions Clubs do throughout the Council area. Congratulations to all our Lions Clubs and their dedicated members. I continue to say that as Local Government we cannot do it all. As a Council we continue to look forward to supporting our Lions Clubs.

Coonawarra Wine Maker Wins Award: Penley Estate, Wine Maker Kate Goodman, Wine Maker of the year. Recognised by her peers as one of the best in the industry. Congratulations Kate.

Vietnam Veteran's Day – 18th **August 2023:** "There are estimated to be more than 35,000. Australian veterans of this conflict still living." the department said in a statement. A National program of activities throughout 2023 may be the last remaining opportunity to publicly acknowledge our local veterans for their service and sacrifice. It was disappointing that there was no local public recognition of this.

On behalf of Council and the Community I wish to acknowledge their service and sacrifice of our local diggers "Lest We Forget"



Attended

- Quarterly catch-up meeting with Local Millicent Police 7/8/23
- Meeting with Kalangadoo Resident re Police Residence/Station unoccupied 8/8/23
- Meeting with Hon Nick McBride Independent MP for McKillop 8/8/23
- Centenary and Mayoral Address of the Kalangadoo Branch of the Women in Agriculture & Business of South Australia – 9/8/23
- Limestone Coast Local Government Association Ordinary Meeting Naracoorte Lucindale Council Chamber – 11/8/23
- Funeral of the Late Brian Noel (Flossie) Giddings 14/8/23
- Meeting with Tony Pasin MP & Millicent Gymnastics Club 15/8/23
- Millicent Lions Club Product delivery service to KCA Social Club members 17/8/23
- UniSA Mount Gambier Campus Leaders in Industry Luncheon Guest Speaker Professor Marnie Hughes-Warrington – Deputy Vice Chancellor: Research and Enterprise & Standing Acting Vice Chancellor – Presented on Economic Benefits and Growth through Education -22/8/23
- Meeting with Mr Mike Wilde Manager Transport Supply Chair Transport Strategy and Planning Division re – Green Triangle Freight Action Plan Review – 23/8/23
- Meeting with Limestone Coast Landscape Board 24/8/23
- Penola Bowling Club Fork Lunch Cancer Support fundraiser 24/8/23
- Millicent Market Father's Day Coffee 26/8/23
- Nangwarry CFS Fire Brigade Unit Recruitment Drive Day 26/8/23





- Millicent United Soccer Club Senior Presentations 2/9/23
- Millicent United Soccer Club Junior Presentations 3/9/23
- Wattle Range Council Information Briefing/Workshop Community Priorities 5/9/23
- Wattle Range Council Mandatory Training Introduction to Local Government 5/9/23
- Kalangadoo Bowling Club 60th Anniversary Celebration Open Day 6/9/23
- Millicent Field Naturalist Society 60th Anniversary 10/9/23
- Millicent Bowling Club Open Day Official Opening of the 2023/24 Bowling Season 10/9/23
- Wattle Range Council Ordinary Council Meeting 12/9/23

9 Deputations

9.1 SA Police - Superintendent Campbell Hill

Report Type	Deputations
Organisation	SA Police
Representative	Superintendent Campbell Hill
File Reference	GF/9.24.1/2
Attachments	Nil

Superintendent Campbell Hill will provide a deputation to Council on various Police matters.

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

No Questions with Notice have been received at the point of publishing the Agenda.			

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 Lake McIntyre Management Committee

Report Type	Reports from Council Committees
Committee	Lake McIntyre Management Committee
File Reference	GF/16.14.1/9
Attachments	1. August 2023 [14.1.1 - 4 pages]

RECOMMENDATION

That the Minutes of the Meeting dated 9 August 2023 of the Lake McIntyre Management Committee be received and noted.

LAKE MCINTYRE MANAGEMENT COMMITTEE

Minutes of the Lake McIntyre Management Committee Meeting held at the South East Family History Group, 1 Mount Gambier Road Millicent, on 9th August 2023 at 7.00pm

- 1. <u>PRESENT</u>: Sheila and Noel Boyle, John Drew, Brian McIntyre, Deirdre Tiddy, Rosey Pounsett,
- 2. <u>APOLOGIES</u>: Peter Halton
- 3. CONFLICT OF INTEREST DISCLOSURE General & Material Conflicts

4. CONFIRMATION OF THE MINUTES:

3.1 Lake McIntyre Management Committee Meeting 14th June 2023

Rosey moved that the minutes be taken as presented and confirmed.

Deirdre seconded.

CARRIED

5. MATTERS ARISING FROM THE MINUTES:

- 5.1 <u>Islands Working Bee</u> Ongoing
- 5.2 <u>Container</u> Ongoing
- 5.3 <u>Toilet Upgrade</u> Ongoing
- 5.4 <u>Snipe Survey</u> Saturday September 9th 7.00am
- 5.5 BBQ#3 Roof Signs Committee to be formed and meet to discuss
- 5.6 Printer Ink and Paper Purchased (see below)

6. CORRESPONDENCE:

7. FINANCIALS:

7.1 June/July

K&S Fuels	Mower Diesel	\$33.59
	Chain & brake oil	\$29.00
Millicent Newspower	Printer Ink & Paper	\$149.55

7.2 July/August

Banner	Keys and locks for front gate.	\$73.70
	Gardening Gloves for volunteers	\$84.00
	Wire brushes	\$11.00
K & S Fuels	Diesel	\$51.66

Lake McIntyre Management Committee

10.05.2023

8. **GENERAL BUSINESS**:

8.1 Volunteer Activity Hours

Total number of volunteer activity hours since the previous meeting:

June/July 339Hours.
July/August 383 Hours

- 8.2 Bird Count Sheila to organise via email.
- 8.3 Water Level Water level for July 2023 is 1.35m. July 2022 was .65m
 - Water level for August is 1.6m This time last year 0.8m

8.4 Any Other Business

9. JOBS DONE:

June/July

- Volunteer arranged the Installation of two signs indicating water level for each month with comparison with previous year. 1 at Gibbs seat and one in the interpretive centre
- Limb of a Large tree fell at BBQ one damaging the roof. A special thank you to the Council who cut up the tree and placed bunting around the shelter until it can be fixed.
- Bird Count carried out 31 birds 6 people attended.
- Thank you to Council for sending an appreciation letter to the two volunteers who
 recently retired. The volunteers that are still working out at the Lake thought it was an
 excellent gesture.
- Repairing area around fallen tree, filling in large hole where the tree broke off and removing prickly tree limbs from Bursaria Spinosa around the now new climbing area so children don't hurt themselves
- Cut grass with ride on and push lawn mowers.
- Checked all areas for rubbish.
- Volunteer took two chain saws home to sharpen and clean.
- Opening and closing gate every day
- Numerous trips to the transfer station with branches from fallen trees due to wind.
- Cleaned all around the tables and chairs.
- Checked footpaths for any slippery sections or for any obstacles that could restrict the use of a wheelchair.
- Several extra bird counts carried out during the month.
- Replenished brochures at Visitor Information Centre and Lake McIntyre
- The council delivered soil to level the area around the fallen tree.
- Soil was used to cover tree roots exposed by the wet weather in various areas of the lake.
- The heavy rain washed away several edges on the footpath over the back section. These were filled in making walking safer.
- Fenced off the area where pink finger orchids emerge each year the leaves have started to appear.
- Planted 10 donated She-oak trees on Rendelsham Road.
- Weeded around several trees.
- Water level recorded.

Lake McIntyre Management Committee

- Landscaped the area around the recently fallen tree with wood chips and smaller logs.
- Trees and branches were still being removed after the rain and winds in June.
- Spot spraying was carried out in areas around the lake for weeds.
- Another storm and another clean up. Several volunteers carried out several safety checks to make sure the paths were clear of any hazards during the storm in the first week of July.
- On the first two working days after the storm, eight ute loads of branches were taken to the transfer station while a number of logs and branches were kept for native habitat
- Information signs on the outside of Lake McIntyre were washed to remove moss and dirt.

July/August

- Planted numerous grasses and trees donated and grown from Newbery Park School and Angela Jones
- Bird Count carried out 42 species.
- · Gates opened and closed each day.
- Lawns mowed with ride-on and push lawn mower.
- Water level recorded. Water flooding into areas that usually don't flood.
- Various trips to transfer station.
- Pamphlets in the interpretive centre replenished.
- Various trips to collect purchases.
- 25 hours digging, clearing thick grass, replacing soil and planting trees near dead Willow Tree
- Cleaning BBQ roofs and solar panels used to charge the batteries for the BBQ.
- Clearing moss from boardwalk which had become slippery and a could have caused an accident.
- Various emails in and out.
- Various phone calls to and from Council
- Removing tree stumps near BBQ2 that could have been a trip hazard.
- Stones in the tall grass near BBQ 2 removed.
- Whipper snipping grassed area under trees on the track near the back gate. On going 6 hours so far
- The side cutter on ride on mower repaired by volunteer.
- All padlocks have been lubricated, and the front gate has been replaced because of rust issues.
- Weeding several areas around the lake.
- Septic pit pumped out organized by WRC.
- The weekly cycle of removing fallen branches with the chain saw.

10. SIGHTINGS:

June/July

Freckled ducks 420 significant sighting

Placed on South Aussie Birding - Facebook had 73 hits.

Swans are nesting in the reeds.

Wallaby with a large youngster in her pocket.

Significant activity by the native bush rats in another two new areas

July /August

Juvenile Nankeen Night Heron
Swans hatched out 3 cygnets. Since hatching no sign of adult swans or young
Freckled ducks are still at the lake, but numbers are decreasing.
Ibis, Spoonbills and Little Pied Cormorants all nesting, some Ibis already with chicks.

11. GATE ROSTER:

Saturday 12th August - Boyles

Saturday 19th August – Pounsetts

Saturday 26th August - Brian

Saturday 2nd September – Brian

Saturday 9th September – Pounsetts

NEXT MEETING:

The next meeting of the Lake McIntyre Management Committee will be held on Wednesday 13th September at the South East Family History Group, 1 Mount Gambier Road Millicent, at 7.00pm

Meeting Closed 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	Craig Turner, Program 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 1 - Community Vibrancy & Presentation 1.1 Maintain and 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 Continue to provide sustainable, vibrant community facilities. Theme 3 - Infrastructure & Asset Sustainability 3.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use. 3.2 Plan and provide for a safe local road network that meets the future and current needs of our community. 3.4 Plan for and optimise Council's stock of building assets whilst meeting the future and current needs of community. 3.5 Plan 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 4 - Organisational Excellence 4.2 Govern in a responsible and responsive way.
File Reference	GF/7.73.1/4
Attachments	1. August 23 PDF [15.1.1.1 - 4 pages]

Purpose of Report

To provide an update on the status of Council's capital projects.

Report Details

Council resolved to fund 60 new capital works projects for the 2023/24 FY to the value of \$10,788,000. Of these projects 2% are completed, 12% in delivery, 33% are in the procurement phase and 53% have not yet been started.

41 Projects remain as work in progress (WIP) from the 2022-23 Financial Year of which 17% have currently been completed. 66% are in delivery and 12% in the procurement stage and 5% have not yet been started.

2023/24 Capital Program

Officers are awaiting the requested upgrade to Datascape to automate the monthly project status report to provide key stakeholders with real time Power BI dashboards.

Projects Status

Major Projects

Council Service Centre - Design drawings have now been finalised and reviewed by the ELT. Because of the landscape design we are now required to re-submit to planning for approval prior to having our building team review the plans. The final plans are then ready for private certification. There are three Project Management options to be considered by Council, then the establishment of a Project Management Group for preparation to tender.

Millicent Depot Shed – SAPN will undertake the final power connection to the transformer on the 7th September and Stucky Electrical will then connect the site to the feed soon after. The overhead crane has now been installed and will be commissioned when the power is connected. Floor treatment will be applied over coming weeks and office fit out furniture is being manufactured.





Depot shed

Projects which have progressed since last report period

Penola Stadium Upgrade - The female toilets are close to completion with final additions being applied to the internal fit out. It is expected that these toilets will be completed towards the middle of September 23.





Female toilet upgrade

Penola - Rymill Hall Storage Shed – Contractors have completed much of the preparation work for the Rymill hall storage shed. The concrete slab has been completed and the shed erection is underway, expected completion is mid-September.



Rymill hall access platform

Beachport - Boat Ramp Pontoons – The completed pontoons have finally arrived on site at Beachport and have been assembled. Some slight modifications are required before the final float and fix into position.



Beachport floating pontoons

Penola - Greenrise Commonage Toilets and Lighting – The toilet complex has progressed well over recent weeks, the structure has been erected, fixtures will be installed over the next two weeks estimated completion is mid-September 23.

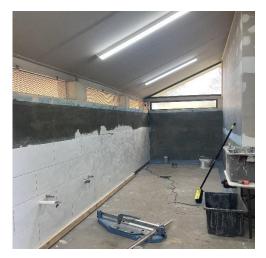


Green rise toilet upgrade

Beachport - South Terrace Drainage – There has been a slight variation to the drainage project at South Terrace Beachport. Gambier Earth Movers quote for the works came to \$170,547.78 and with on-site verification of levels an extra \$23,646.53 has been quoted for the variation. The additional works that are required are to reshape the road at the French Street intersection with Foster Street ensuring the correct gradient for stormwater flow and a couple of other items again to ensure that the stormwater flows and does not pool on the road. This makes the total value of project now \$194,194.31 which is still within budget of \$209,521.00.

Penola - Arthur Street Toilets - Contractors have begun work on the interior of the male toilet. The new cleaner's room has been built with exterior access. Concreting levels across

the floor have been completed, wall tiling is underway, painting will begin soon after, followed by the floor tiles and fixtures. Once male toilets are completed work will begin on the females.





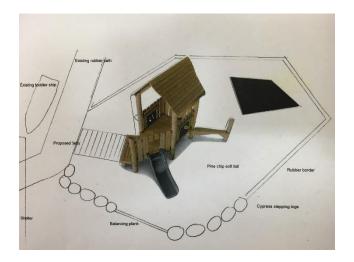
Toilet upgrade

Millicent Rotunda – The Rotunda floor has been re poured with the wiring run and lighting housings recessed into the concrete. Lights will be placed into the housings and a new control box's will be installed to house all the controls.



Rotunda new concrete inserts for lighting upgrade

Beachport - Susan Wilson Playground- With the Initial budget of \$39,000 to undertake the playground upgrade this project is now expected to come in \$10,000 over budget due to timing delays and escalating costs. This will be dealt with in Budget Review 1.



Playground plan

Kalangadoo RV Dump Point – access road has been created and awaiting final seal and planning approval for the dump point.



RV dump point road preparation

Various Plant Renewals

New tilt tray truck expected delivery Dec 23

Excavator (6 tonne) expected delivery August 23

Front Deck Kubota mower expected delivery Late August 23

Rav 4 tenders are in and will be ordered shortly.

Flo-Con tenders are in and will be ordered shortly.

Information Technology ERP Project Status

Datascape is the replacement software for the current legacy administration software Synergy Soft.

The Finance system is now deemed to be functional with no significant items of concern flagged during Council's May 2023 independent audit.

Datascape has selected a third-party application called IBIS to fulfil the systems budgeting and rates modelling requirement with our concurrence and contract variations have been finalised to reflect these changes to the scope of work. This functionality will be implemented from July 2023.

The two project teams have commenced discussions in relation to recommencing the implementation of the Customer Service and Records Management Modules from September 2023.

Financial Considerations

Budget \$10,774,000 Budget Spent to Date (including commitments) \$TBA

Risk Considerations

Risk Assessment: Medium

Assessed as a reputational risk. Determined as Moderate severity with a likelihood of possible. Risk reduction action is fortnightly review with engineering services to monitor status on each project and detailed monthly report for Council.

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					
		2023/2024 CAPITAL BUDGET					
WO#	Project Name	Description	Туре	Project Status	Budget	Actual	% Complete
		WIP Projects 22/23					
WO.1997	Glencoe West/Telfer place sealed bellmouth		Upgrade	Not Started	\$ 5,000		0%
WO.1996	Glencoe west road dairy		Upgrade	Not Started	\$ 50,000)	0%
WO.1806	crossing repairs Beachport Museum Fire Upgrades	The Building Fire Safety Committee have raised concerns about the Beachport Museum and have informally requested that additional work be completed. No formal advice has been received about the scope of works, but it is understood that there needs to be investment in the roof adjoining Bompa's, as well as the two sides of the machinery shed that are on boundaries.	Upgrade	Procurement	\$ 50,000		10%
WO.1822	Susan Wilson Playground - additional play equipment	additional play equipment for younger children	New	Procurement	\$ 39,000	\$ 35,309	50%
WO.1795	Library Roof and Air Conditioning	There are significant leaks in the library roof, particularly over the children's library and due to the box gutters. The heating and cooling units are also at end of life and it is necessary to remove them to replace the roof underneath.	Renewal	Procurement	\$ 240,000	\$ 16,980	10%
WO.1450	Mount Burr Signage & Entrance Signs	Provision of new entrance signage for Mount Burr Township	New	Procurement	\$ 30,000	\$ 25,182	30%
WO.1118	Beachport Depot Shed	Beachport Depot Shed Replacement	Renewal	Procurement	\$ 275,000	\$ 75	20%
WO.1821	RV Dump Point in Kalangadoo	Installation of an RV dump point in Kalangadoo to encourage self contained motor homes to stay in the town and support local businesses.	New	Delivery	\$ 21,500	\$ 10,077	70%
W0.1117	Kalangadoo Hall Millicent Domain Rotunda	Toilet Renewal Works	Renewal	Delivery	\$ 27,500		90%
WO.1451	Repair	Refurbish of rotunda and provision of lighting	Renewal	Delivery	\$ 33,000		50%
WO.1444	Millicent Depot Upgrade	New Mechanical Workshop and Stores Installation of kerbing at intersections of Foster St and South Terrace	New	Delivery	\$ 1,283,000	\$ 1,169,228	50%
WO.1541	South Terrace Beachport Drainage	and French St and South Tce and undertake drainage works on Foster Street Upgrade of 4 fixed ramps and replacement of double hieght ramp,	Renewal	Delivery	\$ 209,521	\$ 170,548	30%
WO.1662	Saleyards Infrastructure	upgrade of truck wash area, renewal or replacement of office/amenity building	New	Delivery	\$ 977,025		50%
WO.1448	Beachport Boat Ramp	Provision of replacement pontoons and new gang plank and handrail Detailed Design of Border Road from Dergholm Road to Old Telegraph	Renewal	Delivery	\$ 133,750		70%
WO.1426	Border Road Millicent Swimming Lake	Road (1.8km section)	Upgrade	Delivery	\$ 25,234	\$ 25,234	50%
WO.1096	Amenities	Roof Replacement and upgrade to change room	Renewal	Delivery	\$ 22,000	\$ 19,997	95%
WO.1099	Intersection Upgrade HVSPP Border and Casterton Road	Design of intersection to address road safety issues	Upgrade	Delivery	\$ 117,726	\$ 87,354	50%
W0.1115 W0.1116	Kalangadoo Hall Penola Stadium	Roof Renewal Works (supper room) Roofing Renewal and toilet Upgrade Works	Renewal Renewal	Delivery Delivery	\$ 20,101 \$ 282,260	· · · · · · · · · · · · · · · · · · ·	95% 80%
WO.1985	Toyota Hilux Single Cab Utility		Renewal	Delivery	\$ 43,000		10%
WO.1979	Iseki 72" SF370 Front Deck	Replacement	Renewal	Delivery	\$ 66,000	\$ 65,165	10%
WO.1818	Mower with cabin New Tilt tray Truck	New Tilt Tray Truck see attached for description	New	Delivery	\$ 252,000		70%
WO.1794	Arthur Street Toilet Upgrade	Renewal of the men's, ladies, disabled and baby change to incorporate	Renewal	Delivery	\$ 150,000		20%
WO.1792	Greenrise Toilet Upgrade	a new family friendly facility with accessibility for all. An upgrade to the toilets at Greenrise in Penola, including electricity to	Upgrade	Delivery	\$ 120,000	-	50%
WO.1798	Millicent RRC Office & CCTV	the building Renewal works on the entrance to the office building at the Millicent Resource Recovery Centre (RCC) including replacement of wall, door frames, door, deck and installation of a verandah to protect it in	Renewal	Delivery	\$ 40,000		70%
WO.1452	Rymill Hall Storage Facility and Stage Access	future. Construction of a storage area for Rymill Hall to remove the risk of tables falling on users, reduce fire hazard and access issues at the back	Upgrade	Delivery	\$ 132,000	\$ 114,057	50%
WO.1044	Millicent Street scape	of the stage and maximise the floor space available for hire. WAXX 13 stage street beautification town centeres	New	Delivery	\$ 55,000	\$ 37,644	90%
WO.1050	Penola Street scape	WAXX 13 stage street beautification town centeres Renewal works at Rendelsham Hall including replacement of the	New	Delivery	\$ 55,000	\$ 37,644	90%
WO.1793	Rendelsham Hall Renewal Works	Renewal works at kendeisnam Hail including replacement of the flooring and doors from the foyer to the hall, replacement of the louver windows, repairs to the roof, replacement of the water damaged ceiling in the toilets and repairs to the emergency exit door in the hall.	Renewal	Delivery	\$ 20,000	\$ 9,366	50%
WO.1977	Camry	Replacement Chris Tully	Renewal	Delivery	\$ 33,000	\$ 26,531	80%
WO.1980	Kubota ZD1011-54AU Zero Turn Mower SN10284 - Millicent	Replacement	Renewal	Delivery	\$ 25,007	\$ 25,007	80%
WO.1819	6 ton excavator	New six ton excavator see attached	New	Completed	\$ 149,700	\$ 149,700	30%
WO.1817	New Front Mounted Flail mower, 85HP Tractor and a 3point linkage spray unit	New front mounted Flail mower and tractor to be used on the Penola rail trail. The front mounted flail mower would be able to tilt down and mow the rail trail banks while the tractor stays up on the top of the track. The tractor would have turf tyres which will be more gentle on the bitumen. A 3 point linkage payy unit could be mount on the rear of the tractor for spraying along the trail		Completed	\$ 153,782	\$ 153,782	100%
WO.1976	Ford Mondeo LX Wagon	Replacement	Renewal	Completed	\$ 45,000	\$ 21,239	100%
WO.1441	Millicent Saleyards Lighting Upgrade	New public lighting of Millicent Salesyards	Upgrade	Completed	\$ 51,357	\$ 30,887	100%
	- PB. 000	Installation of lighting in the BBQ and picnic area at Greenrise		Completed	\$ 12,000	\$ -	

WO#	Project Name	Description	Туре	Project Status	Budget	Actual	% Complete
WO.1808	Penola Main Park - Subsurface Irrigation	Replacement of sprinklers in the Main Park in Penola with subsurface irrigation to reduce the staining on buildings. The groundwater in Penola has a very high iron content, causing orange staining on buildings, monuments, paths and other park infrastructure.	Upgrade	Completed	\$ 50,000	\$ 24,913	100%
WO.1445	Millicent Depot Access Gates	Installation of automatic gate for three entrances to depot	New	Completed	\$ 75,500	\$ 76,577	100%
WO.1975	Toyoto Prado	Replacement	Renewal	Completed	\$ 74,647	\$ 74,647	100%
				Total 22/23	\$ 5,444,610	\$ 3,631,749	67%
		CARRYOVER PROJECTS 2022/23					
WO.1474	Centennial Park Beachport- Stormwater pump	Installation of new concrete weir and stormwater pump in the Centennial Park Wetlands	Renewal	Not Started	\$165,000	\$1,818.00	0%
WO.1802	Southern Ocean Tourist Park (Electrical renewal)	Replacement of main switchboard and submains cable to enable further electrical works in the park in the future. SA Power Networks have replaced the transformer on the site to enable Council to undertake electrical works to improve supply across the park. A staged approach will be developed as part of the 10 year plan for Southern Ocean Tourist Park (SOTP), however the scope has already been developed for this stage 1.	Renewal	Not Started	\$48,000	\$0.00	0%
WO.1796	Beachport Visitor Information Centre (Building Works)	One external wall on the Beachport Visitor Information Centre needs to be replaced as it is no longer waterproof. The remaining walls are of a different material and are weatherproof. The project will include internal and external paining (only the new wall) and replacement of the large sign.	Renewal	Not Started	\$20,000	\$0.00	0%
WO.1499		Replacement of two picture board signs on the Princes Hwy on the approach to Millicent, if funding allows also replace the smaller sign on Mt Burr Rd	Renewal	Procurement	\$20,000	\$0.00	10%
WO.1823	Beachport Recreation Hall (Carpark Works)	Upgrade of the existing car park including kerb, drainage, linemarking and sealed surface	New	Procurement	\$165,000	\$500	10%
WO.1436	Beachport Cinema (Building Works)	Repairs to wall and ceiling following Air Conditioner refurbishment and roof repairs	Renewal	Delivery	\$9,000	\$210.00	10%
WO.1482	Fire Service - McLaughlin Park, Millicent	Detailed design and associated approval to address water supply issues to comply with Building Fire Services requirement for the existing buildings	Renewal	Delivery	\$282,000	\$38,700	80%
WO.1483	Fire Services - McCorquindale Park, Penola	Detailed design and associated approval to address water supply issues to comply with Building Fire Services requirement for the existing buildings	Renewal	Delivery	\$42,000	\$31,028	80%
WO.1123	Beachport Medical Centre (Building Works)	Repairs to the roof and awning to the building	Renewal	Delivery	\$14,270	\$1,557.00	80%
WO.1432	Annual Computer Replacement (Public)	Annual computer replacement for public computers based on 20 All In One Desktops over 5 years		Not Started	\$5,500	\$0.00	0%
WO.1433	Annual Computer Replacement (Staff)	Annual computer replacement based on 46 Surface Pro's & 41 Desktops over 5 years	Renewal	Not Started	\$35,000	\$34,147.00	0%
WO.2169	Heavy Vehicle replacement program	Tip Truck Hino (SB35BI) P4028	Renewal	Not Started	\$150,000	\$0.00	0%
WO.2182	Gladys Smith Early Learning Centre	Update Wallaby Room, replace back fence and air conditioner	Renewal	Not Started	\$125,000	\$0.00	0%
WO.2183		Replacement of sections rusted roof and walls to main hall	Renewal	Not Started	\$60,000	\$0.00	0%
WO.2185	Domain Playground	Replacement of existing softfall (rubber soft fall)	Renewal	Not Started	\$90,000	\$0.00	0%
WO.2186	Mount Burr BBQ	Replacement of BBQ and works to repair shelter	Renewal	Not Started	\$15,000	\$0.00	0%
WO.2187	Penola Resource Recovery Centre	Concrete by Metal storage space	Renewal	Not Started	\$61,000	\$0.00	0%
WO.2153	Beachport Treatment Facility	Replacement of failed sprinklers	Renewal	Not Started	\$20,000	\$0.00	0%
WO.2154	Penola Treatment Facility	Replacement of all sprinklers	Renewal	Not Started	\$80,000	\$0.00	0%
WO.2188	Civic and Arts Centre Fittings and Fixtures	Replacement of heavy, round tables (50 years old and no longer WHS compliant and very difficult to manipulate) to lighter more functional round tables.	Renewal	Not Started	\$20,000	\$0.00	0%
WO.2203	Millicent Depot front fence	Due to installation of new security access gates and the condition of current fence an upgrade to the front fence is required for safety and security purposes. A new concrete path from PA gate to office entrance for visitor access and improved landscaping and sealing of carpark spaces and entrances.	Renewal	Not Started	\$60,000	\$0.00	0%
WO.2215	Area	purchase and fit a second BBQ under the shelter with stainless steel bench with power and water and two new picnic tables and bench seats.	New	Not Started	\$15,000	\$0.00	0%
WO.2204		Supply and fit new bench seat, table and rubbish bin at the Childrens playground North Tce Tantanoola. Some form of shade or plantings for sun protection.	New	Not Started	\$11,000	\$0.00	0%

WO#	Project Name	Description	Туре	Project Status	Budget	Actual	% Complete
WO.2205	Cape Buffon Drive	Supply Concept Design for footpath, Bridges drive	Upgrade	Not Started	\$30,000	\$0.00	0%
WO.2189	Information Systems	Pursue mobile IT solutions that improve remote connectivity and productivity in the field	New	Not Started	\$20,000	\$0.00	0%
WO.2190	Wayfinding Tourism Signage	Implementation of standard Wayfinding capability for the broad range of tourism assets on offer in the Council area	New	Not Started	\$100,000	\$0.00	0%
WO.2191	Council Service Centre	Staged funding for the construction phases of the new Council office	New	Not Started	\$3,000,000	\$0.00	0%
WO.2192		Retreat from coastal erosion at the Salmon Hole and Post Office Rocks and realign Scenic Drive around the Pool of Siloam. Funding to complete detailed design.	New	Not Started	\$150,000	\$0.00	0%
WO.2193		Ensure that the Millicent Saleyards are maintained to a safe, compliant and sustainable standard, and that their ongoing use is actively promoted by the Stock Agents that are licenced to operate it. Funding to allow for continued replacement of failed assets.	Renewal	Not Started	\$50,000	\$0.00	0%
WO.2194	Council Visitor Information	Commence the evolution of Council's VICs into community hub facilities that allow for best practices in visitor service models, enhancing visitor destination experiences and provide a functional space for local community members to enjoy	Renewal	Not Started	\$10,000	\$0.00	0%
WO.2195	Street Lighting	Review current street lighting network and identify any priority black spot areas for infill and/or expansion	Renewal	Not Started	\$20,000	\$0.00	0%
WO.2197	Queen Street Penola Road and Drainage Upgrade	Provision of Drainage, new kerbing and road construction (Phase 1, multi year project)	New	Not Started	\$300,000	\$0.00	0%
WO.2198	Civic and Arts Centre Fittings and Fixtures	Upgrade the Sound system in the Civic Centre. If the Centre is to become multi-functional there must be the ability to hold films, conferences, meetings and community functions and promote the centre as a contemporary space. To enable this the sound system, projection capabilities, and lighting must be at a level where by the hirer and patrons can enjoy the experience. Such technology today ensures that the experience is first-class: Promoting ease of use -currently, we must have a person on hand (often a volunteer) to enable access to systems. This presents a significant risk if there is no one else available with the expertise. Technology now affords us the opportunity to operate professionally and with ease. Please note we are awaiting quote.	New	Not Started	\$25,000	\$0.00	0%
WO.2199	Cat Impounding Facility, Millicent	Seeking to transform cleaning storage shed located directly next to the pound into a cat holding facility.	New Not Starter		\$7,000	\$0.00	0%
WO.2201	Beachport Footpath Lighting on Millicent Road,	Installation of solar light towers to light the footpath in Beachport. Estimated to be \$7,500 per light and installation 50m apart.	New	Not Started	\$45,000	\$0.00	0%
WO.2171	Light Vehicle replacement program	Toyota Rav4 GXL (S160CCZ) P284	Renewal	Procurement	\$45,000	\$0.00	10%
WO.2200		Remove Overgrown vegetation, remove old fallen fence, and fit new fence to exisitng fence and to boundary	Renewal	Procurement	\$15,000	\$0.00	10%
WO.2165	Heavy Vehicle replacement program	Flocon - Isuzu FVD 1000 (SB59KS) P4051	Renewal	Procurement	\$350,000	\$0.00	10%
WO.2166	Heavy Vehicle replacement program	Backhoe Loader Caterpillar 432E (S56SUW) P4041	Renewal	Procurement	\$200,000	\$0.00	10%
WO.2167	Heavy Vehicle replacement program	Motor Grader Caterpillar 12M (S35SYL) P4040	Renewal	Procurement	\$450,000	\$0.00	10%
WO.2168	Heavy Vehicle replacement program	Self Propelled Vibrating Roller Caterpillar (NVP-092) P4023	Renewal	Procurement	\$200,000	\$0.00	10%

WO#	Project Name	Description	Туре	Project Status	Budget	Actual	% Complete
WO.2151	Millicent Swmming Lake Valve Replacement	Replacement of value	Renewal	Procurement	\$7,000	\$0.00	10%
WO.2207	Road Reseals	Annual Road Reseals Budget	Renewal	Procurement	\$865,442	\$0.00	10%
WO.2149	Reseal (2nd coat) Kennedy Road Glencoe	A second coat reseal is required to complete the upgrade of Kennedy Road Glencoe	New	Procurement	\$357,007	\$0.00	10%
WO.2172	Light Vehicle replacement program	Toyota Hilux dual cab (S926BYJ) P283	Renewal	Procurement	\$45,000	\$0.00	10%
WO.2173	Light Vehicle replacement program	Ford Ranger Crewcab 4WD (S764BOS) P264	Renewal	Procurement	\$45,000	\$0.00	10%
WO.2174	Light Vehicle replacement program	Ford Ranger (includes lifting device) (S744BOS) P266	Renewal	Procurement	\$65,000	\$0.00	10%
WO.2184	Millicent Swimming Pool	Repairs to concrete and address major leak	Renewal	Procurement	\$600,000	\$6,364.00	10%
WO.2155	Penola Pump Station	Replacement of controller units in all pump stations, replacement of two pumps, renewal of three concrete chambers	Renewal	Procurement	\$170,000	\$0.00	10%
WO.2156	Kalangadoo Pump Station	Replacement of pump stations including new switch board and controllers	Renewal	Procurement	\$90,000	\$0.00	10%
WO.2157	Beachport Pump Station	Replacement of several pumps, controller and new switch board	Renewal	Procurement	\$45,000	\$0.00	10%
WO.2202		supply and fit into position a secondhand container to be used to safely house the volunteer's lawn mower. To remove the risk of slips trips and falls due to current work practice and storage restrictions.	New	Procurement	\$7,000	\$0.00	10%
WO.2206	Old School House, Millicent	replace box gutters, flashing and carpet	Upgrade	Procurement	\$35,000	\$24,400	10%
WO.2208	Footpath renewal program	Footpath renewal program to comply with Asset Management Plans and council's asset sustainability ratio.	Renewal	Delivery	\$196,000	\$0.00	20%
WO.2164	Kerb renewal program	Renewal of kerb to meet asset management program and Council's asset sustainability ratio	Renewal	Delivery	\$220,000	\$0.00	10%
WO.2175		Minor plant replacement program to meet the asset management plan and Council's asset sustainability ratio.	Renewal	Delivery	\$40,000	\$9,450.00	20%
WO.2170	Renewal road resheet program	Resheet of unsealed roads to meet asset management plan and Council's assets sustainability ratio.	Renewal	Delivery	\$1,330,945	\$0.00	10%
WO.2152	Drainage renewal program	culvert renewal on various un sealed roads	Renewal	Delivery	\$30,000	\$ 10,057.00	20%
WO.2150	Nangwarry Stormwater Retention Basin	Increase the size of the current retention basin to address flooding issue	New	Delivery	\$30,000	\$5,065.00	20%
WO.2196	Penola Rail Trail (Signage)	In conjunction with the DIT, SATC, and the Coonawarra Vignerons Association, pursue funding opportunities to construct a walking/cycling trail within the rail corridor between Penola and Coonawarra (finalise signage installation)		Delivery	\$80,000	\$71,760.00	20%
		Total 2023/24 PROJECTS			\$10,788,164	\$235,056	

15.1.2 Delegations Review - Planning, Development and Infrastructure Act

Report Type	Officer Report
Department	Executive
Author	Ben Gower
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 - Organisational Excellence 4.2 Govern in a responsible and responsive way.
File Reference	GF/12.9.1
Attachments	 Instrument A PDI Act Delegations Council as a Council Designated Authority and Entit [15.1.2.1 - 141 pages] Instrument B PDI Act Delegations Council as a Relevant Authority [15.1.2.2 - 49 pages] Instrument A PDI Act Delegations Changed provisions to instrument [15.1.2.3 - 3 pages] Instrument B PDI Act Delegations Changed provisions to instrument [15.1.2.4 - 2 pages] Recommendations from 13 June 2023 Council Meeting for Revocation [15.1.2.5 - 1 page]

Purpose of Report

To review and endorse Council's delegations under the *Planning, Development and Infrastructure Act 2016* (PDI Act).

Report Details

Background

Delegating powers and functions is the way that Council formerly authorises other people (usually Council officers) to perform functions, make decisions and undertake activities on Council's behalf.

The ability for Council to delegate its powers comes from section 44 of the *Local Government Act 1999* (the Local Government Act). Section 44 allows Councils to delegate a range of statutory powers and functions under the Local Government Act and other legislation.

Not all Council powers can be delegated. For example, powers in relation to making by-laws, declaring rates or charges, borrowing money and adopting a budget are not delegable (see section 44(3) of the Local Government Act for more information about delegable powers).

Council usually delegates its powers and functions to the Chief Executive Officer (CEO), who can further subdelegate them to other appropriate Council officers unless Council directs otherwise.

Council delegates powers and functions using an instrument of delegation that specifies the powers and functions that are delegated, the statutory basis for the delegation and any condition or limitation applying to the delegation.

Discussion

Council delegates its powers and functions under the PDI Act through two instruments of delegation:

- a. Instrument A Council as a Council, a Designated Authority and a Designated Entity, and
- b. Instrument B Council as a Relevant Authority.

Pursuant to section 44(6a) of the Local Government Act, Council can undertake a review of its delegated the powers and functions at any time and <u>must</u> conduct a review within 12 months after each periodic election.

Council has not carried out a full review of its delegations under the PDI Act since 13 April 2021 (Item 15.1.2, Folio 9297-9298) although it has recently considered updates to Instrument A (refer to the Council meeting on 14 February 2023, Item 15.1.2, Folio 10422 and the Council meeting on 16 June 2023, Item 15.1.3, Folios 10560-10562).

Instruments A and B of Council delegation under the PDI Act are annexed to this report as Attachments 1 and 2 for consideration and review by Council.

The changes to each Instrument since they were last considered by Council are shown in Attachments 3 and 4.

As set out in the Instruments, it is recommended that Council delegates its relevant powers to the CEO, with the ability for the CEO to then subdelegate a delegated power or function to a relevant officer unless Council specifies otherwise as a condition or limitation of the delegation.

It should be noted that Council may revoke the delegations in the attached Instruments A and B at any time and delegating a power or function does not prevent Council from acting in a matter.

If Council resolves to grant the delegations in Instruments A and B, they will come into effect on the day following the date of the Council resolution.

The delegations provided by the Instruments will remain in effect until varied or revoked by a resolution of Council.

Revocation of Council decisions from 13 June 2023 meeting

The agenda for the Council meeting on 13 June 2023 included a Delegations Update Report (agenda item 15.1.3) that incorrectly included two recommendations that asked Council to delegate the powers of an Assessment Panel (Recommendation 5 & 6) and an Assessment Manager (Recommendation 7 & 8) under the PDI Act to the Chief Executive Officer of the Council. These recommendations were included in error and are ultra vires (acting or done beyond one's legal power or authority) because Council does not have the power to make these delegations as it is not an Assessment Panel or an Assessment Manager under the PDI Act. The relevant recommendations from the 13 June 2023 meeting are included for reference as Attachment 5.

Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 enables the CEO to submit a report to the Council to revoke or amend a Council decision. Regulation 21(a) states that:

The Chief Executive may submit a report to the Council recommending the revocation or amendment of a resolution passed since the last general election of the Council.

As set out in Recommendation 2 of this report. Council is asked to revoke Recommendations 5, 6, 7 and 8 from the Delegations Update Report considered by Council at its meeting on 13 June 2023 Council meeting (agenda item 15.1.3) because the recommendations are ultra vires.

Financial Considerations

Budget Allocation Nil
Budget Spent to Date Nil
Budget Variation Requested Nil

There are no known financial considerations related to this report.

Risk Considerations

The use of delegations and sub-delegations enables Council and the CEO to direct powers and functions to an appropriate delegate for the efficient and effective operation of Council. It is important that delegations are correctly made as invalid delegations can have legal ramifications for Council and affect the capacity of Council to perform its day-to-day functions.

Please refer to Wattle Range Council's SharePoint Register – Sub-delegations – Medium.

Policy Considerations

There are no known policy considerations related to this report.

Legislative Considerations

This review of Council delegations under the PDI Act is a requirement of section 44(6a) of the Local Government Act.

Environmental/Sustainability Considerations

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

Communication & Consultation Considerations

Council officers who receive new or changed sub-delegated powers and functions from the CEO will be notified by Council's Governance Officers.

RECOMMENDATION

That Council:

1. Receive and note the report.

Revocation of Council decisions from 13 June 2023 meeting

2. Pursuant to Regulation 21 of the *Local Government (Procedures at Meetings)*Regulations 2013 revoke recommendations 5, 6, 7 and 8 from the Delegations Update Report considered by Council at the meeting on 13 June 2023 (agenda item 15.1.3).

Delegation of powers of a Council as a Council, Designated Authority and Designated Entity under the *Planning, Development and Infrastructure Act 2016*

- 3. In the exercise of the power contained in Section 44 of the *Local Government Act* 1999, hereby delegate this 12 September 2023 the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 12 September 2023 and marked Attachment 1) to the person occupying or acting in the office of the Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
 - a. Such powers and functions may be further delegated by the Chief Executive Officer of the Council in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Delegation of powers of a Council as a Relevant Authority under the *Planning, Development and Infrastructure Act 2016*

- 4. In the exercise of the power contained in Section 100 of the *Planning, Development* and *Infrastructure Act 2016*, hereby delegate this 12 September 2023 the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 12 September 2023 and marked Attachment 2) to the person occupying or acting in the office of the Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
 - a. Such powers and functions may be further delegated by the Chief Executive Officer of the Council in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Schedule of Delegation.

WATTLE RANGE COUNCIL

INSTRUMENT A - INSTRUMENT OF DELEGATION UNDER
THE PLANNING, DEVELOPMENT AND
INFRASTRUCTURE ACT 2016, REGULATIONS,
PLANNING & DESIGN CODE AND PRACTICE
DIRECTIONS OF POWERS OF A COUNCIL AS A
COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED
ENTITY

Delegation Sources

- Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)
- Planning, Development and Infrastructure (General) Regulations 2017
- Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017
- Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019
- State Planning Commission Practice Direction 2 Preparation and Amendment of Designated Instruments
- State Planning Commission Practice Direction 3 (Notification of Performance Assessed Development Applications) 2019
- State Planning Commission Practice Direction (Council Inspections) 2020
- State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020
- Urban Tree Canopy Off-set Scheme

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s5(5)(b)	 Planning Regions and Greater Adelaide The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the PDI Act. 	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s6(3)(b)	 2. Subregions 2.1 The power pursuant to Section 6(3)(b) of the PDI Act to make submissions to the Minister on the Minister's proposed course of action. 	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s7(5)(b)	 3. Environment and Food Production Areas – Greater Adelaide 3.1 The power pursuant to Section 7(5)(b) of the the PDI Act, in relation to proposed development in an environment and food production area that involves a 	ND	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s22(4)(a)(i)	4. Functions 4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(1)(a)	5. Planning Agreements 5.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.2 the constitution of a joint planning board including, in relation to such a board:	ND	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and		
		5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and		
		5.2.2.3 the procedures to be followed with respect to the appointment of members; and		
		5.2.2.4 the terms of office of members; and		
		5.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and		
		5.2.2.6 the appointment of deputy members; and		
		5.2.2.7 the procedures of the board; and		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s35(3)	5. Planning Agreements	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.4 the staffing and other support issues associated with the operations of the joint planning board; and	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	 5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.5 financial and resource issues associated with the operations of the joint 	CEO	
		planning board, including: 5.2.5.1 the formulation and implementation of budgets; and		
		5.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s35(3)	 5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		outcomes that the agreement is intended to achieve and to provide for: 5.2.6 such other matters as the delegate thinks fit.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(5)(a)	5. Planning Agreements 5.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(5)(b)	5. Planning Agreements 5.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s41(2)(a)	6. Appointment of Administrator	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		6.1 The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(6)(a)	7. Community Engagement Charter 7.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(9)(b)	7. Community Engagement Charter 7.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(10)	7. Community Engagement Charter 7.3 The power pursuant to Section 44(10) of the PDI Act to: 7.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and 7.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s45(2)(c)	8. Preparation and Amendment of Charter 8.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s73(2)(b)(iv)	9. Preparation and Amendment	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		9.1 The power pursuant to Section 73(2)(b)(iv) of the PDI Act to: 9.1.1 seek the approval of the Minister to initiate a proposal to amend a designated instrument; and 9.1.2 initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(6)	 9. Preparation and Amendment 9.2 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied: 9.2.1 to prepare a draft of the relevant proposal; and 9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		9.2.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and		
		9.2.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give:		
		9.2.4.1 an owner or occupier of the land; and		
		9.2.4.2 an owner or occupier of each piece of adjacent land,		
		a notice in accordance with the regulations; and		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		9.2.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and		
		9.2.6 to carry out such investigations and obtain such information specified by the Commission; and		
		9.2.7 to comply with any requirement prescribed by the regulations.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(7)	9. Preparation and Amendment 9.3 The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act, to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should be made) and furnish a copy of the report to the Minister.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(8)	9. Preparation and Amendment 9.4 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(9)	9. Preparation and Amendment 9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).	CEO	
Instrument of Delegation under the Planning, Development and	s74(8)(c)	10. Parliamentary Scrutiny	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		10.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s75(1)	11. Complying Changes – Planning and Design Code 11.1 The power pursuant to Section 75(1) of the PDI Act to submit to the Minister a proposal to agree to an amendment to the Planning and Design Code under Section 75 of the PDI Act if: 11.1.1 the amendment comprises a change to: 11.1.1.1 the boundary of a zone or subzone; or	CEO	
		11.1.1.2 the application of an overlay; and		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		11.1.2 the amendment is consistent with a recommendation in the relevant regional plan that, through the use of:		
		11.1.2.1 specific maps or other spatial information; and		
		11.1.2.2 specific information about the changes that are being proposed,		
		clearly and specifically identifies (in the opinion of the Minister) the changes that are considered to be appropriate.		
Instrument of Delegation under the Planning, Development and	s75(3)	11. Complying Changes – Planning and Design Code	CEO	
lanning, Development and infrastructure Act 2016, Regulations, lanning & Design Code and Practice irections of Powers of a Council as a council; a Designated Authority; a esignated Entity (Instrument A)	11.2 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with			

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		requirements established by the Chief Executive).		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s82(d)	12. Entities Constituting Relevant Authorities 12.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(1)	13. Panels Established by Joint Planning Boards or Councils 13.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to: 13.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess; 13.1.2 determine:	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		13.1.2.1 the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and		
		13.1.2.2 the procedures to be followed with respect to the appointment of members; and		
		13.1.2.3 the terms of office of members; and		
		13.1.2.4 conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and		
		13.1.2.5 the appointment of deputy members; and		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		13.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(1)(h)	13. Panels Established by Joint Planning Boards or Councils 13.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(1)(i)	13. Panels Established by Joint Planning Boards or Councils 13.3 The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(2)	13. Panels Established by Joint Planning Boards or Councils 13.4 The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s84(1)(c)(ii)(A)	14. Panels Established by Minister 14.1 The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other Councils.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s84(1)(c)(ii)(B)	14. Panels Established by Minister14.2 The power pursuant to Section84(1)(c)(ii)(B) of the PDI Act to make	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council and one or more other Councils (or parts of such areas).		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s86(2)(a)	15. Substitution of Local Panels 15.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s89(b)	16. Notification of Acting 16.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.	CEO	
Instrument of Delegation under the Planning, Development and	s94(1)(g)	17. Relevant Authority - Commission	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		17.1 The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(1)(c)(iv)	18. Matters Against which Development Must be Assessed 18.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s102(1)(d)(iv)	18. Matters Against which Development Must be Assessed 18.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(11)(b)	18. Matters Against which Development Must be Assessed 18.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(2)(b)	19. Restricted Development 19.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(c)(ii)	19. Restricted Development 19.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(7)	 19. Restricted Development 19.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development. 	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s112(b)	20. Level of Detail 20.1 The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s113(5)(a)(iii)	21. EIS Process 21.1 The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and report within the time prescribed by the regulations on an EIS referred to the Council by the Minister.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s114(2)(b)	22. Amendment of EIS 22.1 The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s130(6)	23. Essential Infrastructure – Alternative Assessment Process 23.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s130(14)	23. Essential Infrastructure – Alternative Assessment Process 23.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s131(7)	24. Development Assessment – Crown Development 24.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice	s131(15)	 24. Development Assessment – Crown Development 24.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s138(1)	25. Land Division Certificate 25.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s138(2)	25. Land Division Certificate 25.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(1)	26. Action if Development Not Completed 26.1 The power pursuant to Section 141(1) of the PDI Act, if: 26.1.1 an approval is granted under the PDI Act; but 26.1.2 - 26.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or 26.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval, to apply to the Court for an order under Section 141 of the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(5)	26. Action if Development Not Completed 26.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(6)	26. Action if Development Not Completed 26.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act: 26.1.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(1)	27. Completion of Work 27.1 The power pursuant to Section 142(1) of the PDI Act, if: 27.1.1 an approval is granted under the PDI Act; but 27.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval, to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(2)	27. Completion of Work 27.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(3)	27. Completion of Work 27.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(4)	27. Completion of Work 27.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act: 27.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice	s146(3)	 28. Notification During Building 28.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s151(2)	29. Classification of Buildings 29.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s151(3)	29. Classification of Buildings 29.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(2)	30. Certificates of Occupancy 30.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(3)(a)	30. Certificates of Occupancy 30.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(5)	30. Certificates of Occupancy 30.3 The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(6)	30. Certificates of Occupancy 30.4 The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(10)	30. Certificates of Occupancy 30.5 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of: 30.5.1 the refusal; and 30.5.2 the reasons for the refusal; and 30.5.3 the applicant's right of appeal under the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(12)	30. Certificates of Occupancy 30.6 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(13)	30. Certificates of Occupancy 30.7 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(1)	31. Temporary Occupation 31.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(2)	31. Temporary Occupation 31.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(3)	31. Temporary Occupation 31.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of: 31.3.1 the refusal; and 31.3.2 the reasons for the refusal; and 31.3.3 the applicant's right of appeal under the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s155(5)	32. Emergency Orders 32.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		emergency order, to cause the necessary work to be carried out.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s155(6)	32. Emergency Orders 32.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s155(7)	32. Emergency Orders 32.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	CEO	
Instrument of Delegation under the Planning, Development and	s157(16)	33. Fire Safety	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		33.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.1 appoint to the appropriate authority: 33.2.1.1 a person who holds prescribed qualifications in building surveying; and 33.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and 33.2.1.3 a person with expertise in the area of fire safety; and	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		33.2.1.4 if so determined by the delegate, a person selected by the delegate;		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.2 specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.3 remove a member of the appropriate authority from office for any reasonable cause;	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s157(17)	33. Fire Safety	CEO	

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

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		submissions to the Minister in relation to the draft outline.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s164(3)	35. Initiation of Scheme 35.1 The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s164(12)	35. Initiation of Scheme 35.2 The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s166(1)(c)	36. Consideration of Proposed Scheme	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		36.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s167(7)	37. Adoption of Scheme 37.1 The power pursuant to Section 167(7) of the PDI Act to make submissions to the Minister in relation to a variation to an outline of a scheme.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s169(2)(b)	38. Funding Arrangements 38.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s169(9)	38. Funding Arrangements 38.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s177(4)	39. Contributions by Constituent Councils 39.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s177(5)	39. Contributions by Constituent Councils 39.2 The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		determine shares under Sections 177(2) and (3) of the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s180(7)	40. Imposition of Charge by Councils 40.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(1)	41. Authorised Works 41.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.	CEO	
Instrument of Delegation under the Planning, Development and	s187(5)	41. Authorised Works	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		41.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to:		
		41.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and		
		41.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and		
		41.2.3 ensure that proper consideration is given to the views of the road maintenance authority.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice	s187(5)(b)	41. Authorised Works 41.3 The power pursuant to Section 187(5)(b) of the PDI Act to make	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		submissions to the designated entity in relation to the matter.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(6)	41. Authorised Works 41.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(1)	42. Entry onto Land 42.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to: 42.1.1 enter and pass over any land; and 42.1.2 bring onto any land any vehicles, plant or equipment; and 42.1.3 temporarily occupy land; and	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		42.1.4 do anything else reasonably required in connection with the exercise of the power.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(4)	42. Entry onto Land 42.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s189(1)	43. Acquisition of Land 43.1 The power pursuant to Section 189(1) of the PDI Act, to: 43.1.1 seek the consent of the Minister to acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969; and 43.1.2 with the consent of the Minister, acquire land for a purpose associated with infrastructure works under and in	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		accordance with the Land Acquisition Act 1969.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(1)	44. Land Management Agreements 44.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(2)	44. Land Management Agreements 44.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s192(4)	 44. Land Management Agreements 44.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to:		
		44.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and		
		44.3.2 the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s192(5)	44. Land Management Agreements 44.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)				
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(8)	44. Land Management Agreements 44.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(9)	44. Land Management Agreements 44.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.	CEO	
Instrument of Delegation under the Planning, Development and	s192(10)	44. Land Management Agreements	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		44.7 The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(11)	44. Land Management Agreements 44.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(12)	44. Land Management Agreements 44.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(15)	44. Land Management Agreements 44.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the recission or amendment against the instrument of title, or against the land.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(16)	44. Land Management Agreements 44.11 The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s192(17)	44. Land Management Agreements 44.12 The power pursuant to Section 192(17) of the PDI Act to seek the Minister's consent to providing in an	CEO	

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

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(1)	45. Land Management Agreements – Development Applications 45.1 The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind: 45.1.1 the person; and 45.1.2 any other person who has the benefit of the development authorisation; and 45.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(2)	45. Land Management Agreements – Development Applications 45.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(3)	45. Land Management Agreements – Development Applications 45.3 The power pursuant to Section 193(3) of the PDI Act to have regard to: 45.3.1 the provisions of the Planning and Design Code; and 45.3.2 the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an	CEO	

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

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(13)	45. Land Management Agreements – Development Applications 45.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(15)	45. Land Management Agreements – Development Applications 45.8 The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		against the instrument of title, or against the land.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(16)	45. Land Management Agreements – Development Applications 45.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(1)(b)	46. Off-setting Contributions 46.1 The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and	s197(2)	46. Off-setting Contributions	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		46.2 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate: 46.2.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or 46.2.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or 46.2.3 any other initiative or policy: 46.2.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act; 46.2.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(3)	46. Off-setting Contributions 46.3 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act: 46.3.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act): 46.3.1.1 to make a contribution to a fund established as part of the scheme; or 46.3.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or 34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act, in order to provide for or address a particular matter identified by the scheme; and 46.3.2 an ability for a provision of the Planning and Design Code to apply with a	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		specified variation under the terms of the scheme; and 46.3.3 an ability for any relevant authority		
		to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(4)	46. Off-setting Contributions 46.4 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(4)(c)	46. Off-setting Contributions 46.5 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(7)	46. Off-setting Contributions 46.6.1 seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and 46.6.2 to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(1)	47. Open Space Contribution Scheme 47.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require: 47.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or	CEO	
		47.1.2 that the applicant make the contribution prescribed by the regulations		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		in accordance with the requirements of Section 198 of the PDI Act; or		
		47.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act,		
		according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(3)	47. Open Space Contribution Scheme 47.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(4)(a)	47. Open Space Contribution Scheme 47.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(11)	47. Open Space Contribution Scheme 47.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s198(12)	47. Open Space Contribution Scheme 47.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)				
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(1)	48. Urban Trees Fund 48.1 The power pursuant to Section 200(1) of the PDI Act to, 48.1.1 seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and 48.1.2 to, with the approval of the Minister establish a fund (an urban trees fund) for an area designed by the delegate (a designated area).	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(2)	48. Urban Trees Fund 48.2 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(3)	48. Urban Trees Fund 48.3 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(5)	48. Urban Trees Fund 48.4 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(6)	48. Urban Trees Fund 48.5 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund: 48.5.1 to maintain or plant trees in the designated area which are or will (when	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		fully grown) constitute significant trees under the PDI Act; or 48.5.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(7)	48. Urban Trees Fund 48.6 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s210(1)	49. Appointment of Authorised Officers49.1 The power pursuant to Section210(1) of the PDI Act to:	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		49.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and 49.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(2)	49. Appointment of Authorised Officers 49.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s210(3)	49. Appointment of Authorised Officers 49.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		49.3.1 containing a photograph of the authorised officer; and 49.3.2 stating any conditions of appointment limiting the authorised officer's appointment.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(5)	49. Appointment of Authorised Officers 49.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(1)	50. Enforcement Notices 50.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		50.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;		
		50.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;		
		50.1.3 take such urgent action as is required because of any situation resulting from the breach		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(2)	50. Enforcement Notices 50.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice	s213(5)	50. Enforcement Notices 50.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(6)	50. Enforcement Notices 50.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(7)	50. Enforcement Notices 50.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(1)	51. Applications to Court 51.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(2)	51. Applications to Court 51.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(4)	51. Applications to Court 51.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		show cause why an order should not be made under Section 214 of the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(6)	51. Applications to Court 51.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(9)	51. Applications to Court 51.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s214(10)	51. Applications to Court 51.6 The power pursuant to Section 214(10) of the PDI Act to make an	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		application to the Court to make an interim order under Section 214 of the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(11)	51. Applications to Court 51.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(12)	51. Applications to Court 51.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent	CEO	
Instrument of Delegation under the Planning, Development and	s214(13)	51. Applications to Court	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		51.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(17)	51. Applications to Court 51.10 The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s219(1)	52. Proceedings for Offences 52.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(2)	53. Adverse Publicity Orders 53.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(4)	53. Adverse Publicity Orders 53.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to: 53.2.1 take the PDI Action or actions specified in the order; and 53.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s223(5)	53. Adverse Publicity Orders	CEO	

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

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(1)	54. Civil Penalties 54.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(2)	54. Civil Penalties 54.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(3)	54. Civil Penalties 54.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(13)	54. Civil Penalties 54.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and	s225(17)	54. Civil Penalties	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		54.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s228(7)	55. Make Good Order 55.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s229(5)	56. Recovery of Economic Benefit 56.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(1)	57. Enforceable Voluntary Undertakings 57.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(4)	57. Enforceable Voluntary Undertakings 57.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s230(7)	57. Enforceable VoluntaryUndertakings57.3 The power pursuant to Section230(7) of the PDI Act to agree in writing	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		with a person who has made an undertaking to: 57.3.1 vary the undertaking; or 57.3.2 withdraw the undertaking.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(11)	57. Enforceable Voluntary Undertakings 57.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(12)	57. Enforceable Voluntary Undertakings 57.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(14)	57. Enforceable Voluntary Undertakings 57.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s231(1)	58. Advertisements 58.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding: 58.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or 58.1.2 is contrary to the character desired for a locality under the Planning and Design Code, to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s231(3)	58. Advertisements 58.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s235(1)	 59. Professional Advice to be Obtained in Relation to Certain Matters 59.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications. 	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s235(2)	59. Professional Advice to be Obtained in Relation to Certain Matters 59.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a	s239(1)	60. Charges on Land 60.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council; a Designated Authority; a Designated Entity (Instrument A)		favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s239(6)	60. Charges on Land 60.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s240(1)	61. Registering Authorities to Note Transfer 61.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions,	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl13(3)(b) sch2	62. Reporting 62.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl3(3)	63. Review of Performance 63.1 The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl3(14)	63. Review of Performance 63.2 The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl3(15)	63. Review of Performance 63.3 The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, to make submissions to the Minister in relation to the directions of the Minister.	CEO	
Instrument of Delegation under the Planning, Development and	cl3(16) sch4	63. Review of Performance	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		63.4 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl9(6)(a)	64. Planning and Design Code 64.1 The power pursuant to Clause 9(6)(a) of Schedule 8 of the PDI Act to apply to the Minister for approval to commence the process under Section 25 of the repealed Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl30(3)	65. General Schemes 65.1 The power pursuant to Clause 30(3) of Schedule 8 of the PDI Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the PDI Act in relation to a scheme.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations	r11B(1)	67. Mutual Liability Scheme – Rights of Indemnity	CEO	
2017		67.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:		
		67.1.1 in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and		
		67.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act,		
		have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		functions, powers or duties under the PDI Act in their role as a member of the panel.		
Planning, Development and Infrastructure (General) Regulations 2017	r11B(5)	67. Mutual Liability Scheme – Rights of Indemnity	CEO	
2017		67.2 The power pursuant to Regulation 11B(5) of the General Regulations to:		
		67.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and		
		67.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act,		
		have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.		
Planning, Development and Infrastructure (General) Regulations 2017	r47(4)(d)	68. Performance Assessed Development and Restricted Development 68.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r78(1)	69. Underground Main Areas 69.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	r78(2)	69. Underground Main Areas 69.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r81(4)	70. Width of Roads and Thoroughfares 70.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r81(5)	70. Width of Roads and Thoroughfares 70.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.		
Planning, Development and Infrastructure (General) Regulations 2017	r81(6)	70. Width of Roads and Thoroughfares 70.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r82(1)	71. Road Widening 71.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		regard to existing and future requirements of the area.		
Planning, Development and Infrastructure (General) Regulations 2017	r83(1)	72. Requirement as to Forming of Roads 72.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r83(2)	72. Requirement as to Forming of Roads 72.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	r83(4)	72. Requirement as to Forming of Roads 72.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r83(5)	72. Requirement as to Forming of Roads 72.4 The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r83(6)	72. Requirement as to Forming of Roads	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		72.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.		
Planning, Development and Infrastructure (General) Regulations 2017	r84(1)	73. Construction of Roads, Bridges, Drains and Services 73.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r85(1)	74. Supplementary Provisions 74.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table,	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		kerbing, culvert or drain required under Division 6 of the General Regulations.		
Planning, Development and Infrastructure (General) Regulations 2017	r85(2)	74. Supplementary Provisions 74.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r85(4)	74. Supplementary Provisions 74.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		the opinion of the Chief Executive of the South Australian Water Corporation and any other water industry entity identified under Regulation 79(1) of the General Regulations in relation to any such allotment are necessary and need to be laid under the surface of the proposed road, have been made.		
Planning, Development and Infrastructure (General) Regulations 2017	r89(1)	75. General Provisions 75.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r89(3)	 75. General Provisions 75.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which: 75.2.1 evidences the consent of the Council to an encroachment by a building over other land; and 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	r89(6)(b)	75.2.2 sets out: 75.2.2.1 the date on which any relevant building was erected (if known); and 75.2.2.2 the postal address of the site. 75. General Provisions 75.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate	CEO	
		and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.		
Planning, Development and Infrastructure (General) Regulations 2017	r89(8)	75. General Provisions75.4 The power pursuant to Regulation89(8) of the General Regulations to make submissions to the Commission before the	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Commission grants an extension of the period prescribed by Regulation 89(7).		
Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(b)	76. Notifications During Building Work 76.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(c)	76. Notifications During Building Work 76.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.		
Planning, Development and Infrastructure (General) Regulations 2017	r94(13)	77. Essential Safety Provisions 77.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if:	CEO	
		77.1.1 the essential safety provisions were installed		
		77.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or		
		77.1.1.2 as part of a performance solution under the Building Code; or		
		77.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	r102(3)	78. Classification of Buildings 78.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by: 78.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r102(4)	78. Classification of Buildings 78.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		respect of the classification applied for, possesses the attributes appropriate to its present or intended use.		
Planning, Development and Infrastructure (General) Regulations 2017	r102(5)	78. Classification of Buildings 78.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r102(6)	78. Classification of Buildings 78.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		and specify in the notice to the owner under Section 151(3) of the PDI Act:		
		78.4.1 the maximum number of persons who may occupy the building (or part of the building); and		
		78.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.		
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(1)	79. Required Documentation 79.1 The power pursuant to Regulation 103A(1) of the General Regulations to, in relation to an application for the issuing of a certificate of occupancy relating to a Class 1b to 9 (inclusive) building under the Building Code, require the following documentation:	CEO	
		79.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		require to show that the conditions have been satisfied;		
		79.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such further evidence as the delegate may reasonably require to show – 79.1.2.1 in the case of a building more than 1 storey – that the requirements of any relevant Ministerial building standard have been complied with; or 79.1.2.2 in any other case – that the building is suitable for occupation.		
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(2)	79. Required Documentation 79.2 The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 July 2022 of a certificate of occupancy relating to a Class 1a building	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		under the Building Code, to require the following documentation:		
		79.2.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,		
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(3)	79. Required Documentation 79.3 The power pursuant to Regulation 103A(3) of the General Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if —	CEO	
		79.3.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and		
		79.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.		
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103C(1)(c)	80. Statement of site suitability 80.1 The power pursuant to Regulation 103C(1)(c) of the General Regulations, in relation to a building on a site to which Schedule 8 clause 2A of the General Regulations applies and upon which remediation on the site is necessary, to not grant a certificate of occupancy until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(1)	81. Report from fire authority 81.1 The power pursuant to Regulation 103D(1) of the General Regulations, if – 81.1.1 a building is – 81.1.1.1 to be equipped with a booster assembly for use by a fire authority; or 81.1.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and 81.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(2)	81. Report from fire authority 81.2 The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is not received within 15 business days, to presume that the fire authority does not desire to make a report.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(3)	81. Report from fire authority 81.3 The power pursuant to Regulation 103D(3) of the General Regulations to have regard to any report received from a fire authority under subregulation (1) before it issues a certificate of occupancy.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103E(1)(b)	82. Issue of certificate of occupancy 82.1 The power pursuant to Regulation 103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		work will be inspected by an authorised officer.		
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103E(3)(c)	82. Issue of certificate of occupancy 82.2 The power pursuant to Regulation 103E(3)(c) of the General Regulations, in respect of a Class 1a building, to determine not to inspect the building work.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103F	83. Revocation 83.1 The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy – 83.1.1 if – 83.1.1.1 there is a change in the use of the building; or 83.1.1.2 the classification of the building changes; or 83.1.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m2 is about to	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		commence, or is being or has been carried out; or		
		83.1.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment,		
		83.1.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or		
		83.1.3 if the schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10); or		
		83.1.4 if the delegate considers –		
		83.1.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		83.1.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.		
Planning, Development and Infrastructure (General) Regulations 2017	r109(1)(b)	84. Mining Production Tenements 84.1 The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r111(2)	85. Register of Land Management Agreements (Section 193) 85.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	r111(3)	85. Register of Land Management Agreements (Section 193) 85.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r112(1)	86. Authorised Officers and Inspections 86.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act: 86.1.1 who is an accredited professional who is: 86.1.1.1 an Accredited professional - building level 1; or	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		86.1.1.2 an Accredited professional - building level 2; or 86.1.1.3 an Accredited professional		
		building level 3; or86.1.1.4 an Accredited professionalbuilding level 4; or		
		86.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or		
		86.1.3 who holds an approval from the Chief Executive.		
Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017	r8(1)(c)	66. Adoption of DPAs 66.1 The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.		
Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	87. Calculation of Assessment of Fees 87.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):	CEO	
		87.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and		
		87.1.2 to make any other determination for the purposes of the Fees Regulations		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		or a related set of regulations (even if the Council is not a relevant authority).		
Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	87. Calculation of Assessment of Fees 87.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.	CEO	
Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(3)	87. Calculation or Assessment of Fees 87.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	88. Waiver or Refund of Fee 88.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so: 88.1.1 waive the payment of the fee, or the payment of part of the fee; or 88.1.2 refund the whole or a part of the fee.	CEO	
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl5(1)	89. Requirements in Relation to Preparing an Engagement Plan 89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare an engagement plan that: 89.1.1 meets the principles and performance outcomes of the Charter; 89.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		89.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act		
		89.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;		
		89.1.2.3 who must be consulted with under the Charter;		
		89.1.3 outlines any relevant previous engagement undertaken to inform the proposal;		
		89.1.4 describes the evaluation framework for the engagement.		
State Planning Commission Practice Direction - 2 Preparation and	cl5(2)	89. Requirements in Relation to Preparing an Engagement Plan	CEO	
Amendment of Designated Instruments		89.2 The power pursuant to clause 5(2) of PD2 to submit all engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan to the Commission for		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		approval prior to commencement of formal engagement on the proposal.		
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(1)	90. Preparation of an Engagement Report (Following Consultation) 90.1 The power pursuant to clause 6(1) of PD2, at the completion of engagement on a draft of a proposal to prepare or amend a designated instrument to provide an engagement report to the Minister.	CEO	
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(2)	90. Preparation of an Engagement Report (Following Consultation) 90.1 The power pursuant to clause 6(2) of PD2 to set out in an engagement report: 90.1.1 details of the engagement undertaken and how that engagement met the engagement plan, and reasons for variations, if any to the engagement plan; 90.1.2 the outcome of the engagement including a summary of the written submission or feedback made;	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		90.1.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes which specifically indicates:		
		90.1.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and		
		90.1.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.		
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(1)	91. Initiating a Code Amendment 91.1 The power pursuant to clauses 7(1) and (2) of PD2 to lodge a Proposal to initiate with the Department via the SA Planning Portal that sets out: 91.1.1 Code Policy – an outline of:	CEO	
		91.1.1.1 any overlay, general development policy, zone, subzone or technical or		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		numeric variation in the Code being proposed for amendment; and/or		
		91.1.1.2 the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;		
		91.1.2 Affected Area		
		91.1.2.1 a map or description of the Affected Area;		
		91.1.3 State Planning Policies		
		91.1.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies;		
		91.1.4 Regional Plan		
		91.1.4.1 Identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by		
		the proposed Code Amendment will relate to the relevant regional plan;		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		91.1.5 Consultation -		
		91.1.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment;		
		91.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;		
		91.1.6 Investigations -		
		91.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment		
		91.1.6.2 an outline of the further investigations that will be undertaken to support the proposed Code Amendment;		
		91.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided;		
		91.1.6.4 details of any infrastructure agreement (or agreements) or		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		infrastructure scheme which will need to be established or		
		entered into in connection with the proposed Code Amendment		
		91.1.7 Timetable		
		91.1.7.1 identification of a consultation start date;		
		91.1.7.2 an outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is		
		completed within reasonable time limits), and a commitment from the Proponent (where it is also the Designated Entity) that it will take steps to update the timetable and seek approval from the Department if it appears that timeframes will not be met.		
State Planning Commission Practice Direction - 2 Preparation and	cl7(1) and (3)	91. Initiating a Code Amendment	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Amendment of Designated Instruments		91.2 The power pursuant to clauses 7(1) and (3) of PD2 to lodge the SA Planning Portal Publication Instructions – for Initiation that sets out:		
		91.2.1 identification of a consultation start date, consistent with the Proposal to Initiate timetable;		
		91.2.2 an outline of the consultation approach including period of consultation, key audience and consultation methods (noting the Commission may also recommend specific conditions); and		
		91.2.3 a summary of the Code Amendment in plain English.		
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(4)	91.3 Initiating a Code Amendment The power pursuant to clause 7(4) of PD2, in addition to a Code Amendment which is intended to designate a place as a place of local heritage value, to provide a report which:	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		91.3.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes:		
		91.3.1.1 all relevant property details and descriptions (including images);		
		91.3.1.2 historical background and thematic analysis;		
		91.3.1.3 a statement of heritage value;		
		91.3.1.4 an assessment against the Local Heritage Criteria; and		
		91.3.1.5 the extent of listing (including any exclusions);		
		91.3.2 includes an analysis of historic themes of importance to the area;		
		91.3.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and		
		91.3.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl 7(5)	91. Initiating a Code Amendment 91.4 The power pursuant to clause 7(5) of PD2 in relation to a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), to provide a report which:	CEO	
		91.4.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary)		
		91.4.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;		
		91.4.3 is prepared by an urban planner, arborist or person with		
		qualifications, skills or experience relevant to the assessment in the report.		
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(1)	92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation) 92.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to:	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		92.1.1 carry out investigations and obtain such information:		
		92.1.1.1 as provided in the Proposal to Initiate approved by the Minister;		
		92.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and		
		92.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;		
		92.1.2 provide the Department with:		
		92.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and		
		92.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment;		
		92.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction;		
		92.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and		
		92.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(2)	92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation) 92.2 The power pursuant to clause 8(2) of PD2, where an engagement plan is amended during any period of consultation or at any time prior to finalisation of the engagement report under the Practice Directions, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal	CEO	
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl9(1)	93. Requirements For a Draft Code Amendment 93.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information: 93.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment)	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		93.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;		
		93.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Policies, the Regional Plan and any other relevant strategic plans;		
		93.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and		
		93.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.		
State Planning Commission Practice Direction - 2 Preparation and	cl11(1)	94. Complying Changes to the Code	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Amendment of Designated Instruments		94.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change to the Code under Section 75 of the PDI Act, to provide the following information to the Department:		
		94.1.1 description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code		
		Amendment;		
		94.1.2 a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan, including a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment;		
		94.1.3 written instructions (in a form acceptable to the Department) that set out		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and		
		94.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment		
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl12(1)	95. Early Commencement of a Code Amendment 95.1 The power pursuant to clause 12(1) of PD2, in relation to a request for early commencement of a Code Amendment under Section 78 of the PDI Act to provide to the Department:	CEO	
		95.1.1 explanation, justification and evidence as necessary to demonstrate		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		how early commencement of the Code Amendment is:		
		95.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and		
		95.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;		
		95.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and		
		95.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		which is suitable for inclusion in the draft Code Amendment		
State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(3)	90. Preparation of an Engagement Report (Following Consultation) 90.3 The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether: 90.3.1 the principles of the Charter have been achieved; and 90.3.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).	CEO	
State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl6(3)(b)	96. Responsibility to Undertake Notification 96.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act.		
State Planning Commission Practice Direction (Council Inspections) 2020	cl2(2)	97. Mandatory Inspections 97.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection: 97.1.1 primary structural elements; 97.1.2 structural framing and roof trusses; 97.1.3 wet areas and waterproofing; 97.1.4 barriers to prevent falls; 97.1.5 cladding;	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		97.1.6 egress provisions;		
		97.1.7 bushfire protection systems;		
		97.1.8 passive and active fire safety elements;		
		97.1.9 private bushfire shelters; and		
		97.1.10 performance solutions.		
State Planning Commission Practice Direction (Council Inspections) 2020	cl3(2)	98. Additional Inspections 98.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.	CEO	
State Planning Commission Practice Direction (Council Inspections) 2020	cl4(3)	99. Inspections Generally 99.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Regulations to consider if an additional inspection may be appropriate.		
State Planning Commission Practice Direction (Council Inspections) 2020	cl1(2)	100. General Requirements 100.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.	CEO	
State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020	cl5(2)	101. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building 101.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to,	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		agree to partial occupancy of a partially completed multistorey building.		
Urban Tree Canopy Off-set Scheme	cl 9	83. Use of Money from Fund 83.1 The power pursuant to clause 9 of the Urban Tree Canopy Off-set Scheme (UTCOS) to use money distributed from the fund for any of the following purposes (and for no other purpose): 83.1.1 to provide for the planting,	ND	
		establishment and maintenance of trees within reserves or public land anywhere within a		
		designated local government area; or 83.1.2 the purchase of land within a designated local government area to ensure:		
		83.1.2.1 the preservation of trees; or		
		83.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.		

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WATTLE RANGE COUNCIL

INSTRUMENT B – INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A RELEVANT AUTHORITY

Delegation Sources

- Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);
- Planning, Development and Infrastructure (General) Regulations 2017
- Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s7(5)(a)	1. Environment and Food Production Areas – Greater Adelaide 1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.	ND	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s7(5)(d)	1. Environment and Food Production Areas – Greater Adelaide 1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant	ND	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		development authorisation in relation to the proposed development.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s99(2)(b)(ii)	2. Related Provisions 2.1 The power pursuant to Section 99(2)(b)(ii) of the PDI Act to, if appropriate, grant development approval in the case of Section 99(1)(d) of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s99(3)	2. Related Provisions 2.2 The power pursuant to Section 99(3) of the PDI Act where a proposed development is to be undertaken within the area of the Council, to, subject to the regulations, if appropriate, grant the final development approval after all elements of the development have been approved by one or more relevant authorities under Section 99 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s102(1)	Matters Against Which Development Must be Assessed	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		3.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against and grant or refuse a consent in respect of the relevant provisions of the Building Rules (building consent).		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s102(8)	3. Matters Against Which Development Must be Assessed 3.2 The power pursuant to Section 102(8) of the PDI Act, when all relevant consents have been granted in relation to a development, to in accordance with the PDI Act, indicate that the development is approved.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(1)	4. Building Consent 4.1 The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(2)(a)	4. Building Consent 4.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(2)	 4. Building Consent 4.3 The power pursuant to Section 118(2) of the PDI Act, subject to Section 118(6) of the PDI Act, to grant a building consent to a development that is at variance with the Building Rules if: 4.3.1 the variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard and the delegate determines that it is appropriate to grant the consent despite the variance on the basis that the delegate is satisfied: 4.3.1.1 that: 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		(a) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and (b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or 4.3.1.2 in a case where the consent is being sought after the development has occurred that the variances of the particular case.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a	s118(4)	 4. Building Consent 4.4 The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council as a Relevant Authority (Instrument B);		building work to the Commission for an opinion on whether or not it complies with the performance requirements of the Building Code or a Ministerial building standard.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(6)	4. Building Consent 4.5 The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a	s118(7)	4. Building Consent 4.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council as a Relevant Authority (Instrument B);		the performance requirements of the Building Code or a Ministerial building standard.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(8)	 Building Consent The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that: such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or such compliance is certified by a building certifier. 	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(10)	4. Building Consent 4.8 The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		conform with the requirements of the Building Rules for a building of that classification		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(11)	 4. Building Consent 4.9 The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document): 4.9.1 the variance; and 4.9.2 the grounds on which the decision is being made. 	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a	s119(1)(b)	5. Application and Provision of Information 5.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council as a Relevant Authority (Instrument B);		any information as the delegate may reasonably require.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(3)	5. Application and Provision of Information 5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant: 5.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application; 5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act; 5.2.3 to consult with an authority or body prescribed by the regulations; 5.2.4 to comply with any other requirement prescribed by the regulations.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s119(6)(b)	5. Application and Provision of Information	CEO	

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

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		5.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	 5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations; 	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and	s119(9)	5. Application and Provision of Information	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(10)	5. Application and Provision of Information 5.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(12)	5. Application and Provision of Information 5.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(14)	 5. Application and Provision of Information 5.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee. 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s120(1)	6. Outline Consent 6.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s120(3)	 6. Outline Consent 6.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to: 6.2.1 grant any consent contemplated by the outline consent; and 6.2.2 not impose a requirement that is inconsistent with the outline consent. 	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s122(1)	7. Referrals to Other Authorities or Agencies	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		7.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:		
		7.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and		
		7.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made where the regulations so provide, subject to Section 122 of the PDI Act.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a	s122(5)(b)	 7. Referrals to Other Authorities or Agencies 7.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body: 7.2.1 to refuse the application; or 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council as a Relevant Authority (Instrument B);		7.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body) where the regulations so provide.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s122(7)	7. Referrals to Other Authorities or Agencies 7.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and	s122(10)	 7. Referrals to Other Authorities or Agencies 7.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s124(1)	8. Proposed Development Involving Creation of Fortifications 8.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s124(5)	8. Proposed Development Involving Creation of Fortifications 8.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to: 8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application;	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		8.2.2 in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortification.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s124(6)	8. Proposed Development Involving Creation of Fortifications 8.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a	s124(7)	 8. Proposed Development Involving Creation of Fortifications 8.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is 	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Council as a Relevant Authority (Instrument B);		the subject of an appeal under the PDI Act, to apply to the Court to be joined as a party to the appeal.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s126(1)	9. Determination of Application 9.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s126(3)	9. Determination of Application 9.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s127(1)	10. Conditions 10.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s127(2)(c)	10. Conditions 10.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s128(1) and (2)	11. Variation of Authorisation 11.1 The power pursuant to Sections 128(1) and (2) of the PDI Act to determine an application seeking the variation of a development authorisation previously given under the PDI Act (including an application seeking the variation of a condition imposed	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		with respect to the development authorisation).		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s128(2)(d)	11. Variation of Authorisation 11.2 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s133(3)	12. Saving Provisions 12.1 The power pursuant to Section 133(3) of the PDI Act to, in order to avoid or reduce hardship, extend the limitation period referred to in Section 133(2) of the PDI Act.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and	s134(1)	13. Requirement to Up-grade13.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		building is unsafe, structurally unsound or in an unhealthy condition.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(1)	13. Requirement to Up-grade 13.2 The power pursuant to Section 134(1) of the PDI Act, if: 13.2.1.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or 13.2.1.2 a change of classification of a building; and 13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition, to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s134(2)	13. Requirement to Up-grade13.3 The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement	CEO	
Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(3)	13. Requirement to Up-grade 13.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act: 13.4.1 subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and	CEO	
		13.4.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		period after the building work to which the application for consent relates is completed		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(4)	 13. Requirement to Up-grade 13.5 The power pursuant to Section 134(4) of the PDI Act if: 13.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and 	CEO	
		13.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities,		
		to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Code or the Ministerial building standard (as the case may be).		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(5)	13. Requirement to Up-grade 13.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act: 13.6.1 subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and 13.6.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and	s135(2)(d)	14. Urgent Building Work14.1 The power pursuant to Section135(2)(d) of the PDI Act to issue any direction.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);				
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s143(1)	15. Cancellation of Development Authorisation 15.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s143(2)	15. Cancellation of Development Authorisation 15.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.	CEO	
Instrument of Delegation under the Planning, Development and	s235(1)	16. Professional Advice to be Obtained in Relation to Certain Matters	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		16.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.		
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s235(2)	16. Professional Advice to be Obtained in Relation to Certain Matters 16.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.	CEO	
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	cl18(2) sch8	17. Continuation of Processes 17.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to: 17.1.1 adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		which Clause 18(1) of Schedule 8 of the PDI Act applies; and		
		17.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and		
		17.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and		
		17.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and		
		17.1.5 take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	r25(7)(c)	18. Accredited Professionals 18.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations,	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.1 determine the nature of the development; and		
Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.2 if the application is for planning consent - determine: 19.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		19.1.2.2 the category or categories of development that apply for the purposes of development assessment; and		
Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:		
		19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):		
		19.1.4.1 check that the appropriate documents and information have been lodged with the application; and		
		19.1.4.2 confirm the prescribed fees required to be paid at that point; and		
		19.1.4.3 provide an appropriate notice via the SA planning portal; and		
Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations,	CEO	
		to, in order to ensure that an application has		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		been correctly lodged and can be assessed in accordance with the PDI Act:		
		19.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):		
		19.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and 19.1.5.2 provide an appropriate notice via the SA planning portal.		
Planning, Development and Infrastructure (General) Regulations 2017	r35(3)	20. Amended Applications 20.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		repeat an action otherwise required under Division 2 or Division 3.		
Planning, Development and Infrastructure (General) Regulations 2017	r35(4)	20. Amended Applications 20.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r38(1)	21. Withdrawing/Lapsing Applications 21.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify: 21.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		21.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.		
Planning, Development and Infrastructure (General) Regulations 2017	r38(2)	21. Withdrawing/Lapsing Applications 21.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r38(3)	21. Withdrawing/Lapsing Applications 21.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations to: 21.3.1 take reasonable steps to notify the applicant of the action under consideration; and	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		21.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.		
Planning, Development and Infrastructure (General) Regulations 2017	r40	22. Court Proceedings 22.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r42(1)	23. Additional Information or Amended Plans 23.1 The power pursuant to Regulation 42(1) of the General Regulations if the relevant authority has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		the referral, or to any report obtained as part of the referral process, to repeat the referral process.		
Planning, Development and Infrastructure (General) Regulations 2017	r45(1)	24. Building Matters 24.1 The power pursuant to Regulation 45(1) of the General Regulations to, if, in assessing an application for building consent, the delegate considers that:	CEO	
		24.1.1 a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or		
		24.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or		
		24.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,		

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the relevant authority that a referral is not required.		
Planning, Development and Infrastructure (General) Regulations 2017	r45(2)	24. Building Matters 24.2 The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r45(3)	24. Building Matters 24.3 The power pursuant to Regulation 45(3) of the General Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	r45(4)	24.4 The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority: 24.4.1 recommends against the granting of building consent; or 24.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate: 24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or 24.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent,	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		24.4.5 refer the application to the Commission; and 24.4.6 not grant consent unless the Commission concurs in the granting of the consent.		
Planning, Development and Infrastructure (General) Regulations 2017	r45(5)	24. Building Matters 24.5 The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r57(4)(a)	25. Notice of Decision (Section 126(1)) 25.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	r60	26. Consideration of Other Development Authorisations 26.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r61(4)(c)	27. Certificate of Independent Technical Expert in Certain Cases 27.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		person to act as a technical expert under this regulation.		
Planning, Development and Infrastructure (General) Regulations 2017	r63(1)	28. Urgent Work 28.1 The power pursuant to Regulation 63(1) of the General Regulations to, 28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and 28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r63(2)	28. Urgent Work 28.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r63(3)	28. Urgent Work28.3 The power pursuant to Regulation63(3) of the General Regulations to, for the	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		purposes of Section 135(2)(c) of the PDI Act, allow a longer period.		
Planning, Development and Infrastructure (General) Regulations 2017	r65(1)(a)	29. Variation of Authorisation (Section 128) 29.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	r99(4)	30. Construction Industry Training Fund 30.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the building rules the delegate is yet to be satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or is not payable, to notify the	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.		
Planning, Development and Infrastructure (General) Regulations 2017	r99(5)	30. Construction Industry Training Fund 30.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification has been given under Regulation 99(4) of the General Regulations and if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification to, if the delegate thinks fit, determine that the application has lapsed.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	cl4(3) sch8	31. Plans for Building Work 31.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building if: 31.1.1 the applicant is applying for a change in the classification of the building to a	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		classification other than Class 10 under the Building Code; or		
		31.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building,		
		to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.		
Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	32. Calculation or Assessment of Fees 32.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		relation to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal):		
		32.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and		
		32.1.2 to make any other determination for the purposes of the Fees Regulations a related set of regulations or a fee notice (even if the Council is not a relevant authority)		
Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	32. Calculation or Assessment of Fees 32.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	5(3)	32. Calculation or Assessment of Fees 32.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.	CEO	
Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	 33. Waiver or Refund of Fee 33.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so: 33.1.1 waive the payment of the fee, or the payment of part of the fee; or 33.1.2 refund the whole or a part of the fee. 	CEO	

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WATTLE RANGE COUNCIL

INSTRUMENT A - INSTRUMENT OF DELEGATION UNDER
THE PLANNING, DEVELOPMENT AND
INFRASTRUCTURE ACT 2016, REGULATIONS,
PLANNING & DESIGN CODE AND PRACTICE
DIRECTIONS OF POWERS OF A COUNCIL AS A
COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED
ENTITY

CHANGED Provisions

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning, Development and Infrastructure (General) Regulations 2017	r85(4)	7374. Supplementary Provisions 74.3The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation and any other water industry entity identified under Regulation 79(1) of the General Regulations in relation to any such allotment are necessary and need to be laid under the surface of the proposed road, have been made.	CEO	
Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(3)	6479.Required Documentation 64 79.3The power pursuant to Regulation 103A(3) of the General Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 412JanuaryMarch20242018, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if — 64 79.3.1the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and 64 79.3.2it appears to the delegate, after undertaking an inspection, that the relevant building is	CEO	

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Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		suitable for occupation.		

WATTLE RANGE COUNCIL

INSTRUMENT B – INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A RELEVANT AUTHORITY

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s128(1) and (2)	11. Variation of Authorisation 11.1The power pursuant to Sections 128(1) and (2) of the PDI Act to determine an application seeking the variation of a development authorisation previously given under the PDI Act (including an application seeking the variation of a condition imposed with respect to the development authorisation).		

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RECOMMENDATIONS FROM 13 JUNE 2023 COUNCIL MEETING FOR REVOCATION BY COUNCIL PURSUANT TO REGULATION 21 OF THE LOCAL GOVERNMENT (PROCEDURES AT MEETINGS) REGULATIONS 2013

Delegation of powers of an Assessment Panel as a Relevant Authority under the *Planning, Development and Infrastructure Act 2016*

- 5. In exercise of the power contained in Section 100 of the *Planning*, *Development and Infrastructure Act 2016*, the powers and functions under the *Planning*, *Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 13 June 2023 and marked Attachment 3) are hereby delegated this 13 June 2023 to the person occupying or acting in the office of Chief Executive of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 6. Such powers and functions may be further delegated by the Chief Executive Officer of the Council in accordance with Section 100(2)(c) of the *Planning*, *Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Delegation of powers of an Assessment Manager as a Relevant Authority under the *Planning, Development and Infrastructure Act 2016*

- 7. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016*, the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 13 June 2023 and marked Attachment 4) are hereby delegated this 13 June 2023 to the person occupying or acting in the office of Chief Executive of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 8. Such powers and functions may be further delegated by the Chief Executive Officer of the Council in accordance with Section 100(2((c) of the *Planning Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

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 4 - Organisational Excellence 4.2 Govern in a responsible and responsive way.
File Reference	GF/7.73.1/4
Attachments	1. Datascape August - 2023 [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 August 2023 shows that Council is currently within its approved 2023/24 budget based on current expenditure and income trends.

The 2023/24 Financial Performance Report provides a snapshot of Council's financial performance for the period to 31 August 2023. The report includes the year-to-date actual expenditure and income for both operating and capital comparative to the adopted 2023/24 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 two months of the 2023/24 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 \$10.77M of which \$2.53M has been spent and/or committed for expenditure.

Balance Sheet

Council did not budget to borrow any funds in 2023/24. Repayment of existing loans is scheduled for various times throughout 2023/24. Council's current loan principal is \$3.128M.

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 2023/24 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 2023/24 August Financial Performance Report.



WATTLE RANGE COUNCIL 2023/24 MONTHLY BUDGET REPORT AS AT 31-August-2023

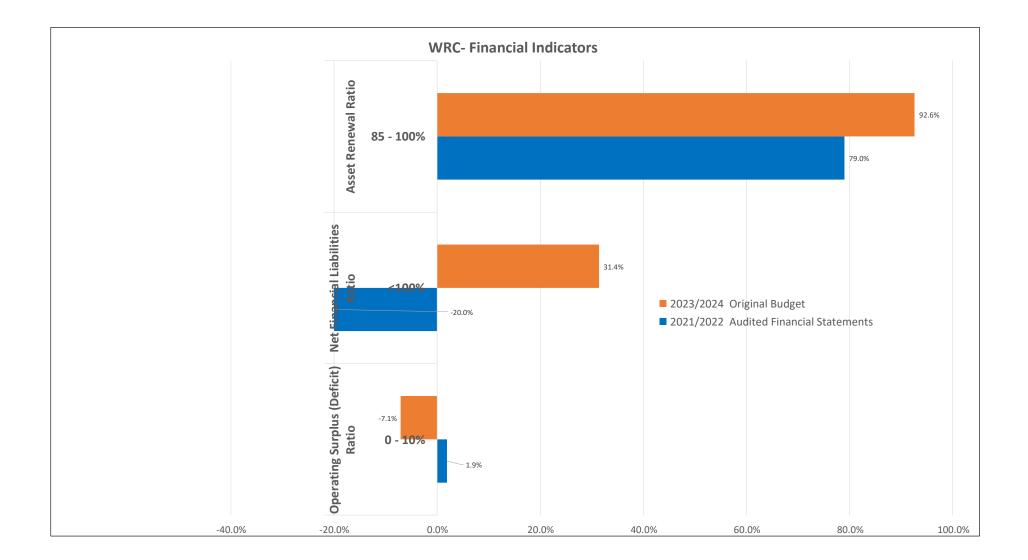
		OPERATING ACTIVIT	TES				
			YTD	YTD	YTD	YTD	
nnual Plan Budget			2023/24	2023/24	2023/24	2023/24	
2023/24 \$'000			BUDGET \$'000	ACTUAL \$'000	VARIANCE \$'000	VARIANCE %	
		OPERATING INCOME			C=A-B		NOT
22,162		Rates	22,162	22,136	26	(0.12%)	
358		Statutory Charges	170	82	88	(51.8%)	1
2,883		User Charges	481	385	96	(19.9%)	1 &
5,886		Grants Subsidies and Contributions	981	-	981	(100.0%)	1 &
195		Investment Income	32	40	(7)	21.6%	2
32		Reimbursements	5	7	(1)	25.6%	1
151		Other	25	12	14	(54.0%)	_ 1
31,667		Total Operating Income	23,856	22,660	1,196	(5.0%)	=
		OPERATING EXPENSES					
13,397		Wages and Salaries	2,134	1,988	146	(6.8%)	1 &
13,250		Materials, contracts & other expenses	1,863	1,568	295	(15.8%)	1
255		Finance Costs	12	(4)	16	(137.0%)	3
7,028		Depreciation, amortisation & impairment	1,171	=	1,171	(100.0%)	_ 4
33,930		Total Operating Expenses	5,180	3,551	1,628	(31.4%)	=
		OPERATING SURPLUS/(DEFICIT)					
(2,263)	Α	BEFORE CAPITAL AMOUNTS	18,676	19,109	(432)	(2.3%)	_ =
		CAPITAL ACTIVITIES					
		Net Outlays in Existing Assets					
6,425		Capital Expenditure on renewal and replacement of Existing Assets	1,071	223	847	(79.1%)	1
(7,028)		Depreciation, Amortisation and Impairment	(1,171)	223	(1,171)	(100.0%)	4
(385)		Proceeds from Sale of Replaced Assets	(64)	-	(64)	(100.0%)	1
(988)	В	,,	(165)	223	(388)	(235.7%)	- ⁻
		Net Outlays on New and Upgraded Assets					
4,349		Capital Expenditure on New and Upgraded Assets	725	618	107	(14.8%)	1
-		Amounts received specifically for New and Upgraded Assets	-	=	-		
-		Proceeds from Sale of Surplus Assets		=	-	-	_
4,349	С		725	618	107	(14.8%)	=
(5,624)		Net Lending / (Borrowing) for Financial Year (A-B-C)	18,116	18,268	(152)	(0.8%)	_



WATTLE RANGE COUNCIL 2023/24 MONTHLY BUDGET REPORT AS AT 31-August-2023

NOTES

#	Description	Status	Action Required
1	Some timing issues between forecasted budget and actuals.		No Action Required
2	Higher investment income received than anticipated due to higher interest rates.		Adjust Budget at BR1
3	Accrued interest posted at the end of the year will correct the balance of amount paid.		Year end process
4	Depreciation for July & August to be allocated when the Financial Statements have been signed off by Council's Auditors.		Year end process
5	Wages tracking under budget due to various staff vacancies.		No Action Required
6	YTD budget includes Income for Southern Ocean Tourist Park that has not yet been accrued/received, delays in getting the figures were due to changes in the management of the park, income to be posted when reports are received.		No Action Required
7	Federal assisted grants were prepaid in June 2023.		Adjust Budget at BR1



15.2.2 2023/24 Fees & Charges Schedule Update

Report Type	Officer Report
Department	Corporate Services
Author	Paul Duka
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 4 - Organisational Excellence 4.2 Govern in a responsible and responsive way.
File Reference	GF/7.11.3
Attachments	Nil

Purpose of Report

To consider a review of the 2023/24 Fees & Charges Schedule.

Report Details

At the special Council meeting held 13 July 2023 Council endorsed the 2023/24 Fees and Charges Schedule. Post adoption it was noted that there are some omissions to the fees and charges that require inclusion, including:

- Mobile food vending fees
- Conducting a business on Council land (not road reserves) annual and monthly fee

By way of background, prior to the changes to the the *Local Government Act 1999* (The Act) adopted in November 2022 mobile food vending fees were set under the Act at \$2,000 per annum and \$200 per month. Following the withdrawal of the fees from The Act Council withdrew the fees from its fees and charges, however applications can still be made for mobile food vendor operations, hence the need to reinstate the fees.

Whilst demand has not been high for these mobile food vendor permits the previous pricing was a deterrent to application for some. In addition, the other common complaint from applicants was the inflexibility of not offering a daily fee, as many were interested in setting up for a weekend or a day but not too many were interested in longer term. To consider these concerns, management have reviewed the fees including a review of neighbouring Councils and recommend the following fees be endorsed for operation:

Mobile Food Vendor Fee (Annual)	\$1,500
Mobile Food Vendor Fee (Monthly)	\$150
Mobile Food Vendor Fee (Daily)	\$50

In addition, to the above change in recent times Council has received requests from the public in respect to obtaining a permit for the purposes of conducting a business on Council land (that are not road reserves) all year round.

To enable these enquiries to progress, management is recommending that an annual fee and monthly fee be included in the fees and charges. In respect to the annual fee, it is recommended for consistency that this be set equivalent to the current fee for the Mt Graham Tower which is \$750 per annum. In addition, to allow for some flexibility and promotion of operation of seasonal businesses that a monthly fee of \$75 be added.

Financial Considerations

Budget Allocation TBA
Budget Spent to Date TBA
Budget Variation Requested TBA

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

The Local Government Act 1999 (SA)

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. Adopt the 2023/24 fees and charges schedule with the inclusion of the following fees:

Mobile Food Vendor Fee (Annual)	\$1,500
Mobile Food Vendor Fee (Monthly)	\$150
Mobile Food Vendor Fee (Daily)	\$50
Conducting a business on Council Land (not road reserve) (Annual)	\$750
Conducting a business on Council Land (not road reserve) (Monthly)	\$75

15.2.3 2023/24 Community Grants Program - Round 1

Report Type	Officer Report						
Department	Corporate Services						
Author	Diana McDonald						
Disclosure of Interest	Emma Clay has declared a Conflict of Interest in this matter under consideration. The reason for the Conflict is she is the Team Manager of the Millicent Football Netball Club Inc. She will stay in the room during discussions as she will not be involved in making any decision on the outcome.						
Current Risk Rating	Low						
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/7.41.3/3 & GF/7.41.3/2						
Attachments	 Financial Assistance Guidelines 2023/2024 [15.2.3.1 - 4 pages] FAG Grant Assessment Round 1 - 010923 [15.2.3.2 - 2 pages] 						

Purpose of Report

To review and award the Round 1 Community Grants Program.

Report Details

Council allocates \$55,000 per financial year to its Financial Assistance Grants programs for distribution in two separate grant funding Rounds. Grants of up \$2,000 are awarded on a dollar-for-dollar basis unless special circumstances apply.

Grants are offered in two (2) separate funding categories as follows: -

Community Financial Assistance Grants

A total of \$30,000 is available for allocation to eligible Community groups and organisations to foster and assist in the development of a broad range of community-based services and events within the Wattle Range Council area.

Community Sport & Recreation Assistance Grants

A total of \$25,000 is available for allocation to eligible Sport & Recreation groups and organisations to foster and assist in the development of sport and recreational infrastructure, services and events within the Wattle Range Council area.

Prior to the release of the Grant program, a review was undertaken of the Guidelines and Application Form, resulting in no changes to the guidelines. A copy of the Guidelines is attached for your reference.

Round 1 grant applications opened on 17 July 2023 and closed on 14 August 2023. The grants scheme was advertised in the local print media and on Council's Facebook and website. At the close of the advertising period Council received a total of 7 applications.

An extensive assessment has been undertaken against the Financial Assistance Grants Guidelines and it is recommended that 7 applications be awarded grants to assist their respective community organisations/sport and recreation groups with projects and/or events.

Community Financial Assistance Grant Program

A total of \$30,000 is offered annually through the Community Financial Assistance Grant Program for eligible community groups to assist in the development of a broad range of projects and events in the Wattle Range Council area. An allocation of \$15,000 is offered for Round 1 applications.

The types of projects that are considered eligible under the program guidelines are as follows:

- Community projects, community initiatives and/or the maintenance and improvement of existing human service activities.
- Projects which encourage the development of self-help activities particularly those which represent new approaches to meeting community needs.
- Projects which are concerned with increasing the community usage of local facilities.
 Funding for renovation, repair, equipment or programme development may be considered.
- Once off projects which encourage people towards active participation in community services and activities.
- Projects indicating evidence of general community benefit and promotion of the Council area.
- Support to special events (including major events) which create community and/or economic benefits for the Council area.

2 applications were received from community groups for financial assistance to the value of \$2,445.48 towards community projects and events valued at \$8,590.96. A detailed assessment against the Grant Program Guidelines was undertaken and resulted in 2 community groups being recommended for grants totalling \$2,445.48 (refer attached assessment summary and guidelines).

Community Sport and Recreation Grant Program

A total of \$25,000 is offered annually through the Community Sport and Recreation Grant Program for sporting and recreational groups to assist with the development of sport and recreation projects and events in the Wattle Range Council area. An allocation of \$12,500 is available for Round 1 applications.

The types of projects that are considered eligible under the program guidelines are as follows:

- The purchase of furniture, tools or equipment aimed at improving the quality or range of activities or level of use of the facilities.
- The renovation, overhaul or repair of existing equipment, buildings or facilities to extend the life or usability of the overall facilities to the community.
- In respect of projects involving buildings or infrastructure, preference will be given to applications which aim to renovate, overhaul or repair existing buildings or facilities, rather than the construction of new or additional facilities, consistent with Council's Community Plan pertaining to infrastructure.
- Support for the hosting of special sporting or recreation events (including major events) which create community and/or economic benefits for the council area.
- Projects which are aimed at increasing the community usage of specific sport or recreation facilities.

5 applications were received from sport and recreation groups for financial assistance to the value of \$8,108.74 towards sport and recreation projects and events valued at \$28,426.98. A detailed assessment against the Grant Program Guidelines was undertaken and resulted in 5 sport and recreation groups being recommended for grants totalling \$8,108.74 (refer attached assessment summary and guidelines).

All Grants, in both programs, have been awarded on the basis of the grant being at least 50% of the total project/event cost and does not exceed the maximum \$2,000 limit per application.

Financial Considerations

Budget Allocation \$55,000 (\$30,000 Community; \$25,000 Sport & Recreation)

Budget Spent to Date \$0 Budget Variation Requested Nil

Risk Considerations

Low risk has been identified and will be assessed at an operational level.

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 grants program was advertised in the local print media and advertised on Council's website and Facebook sites. The advertisement period was from the 17 July 2023 and closed on 14 August 2023.

Once the grants are awarded a media release will be issued acknowledging who was successful in obtaining the Community Financial Assistance Grant and Community Sport and Recreation Grants. Link to Council's website <u>Financial Assistance Grants | Wattle Range Council</u>

RECOMMENDATION

That Council:

1. Award, Community Financial Assistance Grants to the value of \$2,445.48 to the following 2 Community groups:

Glencoe Public Hall	\$2,000.00
Mount Burr Trails Incorporated	\$445.48

2. Award, Community Sport and Recreation Grants to the value of \$8,108.74 to the following 5 Sport and Recreation groups:

Mount Burr United Cricket Club	\$2,000.00
Penola Football Club	\$1,691.25
Millicent Baseball Club	\$1,447.50
Millicent Football Netball Club Inc	\$ 969.99
Tantanoola Netball Club	\$2,000.00



ABOUT THE FINANCIAL ASSISTANCE GRANTS

Wattle Range Council is committed to...

'Promoting and supporting the establishment of strong, sustainable clubs and volunteer organisations throughout the Wattle Range area.'



Through the Council's Financial Assistance Grants program we are looking to fund projects and/or purchases that help us to achieve our strategic plan, with a primary focus on creating...



'Community vibrancy, through advocacy and maintenance of community services and enhanced public facilities'

WHAT FUNDING OPTIONS ARE THERE?

Council allocates approximately \$55,000* per financial year to its Financial Assistance Grants programs for distribution in two separate grant funding rounds.

Grants of up to \$2,000 are awarded on a dollar for dollar basis unless special circumstances apply.

Grants are offered in two (2) separate funding categories:

Community Financial Assistance Grants

A total of \$30,000 is available for allocation to eligible Community groups and organisations to foster and assist in the development of a broad range of community based services and events within the Wattle Range Council area.

Sport & Recreation Financial Assistance Grants

A total of \$25,000 is available for allocation to eligible Sport & Recreation groups and organisations to foster and assist in the development of sport and recreational infrastructure, services and events within the Wattle Range Council area.

Each of the two (2) grant funding rounds will operate as follows:

ROUND 1 ROUND 2

Applications open July December **Applications close** August **January** Outcomes advised September February

Applications will not be considered outside of the respective grant funding round periods.

Refer to Council's Financial Assistance Grants Application Form for specific dates.

WATTLE RANGE COUNCIL | Financial Assistance Grants Guidelines

^{*}Financial year funding is subject to Council budget. All grants are subject to availability of funds and eligibility requirements.



AM I ELIGIBLE TO APPLY?

COMMUNITY

SPORT & RECREATION

 \bigcirc



Voluntary association



Unincorporated bodies/groups with a community focus

Not-for-profit incorporated group, organisation or club





Individuals

X



Profit making organisations including commercial entities, businesses and sole traders





Organisations with outstanding debts such as rates, fees or charges to the Council





Organisations that do not provide a satisfactorily completed evaluation/accquital form for any previous funding recieved from Council





Organisations that DO NOT have an ABN





Organisations who are able to contribute at least 50% of the total cost of the project, unless extenuating circumstances can be demonstrated





Primary or secondary schools unless they are able to demonstrate that their sport/recreation project or event is predominantly for the benefit of the wider community

Unlikely

Organisations that have already received funds from Council under Grant Programs in the same financial year

Unlikely

WHAT IS NOT ELIGIBLE FOR GRANT FUNDING?

- Routine or ongoing operating costs (staff wages, rent, electricity, water, insurance etc), the purchase of land or the repayment of financial loans.
- Projects which have already been commenced or completed prior to grants being awarded.
- Individual (single person) event participation or projects.
- Events or functions which are held on an annual or other regular basis.

THINGS TO REMEMBER

- Organisations must be able to contribute at least 50% of the total cost of the project, unless extenuating circumstances can be demonstrated.
- In any given grant round, multiple applications will not be considered from the same organisation.
- All applicants must possess an Australian Business Number (ABN)
- Council only provides grant funds via Electronic Funds Transfer (EFT). Applicants must provide bank account details in the same name as the group or organisation that is the applicant under this Grants Program. Funding will only be paid to the applicant of the grant.
- All grants must be completed and claimed by 30 June of each financial year.

Attachment 15.2.3.1

HOW WILL MY APPLICATION BE ASSESSED?

The first stage is an eligibility check where we will consider your application against the eligibility criteria (see 'Am I eligible to apply?' on page 3)

If the application meets all eligibility criteria it will proceed to the assessment stage where we evaluate how the proposed activity will deliver outcomes for our community.

Both the eligibility and assessment stages are undertaken by Council staff. The decision of awarding grants will be made by Council at the next available meeting following the close of applications.

ASSESSMENT CHECKLIST									
		Does your project meet the eligibility criteria?							
		Are you able to contribute 50% of the project cost?							
		Do you have a current ABN?							
		Is this the only funding you will receive from Council this financial year?							
		Have you provided a copy of the most recent annual financial statement? (Does not need to have been audited)							
		Have you provided all bank statements for the last 3 months?							
		Will your organisation be able to proceed if a lower grant is awarded?							

ACQUITTALS & REPORTING REQUIREMENTS

Grant funds will be paid to successful applicants following receipt of a completed Claim Form, accompanied by evidence clearly demonstrating that the project or event has been completed and funds expended (must include tax invoices (subject to GST), a brief report, photographs of completed project (if applicable). If the grant recipient is registered for GST, a tax invoice must accompany the Claim Form.

Council may consider, on written application, a claim for payment of grant funds for projects which are not fully completed by the claim deadline date.

Payment will not be made for a completed project which is not the project detailed in the grant application.

Claims for payment of grant funds must be submitted to Council by the grant claim deadline as advised to the successful grant recipient, or the grant may be forfeited.

Claims for payment of a grant which are received by Council after 30 June will not be considered under any circumstances.

HOW DO I APPLY?

Completed applications can be submitted by email to council@wattlerange.sa.gov.au, by post to PO Box 27, MILLICENT SA 5280 or in person at any Wattle Range Council office.

FOR ENQUIRIES CONTACT

e: council@wattlerange.sa.gov.au

t: 08 8733 0900

WATTLE RANGE COUNCIL COMMUNITY FINANCIAL ASSISTANCE GRANT PROGRAM 2023/2024 : Round 1

No	Pages	Records No.	Organisation	Purpose	Project Cost \$	Grant Sought \$	Could < full grant be awarded (Y/N)	Bank Statements	Financial Statement	Quotations	Other Council Funding	Comments	Recommend Allocation
1	1-19	EI2023/217018	Glencoe Public Hall	Kitchen Upgrade - food compliant	\$ 6,500.00	\$ 2,000.00	Υ	Υ	Υ	Υ	N	The Glencoe Public Hall are seeking funding for a kitchen upgrade to make it food compliant. The club are seeking 31% of the total cost. Recommend awarding grant sought.	\$ 2,000.00
2	20-30	El2023/217351	Mount Burr Trails Incorporated	12x Mount Burr Trails Town History Walk Interpretive Signs	\$ 2,090.96	\$ 445.48	Y	Υ	Y	Y	N	The Mount Burr Trails Incorporated are seeking funding for 12x interpretive signs for the Mount Burr Trails Town History Walk. The club are seeking 21% of the total cost. Recommend awarding grant sought.	\$ 445.48

\$ 8,590.96 \$ 2,445.48

WATTLE RANGE COUNCIL SPORT RECREATION FINANCIAL ASSISTANCE GRANT 2023/2024 : Round 1

No	Pages	Records No.	Organisation	Purpose	Project Cost \$	Grant Sought \$	Could < full grant be awarded (Y/N)	Bank Statements	Financial Statement	Quotations	Other Council Funding	Comments	Recommend Allocation
1	1-16	1/217364	Mount Burr United Cricket Club	Removal old training pitches (2) - redo concrete both nets and lay new matting	\$ 14,929.50	\$ 2,000.00	Y	Y	Y	Υ	N	The Mount Burr United Cricket Club are seeking funding for removal of 2x old training pitches and the redo of concrete for both nets and laying of new matting. The club are seeking 13% of the total cost. Recommend awarding grant sought.	\$ 2,000.00
2	17-21	I/217486	Penola Football Club	Installation of defibrillator at McCorquindale Park	\$ 3,382.50	\$ 1,691.25	Y	Y	Y	Υ	N	The Penola Football Club are seeking funding for installation of a defibrillator at McCorquindale Park. The club are seeking 50% of the total cost. Recommend awarding grant sought.	\$ 1,691.25
3	22-32	El2023/217490	Millicent Baseball Club	Fixing original scorebox due to vandalization. Re-line inside gyproc with colourbond tin, replace sliding windows, replace outside door with colourbond steel door.		\$ 1,447.50	Y	Y	Y	Υ	N	The Millicent Baseball Club are seeking funding for fixing of original scorebox due to vandalization. Re-line inside gyproc with colourbond tin, replace sliding windows, replace outside door with colourbond steel door. The club are seeking 50% of the total cost. Recommend awarding grand sought.	\$ 1,447.50
4	33-97	El2023/217545	Millicent Football Netball Club Inc	Purchasing of equipment - netballs, netball bibs, footballs, handball target, bibs, drink bottle holders, drink bottles	\$ 1,939.98	\$ 969.99	Y	Y	Y	Υ	N	The Millicent Football Netball Club Inc are seeking funding for the purchasing of equipment - netballs, netball bibs, footballs, handball target, bibs, drink bottle holders, drink bottles. The club are seeking 52% of the total cost. Recommend awarding grant sought.	\$ 969.99
5	98-117	El2023/217554	Tantanoola Netball Club	Carpark and driveway upgrade at the Tantanoola Netball Courts. Improve car parking area adjacent to court 1 and create a driveway area leading to court 3.		\$ 2,000.00	Y	Y	Y	Υ	N	The Tantanoola Netball Club are seeking funding for carpark and driveway upgrade at the Tantanoola Netball Courts. Improve car parking area adjacent to court 1 and create a driveway area leading to court 3. They are seeking 38% of the total cost. Recommend awarding grant sought.	
			I		\$20 426 O	\$ \$8.108.74	I	1	<u>I</u>		1		\$ 810874

15.2.4 2023/24 Community Infrastructure Grants

Report Type	Officer Report
Department	Development Services
Author	Paul Duka
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 - Organisational Excellence
	4.2 Govern in a responsible and responsive way.
File Reference	GF/7.41.3/6
Attachments	1. Infrastructure Grants Guidelines 2324 [15.2.4.1 - 4 pages]

Purpose of Report

To review and award the 2023/24 Community Infrastructure Grants.

Report Details

The Community Infrastructure Grant (CIG) program is available to both community and sporting groups in the Wattle Range Council area. The primary purpose of the grant is to assist these groups in co-funding "shovel ready" infrastructure projects. This includes infrastructure that supports any recreational, sport or cultural activities, including projects that:

- Build new infrastructure in response to an identified community need.
- Upgrade or improve existing community infrastructure.
- Improve accessibility of community facilities to increase use and promote inclusion.

The total grant allocation for 2023/24 is \$100,000 and grants of up to \$50,000 can be awarded to those groups who have provided the essential documentation and addressed the assessment criteria. For the 2023/24 financial year, the CIG program is offered in one round and eligible applicants projects were assessed against the following criteria:

How does the infrastructure project:

- Improve community health and wellbeing.
- Enhance, diverse participation by the community.
- Improve community safety through risk reduction.
- Improve environmental sustainability or address environmental issues and concerns.

The program was advertised between the 17 July 2023 and the 14 August 2023 and a total of five (5) applications were received. The total sum of grant funds requested were \$140,192 with a total project infrastructure spend of \$785,366 from the 5 projects.

The (5) applications were assessed on whether they have met the essential criteria on information supplied and then were assessed on how the project met the above four assessment criteria.

Whilst all (5) projects have merit, upon assessment against the essential criteria there were (4) projects that rated higher. These projects in rating order were:

- 1) SA CWA Penola Group (\$4,300 requested to build a ramp into the CWA Hall, including a handrail and widened doorway to improve accessibility).
- 2) Southend Progress Association (\$17,392 requested to complete urgent works to the Southend Community Centre's roof and guttering including other maintenance works to the building).
- 3) Kalangadoo Netball Club (\$50,000 requested for the removal and reconstruction of an unsafe multipurpose netball court).
- 4) Glencoe & District Sports Ground Association (\$18,500 requested to purchase and install playground equipment at the Glencoe Sporting Complex including soft fall to meet the required standard).

It should be noted that the total sum of funds requested from Council for the (4) projects amounted to \$90,192 which is near the annual CIG budget allocation of \$100,000.

Financial Considerations

Budget Allocation \$100,000

Budget Spent to Date \$ Nil

Budget Variation Requested \$ Nil

Risk Considerations

Refer to Council's risk register – Council infrastructure grants.

Policy Considerations

Community Grants, Scholarship and Sponsorship Programs Guideline.

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 grants program was advertised in the local print media and advertised on Council's website, Antenno and Facebook sites. The advertisement period was from the 17 July 2023 and closed on 14 August 2023.

Once the grants are awarded, a media release will be issued acknowledging who was successful in obtaining the Community Infrastructure Grants. Letters will be sent to unsuccessful applicants inviting them to discuss their applications with Council staff should they seek clarification.

RECOMMENDATION

That Council:

1. Having assessed applications in accordance with the Community Infrastructure Grant guidelines, award grants to the value of \$90,192 to the following:

Applicant	Amount
SA CWA – Penola Group	\$4,300
Southend Progress Association	\$17,392
Kalangadoo Netball Club	\$50,000
Glencoe & District Sports Ground Association	\$18,500



ABOUT THE COMMUNITY INFRASTRUCTURE GRANT PROGRAM

Wattle Range Council is committed to...

'Promoting and supporting the establishment of strong, sustainable clubs and volunteer organisations throughout the Wattle Range area.'

Through the Community Infrastructure Grants we are looking to fund infrastructure projects that help us to achieve our strategic plan, with a primary focus on creating...



WHAT FUNDING OPTIONS ARE THERE?

'Community vibrancy, through advocacy and maintenance of community services and enhanced public facilities'

Council has allocated \$100,000 towards its Community Infrastructure Grants Program for distribution in one annual grant funding round. Applicants should be aware that the grant process is competitive, and funding may not be guaranteed.

Grants of up to \$50,000 are awarded on a dollar for dollar basis. Priority will be given where the project is 'Shovel Ready' and where the applicant can contribute 50% of the total cost of the project (made up of 25% cash contribution and 25% in-kind or other contribution). Please note the cash contribution should be at least 50% of the grant sum requested from Council.

The program is available to community and sporting groups to assist with co-funding infrastructure projects. The program has a focus on health and wellbeing, access and inclusion, community safety and risk reduction and environmental sustainability. This includes infrastructure that supports any recreational sport and cultural activities including projects that:

- build new infrastructure in response to an identified community need
- upgrade or improve existing community infrastructure
- improve accessibility of community facilities to increase use and promote inclusion

Projects can involve improvement to infrastructure that can result in:

- Improved community health and wellbeing.
- Enhanced and diverse participation by the community.
- Improved community safety through risk reduction.
- Improved environmental sustainability or address environmental issues and concerns.

The annual grant funding round will operate as follows:

Applications open July

Applications close August

Outcomes advised September

Refer to Council's Community Infrastructure Grants Application Form for specific dates.

Applications will not be considered outside of the grant funding round period.

2 WATTLE RANGE COUNCIL | Community Infrastructure Grants Guidelines



AM I ELIGIBLE TO APPLY?

Not-for-profit incorporated group, organisation or club



Voluntary association



Unincorporated bodies/groups with a community focus



Individuals



Profit making organisations including commercial entities, businesses and sole traders



Organisations with outstanding debts such as rates, fees or charges to the Wattle Range Council



Organisations that do not provide a satisfactorily completed evaluation/accquital form for any previous funding recieved from Council



Organisations that DO NOT have an ABN



Primary or secondary schools unless they are able to demonstrate that their sport/recreation project or event is predominantly for the benefit of the wider community

Unlikely

Organisations that have already received funds from Council under Grant Programs in the same financial year

Unlikely

WHAT IS NOT ELIGIBLE FOR GRANT FUNDING?

- Projects that are considered to be the responsibility of the State or Federal Government.
- Projects whereby the applicant is seeking to make a financial profit.
- Projects that are not infrastructure based i.e. Plant or Vehicle purchases, Furniture and Fittings, Office Furniture and Land purchases.
- Organisations that have their own grant giving program or fundraising program that provides money to finance another organisation's community initiatives.
- · Projects which have already been commenced or completed prior to grants being awarded.
- Routine or ongoing operating costs (staff wages, rent, electricity, water, insurance etc.), the purchase of land or the repayment of financial loans.
- Projects that are located outside of the Wattle Range Council area.

THINGS TO REMEMBER

- Organisations must be able to contribute 50% of the total cost of the project (made up of 25% cash contribution and 25% in-kind or other contribution).
- Applicants should be aware that the grant process is competitive, and funding may not be guaranteed.
- All applicants must possess an Australian Business Number (ABN)
- Council only provides funds via Electronic Funds Transfer (EFT). Applicants must provide bank
 account details in the same name as the organisation that is the applicant under this Grants
 Program.
- · Your project should be 'Shovel Ready', all grants must be completed within 12 months of awarding of the grant.



WATTLE RANGE COUNCIL | Community Infrastructure Grants Guidelines

HOW WILL MY APPLICATION BE ASSESSED?

The first stage is an eligibility check where we will consider your application against the eligibility criteria (see 'Am I eligible to apply?' on page 3)

If the application meets all eligibility criteria it will proceed to the assessment stage where we evaluate how the proposed activity will deliver outcomes for our community.

Both the eligibility and assessment stages are undertaken by Council staff. The decision of awarding grants will be made by Council at the next available meeting following the close of applications.

AS	SSESSMENT CHECKLIST	
	Does your project meet the eligibility criteria?	
	Are you able to contribute 50% of the total project cost which includes a cash contribution of at least 50% of the grant sought?	
	Do you have a current ABN?	
	Have you provided a copy of your latest audited financial statements for a minimum period of two years?	
	Have you provided a detailed project budget, including proposed expenditure, income from all sources and funding assistance sought from Council?	k
	Have you provided a Business Plan and Project Plan for the project?	
	Have you provided formal quotes (less than 3 months old) for all services and products over the value of \$3,000? (Quotes must include the suppliers ABN and GST amount.	
	If you are a Sporting Association, have you provided evidence of Star Club accreditation levels?	
	Have you provided a copy of your Certificate of Currency for public liability insurance for the sum of \$20,000,000?	

ACQUITTALS & REPORTING REQUIREMENTS

- A written evaluation report / grant acquittal outlining the outcome of program/project or activity is required to be submitted within 3 months of completion of the project.
- The acquittal report should be accompanied by an audited financial report verifying how the funds were expended.
- The acquittal report should include photographs of completed project and acknowledgement of Councils
 contribution.
- Payment of grant funds will be made upon completion of the project and submission of the acquittal and reports.
 Alternatively, progress payments can be negotiated with a final payment payable upon receipt of the acquittal and reports.
- A tax invoice must accompany a claim for payment.
- Payment of grant funds will be payable by electronic funds transfer (EFT).
- Payment will not be made for a completed project which is not the project detailed in the grant application.
- Successful applicants who have projects that are not completed within 12 months are requested to contact Council at least 2 months prior to the expiration of the 12 month period and provide information on the project status and expected revised completion date.
- Successful applicants for funding who have not commenced their project within 12 months of being awarded the grant are required to re-apply for the funding to ensure adequate funds are available.

HOW DO I APPLY?

Completed applications can be submitted by email to **council@wattlerange.sa.gov.au**, by post to PO Box 27, MILLICENT SA 5280 or in person at any Wattle Range Council office.

For enquiries contact 08 8733 0900

15.2.5 Revocation of Community Land Classification (Allotment 301, Cullens Road, Southend)

Report Type	Officer Report
Department	Corporate Services
Author	Paul Duka
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 4 - Organisational Excellence 4.4 Optimise Council operation of businesses and assets, to ensure value for money is returned to the community.
File Reference	GF/16.16.2
Attachments	 coudoc commland revocation cullens road submisions 060923 [15.2.5.1 - 42 pages] Guidance Paper No. 5 - Community Land Revocations [15.2.5.2 - 15 pages]

Purpose of Report

To consider both the formal responses received as part of the public consultation and whether Council makes a formal application to the Minister for Local Government to formally revoke the community land classification of land situated at Allotment 301, Cullens Road, Southend.

Report Details

Council at its meeting on 14 March 2023 resolved to commence the formal public consultation process to revoke the community land classification of a land parcel owned by Council, being Allotment 301, Cullens Road, Southend; with the purpose to allow Council to dispose of the property by way of public auction or private treaty:

Cr Agnew moved that Council:

- Pursuant to Section 194(2) of the Local Government Act 1999, agree to commence the formal public consultation process to revoke the community land classification of land situated at:
 - Allotment 301, Cullens Road, Southend, CT 5291/66; and
 - Allotment 9, 22 Campbell Street, Millicent CT 5248/722.

Cr Castine seconded

CARRIED

Allotment 301, Cullens Road, Southend



A Consultation Report was prepared in accordance with Section 194 of the *Local Government Act, 1999* for the land located at Allotment 301, Cullens Road, Southend. The report was initially released for public comment with submissions closing at 5:00pm on Monday 17 April 2023. A copy of the consultation report together with the supporting information which was made available during the consultation period forms part of the Appendix A of the Submissions Report attached.

In accordance with Council's Community Engagement Policy the following consultation methods were used during the initial formal public consultation:

- Public Notice placed in the SE Voice Newspaper (21 March 2023)
- Promotions of consultation on Engage Wattle Range was included in the Council Communications column published in the SE Times and Penola Pennant (30 March 2023)
- Public signage located on the Subject Land throughout the duration of the Public Consultation period – total of 1 sign installed.
- A poster including an easy to access QR code was distributed to the township of Southend.
- Letters forwarded to the owners of nearby properties and key stakeholders including the Southend Progress Association (total of 4 letters forwarded).
- Information relating to the proposal detailed on Council's website (Engage Wattle Range); Facebook page (published 23 March 2023 - received 1,526 reaches & published 13 April 2023 - received 1,271 reaches) and Antenno App (published 23 March 2023 - received 66 impressions with 6 link taps); and
- Copy of the Consultation Report made available on the Public Notice Board of the Millicent Office, Southend Shop & Southend Community Club.

Details of the consultation forms part of Appendix C of the Submissions Report attached.

Following the completion of the initial public consultation process, it was noted that the recommendation at the Ordinary Council meeting on the 14 March 2023 detailed the incorrect Certificate of Title (CT) reference related to Allotment 301, Cullens Road, Southend.

Advertisements published as part of the consultation process, referenced CT 5291/66, whereas it should have detailed CT 5921/66. Whilst the physical address provided an accurate guide of property location, the advertising of the incorrect CT reference could have been adjudged as misleading and could have created ambiguity and confusion in referencing the correct location.

As per advice received from Council's legal advisors, Council made a recommendation at the 13 June 2023 Ordinary Council Meeting to undertake a further formal public consultation process with the corrected Certificate of Title reference to avoid any misunderstanding and confusion as to the location of the Cullens Road property.

As a result of the initial public consultation process, 2 submissions were received in relation to the proposed revocation process for Allotment 301, Cullens Road, Southend. The 2 submissions were generally in favour of the revocation proposal; and in lieu of the decision to readvertise the consultation, the 2 submissions received will still be considered at the conclusion of the secondary consultation process, before a decision is made to make a formal application to the Minister of Local Government to revoke the community land classification of Allotment 301, Cullens Road, Southend.

15.2.3 Revocation of Community Land Classification (Allotment 301, Cullens Road, Southend)

Cr Walshaw moved that Council:

Wattle Range Council Ordinary Meeting – 13 June 2023

Folio 10564

- Receive and note the submissions received in relation to the revocation of community land classification throughout the public consultation period; and
- Pursuant to Section 194(2) of the Local Government Act 1999, agree to a further formal public consultation process to revoke the community land classification of land situated at:
 - Allotment 301, Cullens Road, Southend, CT 5921/66

Cr Cassidy seconded

CARRIED

The consultation report for the secondary formal public consultation was released for public comment with submissions closing at 5:00pm on Thursday 31 August 2023. A copy of the consultation report together with the supporting information which was made available during the secondary consultation period forms part of the Appendix B of the Submissions Report attached.

In accordance with Council's Community Engagement Policy the following consultation methods were used during the secondary formal public consultation:

- Public Notice placed in the SE Voice Newspaper (10 August 2023) & SE Times and Penola Pennant (24 August 2023)
- Promotions of consultation on Engage Wattle Range was included in the Council Communications column published in the SE Times and Penola Pennant (17 August 2023)
- Public signage located on the Subject Land throughout the duration of the Public Consultation period total of one 1 sign installed.
- A poster including an easy to access QR code was distributed to the township of Southend.
- Letters forwarded to the owners of nearby properties and key stakeholders including the Southend Progress Association (total of 4 letters forwarded).
- Letters forwarded to Southend residents who submitted a response to the initial formal public consultation (total of 2 letters forwarded).
- Information relating to the proposal detailed on Council's website (Engage Wattle Range); Facebook page (published 30 August 2023 received 264 reaches); and
- Copy of the Consultation Report made available on the Public Notice Board of the Millicent Office, Southend Shop & Southend Community Club.

Details of the consultation forms part of Appendix C of the Submissions Report attached.

As a result of the secondary public consultation process, 0 submissions were received in relation to the proposed revocation for Allotment 301, Cullens Road, Southend. The 2 submissions received during the initial public consultation process will still be considered and form part of Appendix D of the Submissions Report attached.

In considering the submissions received, Council is now required to decide whether it wishes to continue with the community land revocation process by making a formal application to the Minister for Local Government.

If Council resolves to proceed with the formal application to the Minister, and the Minister supports the revocation of the community land classification, Council will need to confirm the Ministers decision and make a formal resolution to revoke the community land classification from the land parcel.

Alternatively. Council can also at this point resolve not to proceed with the formal application, which will result in no change to the current land status.

Financial Considerations

There are no known financial considerations related to this report.

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

Local Government Act 1999 (Section 194 – Revocation of Community Lands) Local Government (Procedures at Meetings) Regulations 2013

Environmental / Sustainability Considerations

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

Communication & Consultation Considerations

No further public consultation is required at this stage in relation to the formal revocation process. If Council resolved to proceed with the formal revocation of the community land classification from the subject land, and receives Ministerial approval, Council is still required to make a resolution to formally revoke the community land classification from the subject land. Relevant advertising which can include a public notice in the Government Gazette will be undertaken at this stage.

RECOMMENDATION

That Council:

- 1. Receive and note the submissions received in relation to the revocation of community land classification throughout the public consultation period; and
- 2. Pursuant to Section 194 3 (a) of the *Local Government Act 1999*, agree to proceed with an application, seeking approval from the Minister for Local Government to formally revoke the community land classification over land being:
 - Allotment 301, Cullens Road, Southend CT 5921/66



PO Box 27, Millicent SA 5280 www.wattlerange.sa.gov.au

REVOCATION OF COMMUNITY LAND CLASSIFICATION

Allotment 301, Cullens Road, Southend (Vacant Reserve Land)



REPORT ON SUBMISSIONS RECEIVED DURING THE PUBLIC CONSULTATION PROCESS

1. Introduction

This report has been prepared to address the requirements of Section 194 (3)(a) of the Local Government Act 1999, where Council is required to prepare a Report on the submissions received by Council following community consultation regarding the proposed revocation of the community land classification of Council owned land known as Allotment 301, Cullens Road, Southend (Subject Land).

2. Section 194 (3), Local Government Act, 1999

In accordance with Section 194 (3) of the Local Government Act, 1999 after complying with subsection (2) of the Act (preparation of the Consultation Report and undertaking the relevant steps within Council's Public Consultation Policy) Council must consider the submissions received and resolve to proceed/not proceed with an application to the Minister. Should Council agree to proceed with the revocation process, Council must submit the proposal with a report on all submissions made on it as part of the public consultation process to the Minister.

Following a review of the application by the Minister and if the Minister approves the proposal, Council will still be required to make a formal resolution to revoke the classification of the land as community land.

3. The Proposal

Wattle Range Council (Council) is seeking to revoke the community land classification applicable to the Subject Land which consists of an undeveloped vacant reserve.

The Subject Land has an area of approximately 1,600 square metres (0.16 ha) and is described as Allotment 301, Cullens Road, Southend (contained in Certificate of Title Volume 5921 Folio 66).

The Land has been identified by Council as surplus to its requirements and therefore intends to dispose of the property by either public auction or private treaty.

4. Public Consultation

Council at its meeting held on 14 March 2023 resolved to agree to commence the first formal public consultation process to revoke the community land classification of land situated at Allotment 301, Cullens Road, Southend.

A comprehensive Consultation report was prepared and released for public comment with submissions closing at 5.00 p.m. on Monday, 17 April 2023. 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 (21 March 2023)
- Details of Current Consultations contained within Council Communications column of The South Eastern Times and The Penola Pennant – (30 March 2023)
- Public signage located on the Subject Land throughout the duration of the Public Consultation period total of 1 sign installed.
- A poster including an easy to access QR code was distributed to the township of Southend.
- Letters forwarded to the owners of nearby properties and key stakeholders including the Southend Progress Association (total of 4 letters forwarded).
- Information relating to the proposal detailed on Council's website (Engage Wattle Range), Facebook page (published 23 March 2023 received 1,526 reaches & published 13 April 2023 received 1,271 reaches) and Antenno App (published 23 March 2023 received 66 impressions with 6 link taps); and
- Copy of the Consultation Report made available on the Public Notice Board of the Millicent Office, Southend Shop and Southend Community Club.

As a result of the public consultation process, 2 submissions were received in relation to the proposed revocation process for Allotment 301, Cullens Road, Southend. The 2 submissions were largely in favour of the revocation proposal and can be viewed as Appendix D.

Council at its meeting held on 13 June 2023 resolved to agree to undertake a secondary formal public consultation process to revoke the community land classification of land situated at Allotment 301, Cullens Road, Southend.

Following the completion of the initial public consultation process, a report was tabled at the 13 June 2023 Ordinary Council meeting, where it was noted that the recommendation at the Council meeting held 14 March 2023 detailed the incorrect Certificate of Title (CT) reference related to Allotment 301, Cullens Road, Southend.

Advertisements published as part of the initial consultation process, referenced CT 5291/66, however the consultation should have referenced CT 5921/66. Whilst the physical address provided an accurate guide of property location, the advertising of the incorrect CT reference may have created confusion in referencing the correct location for the Subject Land.

It was therefore recommended to avoid any misunderstanding and confusion as to the location of the Cullens Road property that a secondary formal public consultation process would be undertaken.

An updated consultation report explaining the reasoning for the second formal public consultation was prepared and released for public comment with submissions closing at 5.00pm on Thursday 31 August 2023. A copy of the Consultation Report can be viewed at Appendix B. In accordance with Council's Community Engagement Policy the following consultation methods were used:-

- Public Notice placed in the SE Voice Newspaper (10 August 2023) & SE Times and Penola Pennant (24 August 2023)
- Promotions of consultation on Engage Wattle Range was included in the Council Communications column published in the SE Times and Penola Pennant (17 August 2023)
- Public signage located on the Subject Land throughout the duration of the Public Consultation period total of 1 sign installed.
- A poster including an easy to access QR code was distributed to the township of Southend.
- Letters forwarded to the owners of nearby properties and key stakeholders including the Southend Progress Association (total of 4 letters forwarded).
- Letters forwarded to Southend residents who submitted a response to the initial formal public consultation (total of 2 letters forwarded).
- Information relating to the proposal detailed on Council's website (Engage Wattle Range); Facebook page (published 30 August 2023 - received 264 reaches); and
- Copy of the Consultation Report made available on the Public Notice Board of the Millicent Office, Southend Shop & Southend Community Club.

Specific details relating to the various consultations can be viewed as Appendix C.

Following the secondary consultation, no further submissions were received.

5. Engagement and Submissions Received

Data extracted from Council's Engage Wattle Range site indicated that 70 people visited the Cullens Road revocation page during the initial public consultation process, with 2 formal submissions being received during this time.

In addition, 22 people visited the Cullens Road revocation page during the secondary public consultation process, with 0 formal submissions being received during this time.

Details of the submissions received during the public consultation process can be viewed as Appendix D.

Appendix A

Consultation Report (First Consultation)



PROPOSAL FOR THE REVOCATION OF COMMUNITY LAND CLASSIFICATION

Allotment 301, Cullens Road, Southend (Vacant Reserve Land)

CONSULTATION REPORT

6. 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 that presently applies to Council land, being Allotment 301, Cullens Road, Southend (the **Subject Land**). A plan showing the location of the land is on page 3 of this report.

The Report has been prepared to address the requirements of Section 194(2) of the *Local Government Act, 1999*, Council's Contracts and Tenders - Sale of Assets Policy and Community Engagement Policy.

The Local Government Act, 1999 came into effect on 1 January 2000, at this time all land, other than roads, owned or held under the care, control and management of the Council was classified as Community Land. This classification affects the way in which the Council can manage and use the land. It does not affect the ownership, tenure, development or zoning of the land. However, as long as the land is classified as community land, it cannot be disposed of.

Should the Council resolve to dispose of a piece of community land, it must first revoke the community land classification applying to the land. Section 194 of the *Local Government Act, 1999* outlines the process that the Council must undertake to revoke the community land classification. The Council must prepare, and make publicly available, a report on the proposal. It is this report which forms the basis of the Council's consultation with the community and ensures that the community is involved in the revocation process.

2. Section 194(2), Local Government Act, 1999

In accordance with Section 194(2) of the Local Government Act, 1999 the Council must prepare and make publicly available a report on the proposal which must include:-

- A summary of the reasons for the proposal
- A statement of any dedication, reservation or trust to which the land is subject;
- A statement of whether revocation of the classification is prepared with a view to sale or disposal of the land and, if so, details any Government assistance given to acquire the land and a statement of how the Council proposes to use the proceeds;
- An assessment of how implementation of the proposal would affect the area and the local community; and
- Council must follow the relevant steps set out in its public consultation policy.

After complying with the requirements of the Act, Council: -

- (a) Must submit the proposal with a report on all submissions made on it as part of the public consultation process to the Minister; and
- (b) If the Minister approves the proposal, Council may make a resolution revoking the classification of the land as community land.

Following the public consultation process, all written submissions received during the consultation timeframe will form part of a report to the Council and subsequently the Minister as part of the legislative requirement and Council's decision-making process.

3. Subject Land

The Subject Land has an area of approximately 1,600 square metres (0.16 ha) and is described as Allotment 301, Cullens Road, Southend (contained in Certificate of Title Volume 5921 Folio 66). A copy of the Certificate of Title is on page 4 of this report.

The land is an undeveloped vacant reserve located adjacent to Cullens Road, Southend and is shown on the plan below. Native vegetation is present on parts of the land.



(Allotment 301, Cullens Road, Southend)

-8-

Certificate of Title



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5921/66) 15/02/2023 03:25PM A6414 WRC - CLB 20230215008027





The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5921 Folio 66

Parent Title(s) CT 5219/603 Creating Dealing(s) RTC 9074464

Title Issued 29/07/2004 Edition 1 Edition Issued 29/07/2004

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

WATTLE RANGE COUNCIL OF PO BOX 27 MILLICENT SA 5280

Description of Land

ALLOTMENT (RESERVE) 301 DEPOSITED PLAN 55711 IN THE AREA NAMED SOUTHEND HUNDRED OF RIVOLI BAY

BEING A RESERVE

Easements

NIL

Schedule of Dealings

NIL

Notations

 Dealings Affecting Title
 NIL

 Priority Notices
 NIL

 Registrar-General's Notes
 NIL

 Administrative Interests
 NIL

Land Services SA Page 1 of 1

-9-



Product Date/Time **Customer Reference** Order ID

Historical Search 15/02/2023 03:25PM A6414 WRC - CLB 20230215008027

Certificate of Title

Title Reference: CT 5921/66 Status: CURRENT Parent Title(s): CT 5219/603 RTC 9074464

Dealing(s) Creating Title:

29/07/2004

Title Issued:

Edition:

Dealings

No lodged Dealings found.

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4. The Proposal

Council is seeking to revoke the community land classification applicable to the Subject Land which consists of an undeveloped vacant reserve.

The subject land has been identified by Council as surplus to its requirements and therefore intends to dispose of the property by either public auction or private treaty.

In October 2012 Council considered a report in relation to surplus land at Southend. This included a parcel of land described as Allotment 302, Cullens Road, Southend which is located adjacent to Allotment 301, Cullens Road, Southend. This parcel of land was also classified as community land. At this time Council agreed to undertake a formal revocation process to remove the community land classification for the purpose of disposing of the land. The process was undertaken and formally approved by the Minister for State/Local Government Relations at that time, with the formal gazettal notice appearing in December 2012.

Whilst Allotment 302 remains in the ownership of Wattle Range Council, investigations are currently being made to dispose of this parcel of land.

Following a recent review of the Community Land Register it was identified that the details of Allotment 301, Cullens Road, Southend were entered incorrectly in the Register and therefore it was not identified in 2012 as a parcel of land that was surplus to Council's requirements. It is likely that Allotment 301 would have been included in the previous revocation proposal if the parcel had not been incorrectly identified at that time.

Council currently undertakes scheduled site maintenance with mowing and garden maintenance to the reserve area. The proposal to revoke the community land classification will enable the property to be sold eliminating any ongoing maintenance liability. Given that the land is vacant, if sold could be developed for residential purposes being that the land is located in a Neighbourhood Zone.

Council has received preliminary interest from the community for the purchase of the land for development opportunities.

Feedback received during the development of Council's 25 Year Strategic Land Review, particularly from the Southend community noted, that there is very little residential land available for expansion within the township and disposal of the Subject Land which sits within the Neighbourhood planning zone would help alleviate the restriction.

5. Dedications, reservations or trusts affecting the Subject Land

Aside from the community land classification the subject land is designated as a Reserve. No easements have been recorded against the land.

Council is not aware of any Heritage considerations over the land.

Native Title is deemed to be extinguished in the land which is held by Council in fee simple (freehold).

6. Is the revocation of the community land classification proposed with a view to sale or disposal of the Subject Land?

If the community land classification applying to the Subject Land is revoked, the Council proposes to dispose of the land via either private treaty or public auction.

Council's records indicate that there was no Government assistance provided to Council in acquiring the Subject Land.

Any proceeds from the sale of the Subject Land will be returned to Council's general revenue.

7. What impacts would the proposal have on the local community?

The subject land is currently primarily identified as an undeveloped vacant reserve that can be used as an open space reserve. Thus, if the community land classification was revoked and the Subject Land disposed, the community would no longer have access to and use of the land.

Council is of the opinion that the implementation of this proposal will not have any adverse impact on the amenity of the Southend Township. The proposal to dispose of the land for potential residential purposes is in keeping with the objectives and principles of the *Planning Development and Infrastructure Act 2016 and Regulations 2017* and Council's 25 Year Strategic Land Use Plan.

Whilst the Subject Land does contain some native vegetation, any clearance would require the relevant approvals from the Native Vegetation Council.

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. The following are the relevant Themes, Objectives and Strategies that are applicable to this proposal: -



OBJECTIVE

Provide functional, safe, fit for purpose assets that meet the changing needs of the community.

STRATEGIES

4.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use.



STRA OBJECTIVE

A great place to work where innovation and efficiency is expected and customers are our focus.

5.4 Optimise Council operation of businesses and assets, to ensure value for money is returned to the community.

8. Public Consultation

The revocation process requires a public consultation process that complies with the Local Government Act 1999 and Council's Community Engagement Policy.

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 Monday, 20 March, 2023.
- Placement of a notice in The SE Voice, The South Eastern Times and The Penola Pennant 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 Southend Progress Association.
- Public signage located on the Subject Land throughout the consultation period.
- A copy of the Consultation Report and information made available via -
 - Council's website www.engage.wattlerange.sa.gov.au
 - 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, 17 April 2023.

Written submissions marked 'Revocation of Community Land – Cullens Road, Southend' can be:

- posted to PO Box 27, Millicent SA 5280
- hand-delivered to any of Council's offices
- uploaded via www.engage.wattlernage.sa.gov.au
- or emailed to <u>council@wattlerange.sa.gov.au</u>

For further information contact:

Cathy Bell Manager Administration 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.

After consideration of submissions, the Council can choose to discontinue the revocation process or proceed to make an application to the Minister for Local Government for approval to revoke the community land classification applying to the Subject Land. If the Council chooses to proceed with the revocation, all public submissions received by Council will be forwarded to the Minister for consideration as part of the formal application.

If the proposal is approved by the Minister, Council is still required to make a formal resolution to revoke the land from community land classification.

Prior to disposing of the land, an application is required to be made to the Land Titles Office to remove the reserve dedication from the Certificate of Title.

Appendix B

Consultation Report (Second Consultation)



PROPOSAL FOR THE REVOCATION OF COMMUNITY LAND CLASSIFICATION

Allotment 301, Cullens Road, Southend (Vacant Reserve Land)

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 that presently applies to Council land, being Allotment 301, Cullens Road, Southend (the **Subject Land**). A plan showing the location of the land is on page 3 of this report.

The Report has been prepared to address the requirements of Section 194(2) of the *Local Government Act 1999*, Council's Contracts and Tenders - Sale of Assets Policy and Community Engagement Policy.

The Local Government Act 1999 came into effect on 1 January 2000. At this time all land, other than roads, owned or held under the care, control and management of the Council was classified as Community Land. This classification affects the way in which the Council can manage and use the land. It does not affect the ownership, tenure, development or zoning of the land. However, as long as the land is classified as community land, it cannot be disposed of.

Should the Council resolve to dispose of a piece of community land, it must first revoke the community land classification applying to the land. Section 194 of the *Local Government Act 1999* outlines the process that the Council must undertake to revoke the community land classification. The Council must prepare, and make publicly available, a report on the proposal. It is this report which forms the basis of the Council's consultation with the community and ensures that the community is involved in the revocation process.

2. Section 194(2) Local Government Act 1999

In accordance with Section 194(2) of the *Local Government Act 1999,* the Council must prepare and make publicly available a report on the proposal which must include:-

- A summary of the reasons for the proposal
- A statement of any dedication, reservation or trust to which the land is subject;
- A statement of whether revocation of the classification is prepared with a view to sale or disposal of the land and, if so, details any Government assistance given to acquire the land and a statement of how the Council proposes to use the proceeds;
- An assessment of how implementation of the proposal would affect the area and the local community; and
- Council must follow the relevant steps set out in its public consultation (community engagement) policy.

After complying with the requirements of the Act, Council: -

- (c) Must submit the proposal with a report on all submissions made on it as part of the public consultation process to the Minister; and
- (d) If the Minister approves the proposal, Council may make a resolution revoking the classification of the land as community land.

Following the public consultation process, all written submissions received during the consultation timeframe will form part of a report to the Council and subsequently the Minister as part of the legislative requirement and Council's decision-making process.

3. Subject Land

The Subject Land has an area of approximately 1,600 square metres (0.16 ha) and is described as Allotment 301, Cullens Road, Southend (contained in Certificate of Title Volume 5921 Folio 66). A copy of the Certificate of Title is on page 4 of this report.

The land is an undeveloped vacant reserve located adjacent to Cullens Road, Southend and is shown on the plan below. Native vegetation is present on parts of the land.



(Allotment 301, Cullens Road, Southend)

Certificate of Title



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5921/66) 15/02/2023 03:25PM A6414 WRC - CLB 20230215008027





The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5921 Folio 66

Parent Title(s) CT 5219/603
Creating Dealing(s) RTC 9074464

Title Issued 29/07/2004 Edition 1 Edition Issued 29/07/2004

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

WATTLE RANGE COUNCIL OF PO BOX 27 MILLICENT SA 5280

Description of Land

ALLOTMENT (RESERVE) 301 DEPOSITED PLAN 55711 IN THE AREA NAMED SOUTHEND HUNDRED OF RIVOLI BAY

BEING A RESERVE

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting TitleNILPriority NoticesNILRegistrar-General's NotesNILAdministrative InterestsNIL

Wattle Range Council - Ordinary Meeting - 12 September 2023

Land Services SA

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Product Date/Time **Customer Reference** Order ID

Historical Search 15/02/2023 03:25PM A6414 WRC - CLB 20230215008027

Certificate of Title

Title Reference: CT 5921/66 Status: CURRENT Parent Title(s): CT 5219/603 RTC 9074464

Dealing(s) Creating Title:

29/07/2004

Edition:

Dealings

Title Issued:

No lodged Dealings found.

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4. The Proposal

Council is seeking to revoke the community land classification applicable to the Subject Land which consists of an undeveloped vacant reserve.

The subject land has been identified by Council as surplus to its requirements and therefore intends to dispose of the property by either public auction or private treaty.

In October 2012, Council considered a report in relation to surplus land at Southend. This included a parcel of land described as Allotment 302, Cullens Road, Southend which is located adjacent to Allotment 301, Cullens Road, Southend. This parcel of land was also classified as community land. At this time Council agreed to undertake a formal revocation process to remove the community land classification for the purpose of disposing of the land. The process was undertaken and formally approved by the Minister for State/Local Government Relations at that time, with the formal gazettal notice appearing in December 2012.

Allotment 302 is currently in the process of being sold by private treaty, with settlement set to be finalised in September 2023.

Following a recent review of the Community Land Register, it was identified that the details of Allotment 301, Cullens Road, Southend were entered incorrectly in the Register and therefore it was not identified in 2012 as a parcel of land that was surplus to Council's requirements. It is likely that Allotment 301 would have been included in the previous revocation proposal if the parcel had not been incorrectly identified at that time.

Council currently undertakes scheduled site maintenance with mowing and garden maintenance to the reserve area. The proposal to revoke the community land classification will enable the property to be sold eliminating any ongoing maintenance liability. Given that the land is vacant, if sold, could be developed for residential purposes being that the land is located in a Neighbourhood Zone.

Council has received preliminary interest from the community for the purchase of the land for development opportunities.

Feedback received during the development of Council's 25 Year Strategic Land Review, particularly from the Southend community, noted that there is very little residential land available for expansion within the township and disposal of the Subject Land which sits within the Neighbourhood planning zone would help alleviate the restriction.

5. Dedications, reservations or trusts affecting the Subject Land

Aside from the community land classification, the subject land is designated as a Reserve. No easements have been recorded against the land.

Council is not aware of any Heritage considerations over the land.

Native Title is deemed to be extinguished in the land which is held by Council in fee simple (freehold).

6. Is the revocation of the community land classification proposed with a view to sale or disposal of the Subject Land?

If the community land classification applying to the Subject Land is revoked, the Council proposes to dispose of the land via either private treaty or public auction.

Council's records indicate that there was no Government assistance provided to Council in acquiring the Subject Land.

Any proceeds from the sale of the Subject Land will be returned to Council's general revenue.

7. What impacts would the proposal have on the local community?

The subject land is currently primarily identified as an undeveloped vacant reserve that can be used as an open space reserve. Thus, if the community land classification was revoked and the Subject Land disposed, the community would no longer have access to and use of the land.

Council is of the opinion that the implementation of this proposal will not have any adverse impact on the amenity of the Southend Township. The proposal to dispose of the land for potential residential purposes is in keeping with the objectives and principles of the *Planning Development and Infrastructure Act 2016 and Regulations 2017* and Council's 25 Year Strategic Land Use Plan.

Whilst the Subject Land does contain some native vegetation, any clearance would require the relevant approvals from the Native Vegetation Council.

Council's Strategic Plan 2023-2027 was adopted by Council in 2023, 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 making.

At the strategic level, the revocation of the Subject Land complies with the direction of Council's Strategic Plan. The following are the relevant Themes, Objectives and Strategies that are applicable to this proposal: -

THEME THREE: Infrastructure & Asset Sustainability

Objective: Provide functional, safe, fit for purpose assets that meet the changing needs of the community.

Strategy: 3.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use.

THEME FOUR: Organisational Excellence

Objective: A great place to work where innovation and efficiency is expected and customers are our focus.

Strategy: 4.4 Optimise Council operation of businesses and assets, to ensure value for money is returned to the community.

8. Public Consultation

The revocation process requires a public consultation process that complies with the *Local Government Act 1999* and Council's Community Engagement Policy.

At an Ordinary Council meeting held 14 March 2023, Council agreed to proceed with a formal public consultation process for the proposed revocation of community land classification over land situated at Allotment 301, Cullens Road, Southend. As a result of the public consultation process, 2 submissions were received in relation to the proposed revocation process for Allotment 301, Cullens Road, Southend. The 2 submissions were largely in favour of the revocation proposal.

Following the completion of the public consultation process, a report was tabled at the 13 June 2023 Ordinary Council meeting, where it was noted when preparing this report that the recommendation at the Council meeting held 14 March 2023 detailed the incorrect Certificate of Title (CT) reference related to Allotment 301, Cullens Road, Southend.

Advertisements published as part of the consultation process, referenced CT 5291/66, however the consultation should have referenced CT 5921/66. Whilst the physical address provided an accurate guide of property location, the advertising of the incorrect CT reference may have created confusion in referencing the correct location.

It was therefore recommended to avoid any misunderstanding and confusion as to the location of the Cullens Road property that a further formal public consultation process should be undertaken.

The 2 submissions received during the initial public consultation process will be considered at the conclusion of the secondary consultation process, before a decision is made of whether to make a formal application to the Minister for Local Government to revoke the community land classification of Allotment 301, Cullens Road, Southend.

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 Thursday, 10 August 2023.
- Placement of a notice in The SE Voice, The South Eastern Times and The Penola Pennant 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 Southend Progress Association.
- Public signage located on the Subject Land throughout the consultation period.
- A copy of the Consultation Report and information made available via -
 - Council's website <u>www.engage.wattlerange.sa.gov.au</u>
 - 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 Thursday, 31 August 2023.

Written submissions marked 'Revocation of Community Land – Cullens Road, Southend' can be:

- posted to PO Box 27, Millicent SA 5280
- hand-delivered to any of Council's offices
- uploaded via <u>www.engage.wattlernage.sa.gov.au</u>
- or emailed to council@wattlerange.sa.gov.au

For further information contact:

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 for 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.

After consideration of submissions, the Council can choose to discontinue the revocation process or proceed to make an application to the Minister for Local Government for approval to revoke the community land classification applying to the Subject Land. If the Council chooses to proceed with the revocation, all public submissions received by Council will be forwarded to the Minister for consideration as part of the formal application.

If the proposal is approved by the Minister, Council is still required to make a formal resolution to revoke the land from community land classification.

Prior to disposing of the land, an application is required to be made to the Land Titles Office to remove the reserve dedication from the Certificate of Title.

Appendix C

SE Voice – 21 March 2023 (First Consultation)



The South Eastern Times and The Penola Pennant – Wattle Range Council – Council Communications column - 30 March 2023 (First Consultation)



Recognition for Aboriginal soldier

By Charlotte Varcoe

The service of a local Aboriginal soldier has officially been recognised with Alfred Joseph Walker's plaque being unveiled.

Held at the Mount Gambier Candinya Cemetery last week, Mr Walker was recognised for his service in WWII.

Mr Walker was born in Bordertown on May 17, 1925 and began his schooling at Point McLeay where his mother was the hospital cook.

After his mother was the hospital cook.

After his mother and took a position with the South Australian Railways at the local station and worked there until its closure in 1976.

At 52 years of age, he worked at the Penola Listricts Council for three years until arthritis in both knees forced retirement.

He then lived in a small home in Penola Listricts and the proposition of the proposi

September 10, 1946.

Upon returning home, he used some of his pay to purchase a motorbike and travelled back to Glenroy from Loveday.

During his time in the South East, Malker worked in the Mount Burr sawmill,

The service of a local Aboriginal soldier has officially been recognised with Alfred Joseph Walker's plaque being unveiled.

Held at the Mount Gambier Candinya Cemetery last week, Mr Walker was recognised for his service in WWII.

Mr Walker was born in Bordertown on May 17, 1925 and began his schooling at Point McLeavy where his mother was the hospital cook.

After his parents separated, be then moved to Glenroy with his mother and sister in 1937. It was not until October in 1942 - where with Malker was aged 18 - that he enlisted and began training at Wayville.

Mr Walker was aged 18 - that he enlisted and began training at Wayville.

Mr Walker was aged 18 - that he enlisted and began training at Wayville.

Mr Walker's service on May 11, 1943, Mr Walker was a reinforcement for the 2/27th on Nowember 22, 1943 where he embarked from Townsville for Papua New Guinea.

He was withdrawn in Afford. May for Light, and in June 1945 he was dispatched again to Borneo.

The conflict was short lived following the bombing of Hiroshima and Nagasaki which took place just weeks after.

As the ware ended, Mr Walker was sent to Indonesia as part of the occupation force and remained there until February 1946.

Mr Walker was officially discharged on September 10, 1946.

We dar from all around the piace and we following the local was the local station with a local was the local station and worked of the unmoved back into these solidation and worked of the piace and we for his mother and took a position with the South Australian Railways at the local station and worked of the local and these solidation and worked of the near the local station and worked of the near the local station and worked of the family over the years to bring a Returned Services the large hospital born in New South Walker's service on the local station in 1976.

Mr Walker's great repelve Defear is add the station of the fact we had not lad any recognition of Aboriginal work the fact we had not had any recognition of Aboriginal work to force the fact we had not h

Mr Walker's grave was one of four unveiled throughout the South East last week as part of a joint project between the Aboriginal Veteran South Australia and the Headstone Project



Council Communications

Easter Waste Services
There will be no change to Council's Kerbside Waste
Collection service over the Easter period, Please ensure
you have your bins presented for collection by 6am on your
regular collection day.

current Consultations

Council is currently seeking community feedback on a number of lopids.

• Draft Stormwater Asset Menagement Plan

• Charch Street Morting Penode

• Proposed Community Land Revocation Millison

• Proposed Community Land Revocation Southend

For more details, including how to have your say widl www.wngago.wdffserage.ss.gov.au.

- Let'c copies are also available at Crusoil Offices and the Millisont Library.

Visit Council's website or Facebook pages for information

Specific details, including how to apply, are available at https://wrc.jobs.subscribe-hr.com

For further information on Wattle Range Council visit www.wattlerange.sa.gov.au or Find us on Facabook

Thursday, 30 March, 2023 7

SE Voice – 10 August 2023 (Second Consultation)



NEWS

The South Eastern Times and The Penola Pennant – Wattle Range Council – Council Communications column – 17 August 2023 (Second Consultation)

Feral deer numbers grow

More than 60 people from the region attended updates on the Limestone Coast Landscape Boards feral deer eradication program in June.

The events - held at Penola and Kingston

The events - held at Penola and Kingston - highlighted the community interest surrounding feral deer in the region.

Limestone Coast Landscape Board general manager Steve Bourne said landholders were at the "frontline" of the impact of feral deer.

"The increased number of properties participating in the Feral Deer Eradication Program's shooting operations demonstrates the need and support for feral deer eradication in the Limestone Coast." Mr Bourne said.
"In some leavy areas where we are seeing a

"In some key areas where we are seeing a decrease in feral deer populations.
"The positive feedback from land managers is rewarding and demonstrates our shooting operations are making a difference."

ing operations are making a difference."

The community updates presented the latest results of the program including the recent autumn shooting operations along with compliance and enforcement activities undertaken by the board.

"The public meetings have been a great way to speak directly with the community about feral deer in the Limestone Coast and of the Feral Deer Bradication Program itself. We were able to hear from farmers impacted by feral deer on their moner-

were able to hear from farmers impacted by feral deer on their properties, recreational hunters, deer farmers and community members interested in learning more, said Mr Bourne.

The program had expanded, responding to the release of the feral deer economic analysis commissioned by PIRSA in consultation with landscape boards and Livestock SA last year.

The report found the state's feral deer population could increase by more then 500 per cent within the next decade.

This could cost primary producers in the state of the



Limestone Coast Landscape Board operations manager Mike Stevens said more than 4000 feral deer had been removed from the region within the last financial year.

hind the eradication effort and work with us to deliver the shooting operations," Mr Stevens said.

"Our plan is to now focus on additional feral deer hotspots across the region.
"With the funding from the Australian Gov-

Councillors expecting September lake update

Warde Range Council (WRC) is expecting to make a decision on how to fix the Millicent swimming Lake at its September meeting. During the August council meeting. Councillor John Drew asked for an update on what was happening at the Swimming Lake.

seven to 10 year mespan. He said council was also considering replacing the bottom of the lake with concrete surfacing, which would cost around \$500,000 for an estimated 75 year lifespan. Elected members were told a full report, including possible water circulation and lake accessibility upgrades, would be put before council during the September meeting.

Lake. WRC director of engineering services Peter Halton told elected members an investigation had found the flooring surface of the Swimming Lake "had failed" and council was considering a couple of solutions.

Mr Halton said one solution was to resurface the bottom of the Swimming Lake are cost of \$150,000, but that would likely have a cost of \$150,000, but that would likely have a surface of the solution of the swimming Lake are cost of \$150,000, but that would likely have a surface of \$150,000, but that would likely have a surface of \$150,000, but that would likely have a surface of \$150,000, but that would likely have a surface of \$150,000, but that would likely have a surface of \$150,000, but that would likely have a surface of \$150,000 that would likely have a surface o

COUNCIL COMMUNICATIONS

Current Consultations

Council is currently seeking a second round of community feedback, on a proposal to revo Community Land classification of a percel of land in Southend, with a corrected CT referer Written Submissions close August 31 For details, including how to make a submission, vis www.engage.wattlerange.sa.gov.au.

www.engage.waterange.as.gov.au.

Keep your Karbaide Collection Calendar

Don't throw your kerbaide calendar away! Simply tear off the front calendar at the end of August
to reveal the bir collection schedule for September 2023 onwards.

The calendar contains useful tips to reduce materials being sent unnecessarily to landfill. You will
also find the opening hours for Council's waste disposal sites at the back.

Lost your calendar or are new to the region? Collect one free from any Council Office or find it on

Visit view waterranges a gov au was revolutiers for more information.

Community Mich Day

FREE mulch for Wattle Range Council residents and community groups will be available for collection at the Millicent Resource Recovery Centre on Sunday, August 20 (3rd Sunday of every month) from 10am to 2pm. A loader will be on snife to file your ute or trailer, Bring your personal protective equipment and a tarpaulin to cover your load. A disclaimer will also need to be signed prior to collection. Questions? Contact Council's Engineering Office on 8733 0901 or visit www.wattlerange.sa.gov.au/wasteinitiatives for a full list of dates.

Employment Opportunities
Council currently has a number of exciting employment opportunities
organisation. Specific details, including how to apply, are available at
www.wattlerange.sa.gov.au/employment

Your Council Update
Have you read Council's monthly neweletter 'Your Council Update'? Look out for it on your local
community noticeboard or road it on our website.

For further information on Wattle Range Council visit www.wattlerange.sa.gov.au or Find us on Facebook

Celebration dry zones back

Dry zones are likely to return to Beachport for this year's New Years Eve celebrations to help cush eccess alcohol consumption.

During the August council meeting, Wattle Range Council elected members voted in favour of once again establishing dry zones in Beachport dahead of end of year celebrations.

Elected members agreed to have council apply to Consumer and Business Services to bring dry zones into effect across three areas in bring dry zones into effect across three areas in bring dry zones into effect across three areas in bring dry zones into effect across three areas in bring dry zones into effect across three areas in bring dry zones into effect across three areas in bring dry zones into effect dry zones into effect dry zones were stoned the move and said dry zones would be at Centennial Park, with restrictions would then change to be in effect from 7:01 am on December 31, 2023 to 12pm on January 2, 2024.

The second dry zone would comprise the eachport township from 12pm on December 25, 2023 to 12pm on January 2, 2024.

The second dry zone would comprise the eachport township from 12pm on December 25, 2023 to 12pm on January 2, 2024.

The second dry zone would comprise the seachport township from 12pm on December 31, 2023 to 12pm on January 2, 2024.

The first one would be at Centennial Park, with restrictions would then change to be in effect from 7:01 am on December 31, 2023 to 12pm on January 2, 2024.

The second dry zone would comprise the 25, 2023 to 12pm on January 2, 2024.

The first one would comprise the 25 area of the proposed to the second dry zone would comprise the 25 area of the proposed to the second dry zone would comprise the 25 area of the proposed to the second dry zone would comprise the 25 area of the proposed to the second dry zone would comprise the 25 area of the proposed to the second dry zone would comprise the 25 area of the proposed to the second dry zone would comprise the 25 area of the proposed to the second dry zone would comprise the 25 area of the proposed to the sec

Mayor Des Noll said in his experience, po-lice officers generally took a common sense approach and were willing to let adults cel-ebrate safely.

For the third area, the restrictions would take effect between 12pm on December 31, 2023 and 12pm on January 1, 2024.

The zone would cover Beach Road and the foreshore from the Lake George outlet to Glenn Point, and the jetty.

The South Eastern Times and The Penola Pennant - 24 August 2023 (Second Consultation)



Artists, creatives and fashionistas are being asked to submit their entry forms for the upcoming Millicent Met wearable art event as soon as possible.

The fun runway competition is Imagine Millicent Arts Group (IMAG) major fundraiser for the year and will be held on October 14th with entry forms for the event due Friday September 8th.

Wearable arms.

tember 8th.

Wearable artworks do not need to be completed until October 7th but final planning for the evening will begin once entries are closed.

IMAG member Chris Hollingsworth said "People need to get their entry forms in as soon as possible.

"We need the closing date for entries to finalise everything, like the music.

"There's been a lot of interest and we know people are working on their wearable art but we've had very few entries so far."



Encouraging people to get creative are Sandra Melrose and Chris Hollingsworth, organisers of this year's Millicent Met event.

Six different categories for the event in-clude best dressed, most imaginative, upcy-cling, people's choice and student awards. Entry forms are available from the Milli-cent Library, Heaven on a Hanger, McCourts

Garden Centre or from IMAG members Chris Hollingsworth and Sandra Melrose. All categories are \$20 to enter and \$10 for students with entrants receiving an entry tick-et for the event.

et for the event.

Millicent Met is the third major fundraiser
held by the group and follows on from a successful open garden and art day in 2020 and
the Ignition Fitness cocktail and art auction
event held last year.

When it corner to fundraine up and with to

event held last year.

"When it comes to fundraisers we don't do ordinary, we do different" IMAG member Sandra Metrose said.

Money raised by IMAG funds public art projects throughout the town.

The recent large scale mushroom mural in Davenport Street is their most recent and was a collaboration between IMAG and Ignition Fitness whose wall it adorns.

Tickets to attend the Millicent Met runway event are planned to go on sale at the begin-ning of September.

Stats show the reality of assisted death

The second Voluntary Assisted Dying quar-terly report has been released with 40 people receiving the permit between May 1 and June 30.

The program has received positive feed-back from participants and their families, specifically concerning the support and care provided to those applying for the permits. Of the 40 people who received the volun-

tary assisted dying permit, 32 have died aged from their 20s to 90s.

Of these, 19 people had terminal cancer and five had degenerative neurological condi-

19 people self-administered medication and eight were supported by a medical practitioner with five dying without using the medication available.

During this reporting period, 40 per cent of people with the permit died in regional South Australia.

Australia.

There are also 66 medical practitioners who have completed the mandatory training with a further 46 registered or part-way through. Of these practitioners, 49 are in metropolitan Adelaide and 17 in regional South Australia.



WEED REMOVAL: Limestone Coast

Weeds get the flick

About 70 young environmental leaders from across the Limestone Coast made an impact on weed control recently.

Students from the Young Environmental Leaders Program met for the third time this year and gained experience working with the local landscape officers.

Officers.

The students learnt about the importance of clearing pest weeds from the landscape to reduce its impact on the environment.

landscape to reduce its impact on the environment.

Limestone Coast education coordinator Vanessa Freebairn said it was amazing to watch the landscape transport as students "embarked on weed removal" in small groups.

"The students all love being involved," Ms Freebairn said.

"When they see how many weeds they have removed in a short amount of time it is very rewarding and they are always eager to do more.

"Many hands make light work which supports the landscape officers when combating weeds in these larger areas such as the Valley Lakes/Ketla Malpi."

Students filled a chipper truck multiple times and witnessed the weeds becoming wood chips, ready to be recycled on the side of the slope which would support the native plants in the area.

They also attended a session in the morning where they learnt more about waste and recycling and were able to discuss their school's sustainability projects with their peers as the embarked on the final term of the Young Environmental Leaders Program for this year.

Proposal for the Revocation of Community Land Classification Cullens Road, Southend

Wattle Range Council have resolved to undertake a secondary round of public consultation in accordance with Section 194(2) of the Local Government Act 1999, with a corrected Certificate of Title reference, in order to consider a proposal to revoke the Community Land classification over the following land parce

Altotment 301, Cullens Road, Southend (CT 5921/66)

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 www.engage.wattlerange.sa.gov.au.

The closing date for submissions on the proposal is 5 pm on Thursday, 31 August, 2023.

CHIEF EXECUTIVE OFFICER





4 Thursday, 24 August, 2023

Public Signage located on Subject Land – First Consultation



Public Signage located on Subject Land – Second Consultation



STRENGTH and VISION from COAST to BORDER

Copy of Letter forwarded to nearby properties and key stakeholders – First Consultation

Our Ref:

GF/16.16.2

Your Ref:

coulet community land revocation southend consultation 200323

f: A133

20 March 2023



PO Box 27, Millicent SA 5280 www.wattlerange.sa.gov.au

Dear Sir/Madam

Revocation of Community Land Classification Cullens Road, Southend

Council is currently undertaking public consultation in relation to the revocation of the community land classification for the following parcel of land:

- Allotment 301, Cullens Road, Southend

The purpose of the proposed revocation is to allow Council to dispose of the property by way of public auction or private treaty.

You have been identified as a key stakeholder or affected party to this proposal, and Council is providing this information to you for your information. In accordance with Council's Community Engagement Policy, you are invited to comment on the proposal.

A copy of the Consultation Report is attached for your information together with some frequently asked Questions in relation to the Community Land revocation process.

Written representations will be received up until 5.00 p.m. on Monday, 17 April, 2023.

Council encourages you to 'Have Your Say'.

Should you require any further information in relation to the proposed revocation of the community land classification, please do not hesitate to contact me on 8733 0900 at your convenience.

Yours faithfully

Cathy Bell

MANAGER - ADMINISTRATION

Enc.

Telephone:

(08) 8733 0900

Email:

council@wattlerange.sa.gov.au

Copy of Letter forwarded to nearby properties and key stakeholders – Second Consultation

Our Ref:

GF/16.16.2

Your Ref:

coulet community land revocation southend consultation 040823

A13372

4 August 2023



PO Box 27, Millicent SA 5280 www.wattlerange.sa.gov.au

Dear Sir/Madam

Revocation of Community Land Classification Cullens Road, Southend

Council is currently undertaking a secondary public consultation in relation to the revocation of the community land classification for the following parcel of land:

Allotment 301, Cullens Road, Southend, Certificate of Title Volume 5921 Folio 66

The purpose of the proposed revocation is to allow Council to dispose of the property by way of public auction or private treaty. Please note that the second round of consultation is to clarify the land description and location of the allotment as the initial consultation had incorrect Certificate of Title (CT) referencing when advertised.

You have been identified as a key stakeholder or affected party to this proposal, and Council is providing this information to you for your information. In accordance with Council's Community Engagement Policy, you are invited to comment on the proposal.

It should be noted that the feedback received during the initial formal public consultation process will still be considered at the conclusion of the secondary formal public consultation process.

A copy of the Consultation Report is attached for your information together with some frequently asked questions in relation to the Community Land revocation process.

Written representations will be received up until 5.00 p.m. on Thursday, 31 August, 2023. Council encourages you to 'Have Your Say'.

Should you require any further information in relation to the proposed revocation of the community land classification, please do not hesitate to contact me on 8733 0900 at your convenience.

Yours sincerely,

Paul Duka **DIRECTOR CORPORATE SERVICES**

Enc.

Consultation Report

Frequently Asked Questions

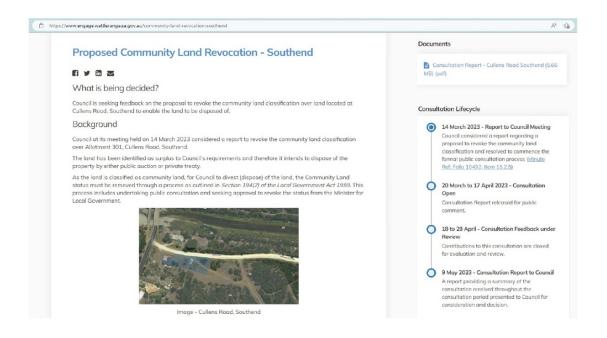
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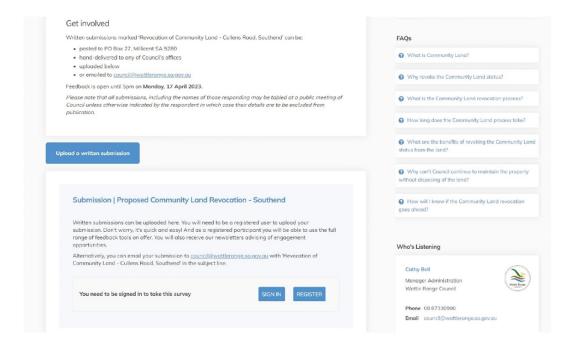
08 8733 0900

Email:

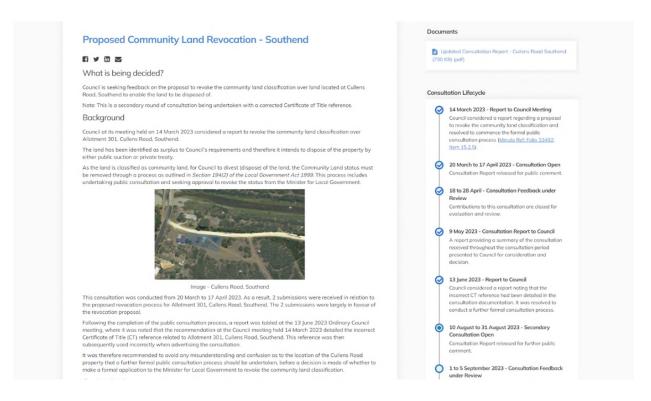
pad@wattlerange.sa.gov.au

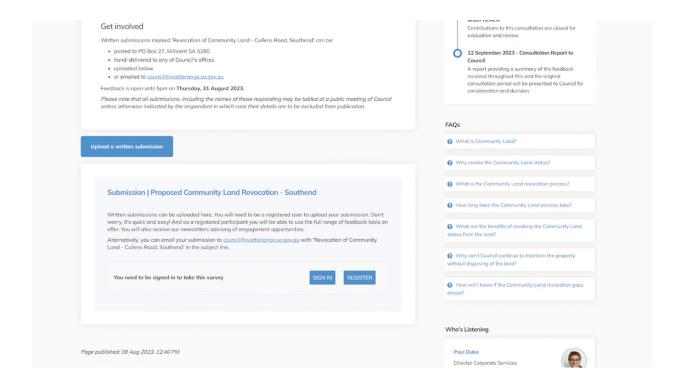
Have Your Say - Council Website - First Consultation



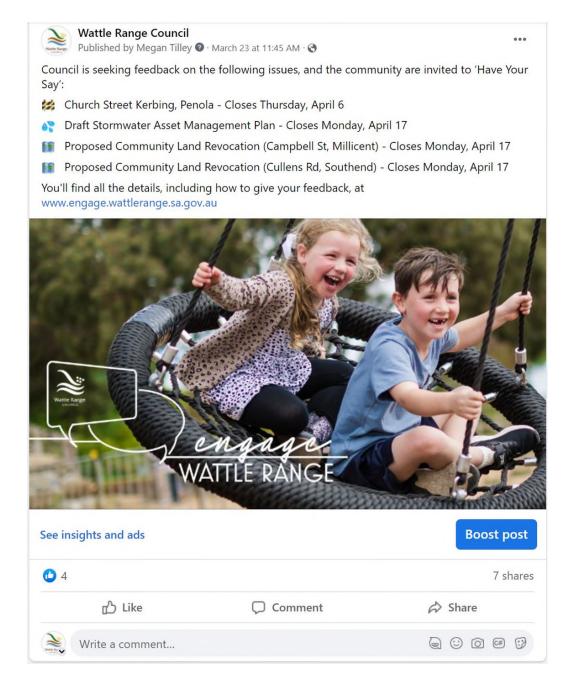


Have Your Say - Council Website - Second Consultation

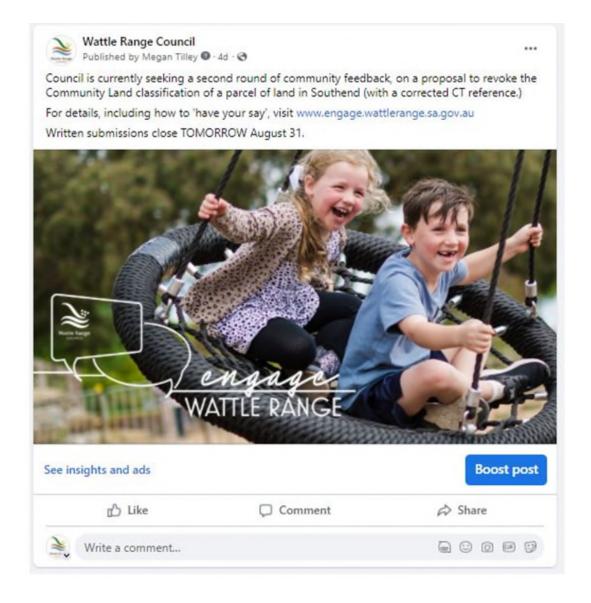




Council Facebook Post - First Consultation (23 March 2023)



Council Facebook Post - Second Consultation (30 August 2023)



Public Notice – First Consultation



PUBLIC NOTICE PROPOSAL FOR THE REVOCATION OF COMMUNITY LAND CLASSIFICATION

Council is currently considering a proposal to revoke the Community Land Classification from land owned by Council with the view of disposing the land via public auction or private treaty.

The subject land is described as Allotment 301, Cullens Road, Southend (area shaded blue below).



Council encourages members of the community to "Have Your Say".

A copy of the Consultation Report is available for viewing at the Millicent Office, 'Civic Centre', George Street, Millicent; or on Council's website – www.engage.wattlerange.sa.gov.au.

The closing date for written submissions is 5.00 p.m., on Monday, 17 April 2023.

FIND OUT MORE



Ben Gower CHIEF EXECUTIVE OFFICER

20 March 2023

Public Notice – Second Consultation



PUBLIC NOTICE PROPOSAL FOR THE REVOCATION OF COMMUNITY LAND CLASSIFICATION

Council is undertaking a secondary round of consultation, with a corrected Certificate of Title reference, in order to consider a proposal to revoke the Community Land Classification from land owned by Council with the view of disposing the land via public auction or private treaty.

The subject land is described as Allotment 301, Cullens Road, Southend, Certificate of Title Volume 5921 Folio 66 (area shaded blue below).



Council encourages members of the community to "Have Your Say".

A copy of the Consultation Report is available for viewing at the Millicent Office, 'Civic Centre', George Street, Millicent; or on Council's website – www.engage.wattlerange.sa.gov.au.

The closing date for written submissions is 5.00 p.m., on Thursday, 31 August 2023.

FIND OUT MORE



Ben Gower
CHIEF EXECUTIVE OFFICER

Poster - First Consultation

COMMUNITY CONSULTATION



Proposal for the Revocation of Community Land Classification Cullens Road, Southend

Council is seeking feedback on the proposal to revoke the community land classification over land located at Cullens Road, Southend to enable the land to be disposed of.

The land has been identified as surplus to Council's requirements and therefore it intends to dispose of the property by either public auction or private treaty. As the land is classified as community land, for Council to dispose of the land, the Community Land status must be removed through a process as outlined in Section 194(2) of the *Local Government Act* 1999.



Image: Subject land on Cullens Road, Southend

Written submissions marked 'Revocation of Community Land - Cullens Road, Southend' are invited and can be:

- posted to PO Box 27, Millicent SA 5280
- hand-delivered to any of Council's offices
- uploaded to www.engage.wattlerange.sa.gov.au
- · or emailed to council@wattlerange.sa.gov.au

HAVE YOUR SAY



Council is seeking community feedback on this proposal.

You can easily **'have your say'** by completing our online survey. Simply scan the QR code or visit:

www.engage.wattlerange.sa.gov.au

Feedback is open until 5pm on Monday, April 17.

For further information contact

e: council@wattlerange.sa.gov.au ph: 08 8733 0901 w: www.wattlerange.sa.gov.au



Poster - Second Consultation

COMMUNITY CONSULTATION



RE-ADVERTISED Proposal for the Revocation of Community Land Classification - Cullens Road, Southend

Council is seeking further feedback on the proposal to revoke the community land classification over land located at Cullens Road, Southend to enable the land to be disposed of.

An initial round of public consultation was conducted in March/April 2023 however an incorrect Certificate of Title was referenced on the public notice.

The land has been identified as surplus to Council's requirements and therefore it intends to dispose of the property by either public auction or private treaty. As the land is classified as community land, for Council to dispose of the land, the Community Land status must be removed through a process as outlined in Section 194(2) of the *Local Government Act* 1999.



Image: Subject land on Cullens Road, Southend

Written submissions marked 'Revocation of Community Land - Cullens Road, Southend' are invited and can be:

- posted to PO Box 27, Millicent SA 5280
- hand-delivered to any of Council's offices
- uploaded to www.engage.wattlerange.sa.gov.au
- or emailed to council@wattlerange.sa.gov.au

HAVE YOUR SAY



Council is seeking community feedback on this proposal. You can **'have your say'.** Simply scan the QR code or visit:

www.engage.wattlerange.sa.gov.au

Feedback is open until 5pm on Thursday, August 31.

For further information contact

e: council@wattlerange.sa.gov.au ph: 08 8733 0901 w: www.wattlerange.sa.gov.au



Appendix D

Submissions Received during the Initial Public Consultation Process

Cathy Bell

From: Bronwyn Clark <firstlight@outlook.com.au>
Sent: Wednesday, 12 April 2023 2:52 PM

To: Council

Subject: El2023/212738 - 16.16.2 - Community land sale Cullens road

In regard to the Land at Cullens road, we would like to see it used for Community use, such a position would be perfect for A tourism venture of some kind, a tourist centre, office space for shops perhaps.

If the Council decides to sell the Proceeds SHOULD DEFINITELY go back into the Community of Southend. .. The town needs a proper TOWN WATER Facility, which has been earmarked for many years (10 year plan). Plus work on the eroded Foreshore would certainly be on the list.

There is many services and projects the town of Southend needs for it to Grow and Prosper.

regards Bronwyn and Craig Clark

Cathy Bell

From: Sallie Chambers <salliechambers@outlook.com>

Sent: Monday, 17 April 2023 10:23 AM

To: Council

Subject: El2023/212849 - 16.30.1 - 'Revocation of Community Land - Cullens Road,

Southend'

SynergySoft: EI2023/212849 - 16.30.1 - 16.20.1

To Whom it May Concern,

If this land is going to have a classification change and the land be sold I strongly urge council to put the proceeds of the sale back into Southend perhaps in the combatting of erosion and also it would be great to see some granted to the Southend Progress Association for the upgrade of the tennis/sports facilities in Southend as I believe was the case several years ago at Hatherleigh when similar land was sold.

I would also like to know why this land can have its classification changed and be sold but the industrial blocks on Harvey street can't be sold when there is very strong demand for them.

Regards Sallie Chambers 0427348028

Sent from my iPhone

Copy of Letter forwarded to Southend residents who submitted a response to the initial formal public consultation.

Our Ref: Your Ref: GF/16.16.2 (EI2023/212738)

coulet response to submission Cullens Road Southend 040823

4 August 2023



PO Box 27, Millicent SA 5280 www.wattlerange.sa.gov.au

Dear

Revocation of Community Land Classification Cullens Road, Southend

Council is in receipt of your correspondence dated 12 April 2023 regarding the revocation of community land classification of Allotment 301, Cullens Road, Southend.

We would like to inform you that Council is currently undertaking a second public consultation in relation to the revocation of the community land classification for the following parcel of land:

Allotment 301, Cullens Road, Southend, Certificate of Title Volume 5921 Folio 66

The purpose of the proposed revocation is to allow Council to dispose of the property by way of public auction or private treaty. Please note that the second round of consultation is to clarify the land description and location of the allotment as the initial consultation had incorrect Certificate of Title (CT) referencing when advertised.

We would like to thank you for taking the time to submit your response in relation to the initial consultation on the aforementioned land, and would like to inform you that your initial submission will still be considered as part of the consultation process. However, if you wish to provide a secondary submission, you are more than welcome to do so.

A copy of the Consultation Report is attached for your information together with some frequently asked questions in relation to the Community Land revocation process.

Written representations will be received up until 5.00 p.m. on Thursday, 31 August, 2023. Council encourages you to 'Have Your Say'.

Should you require any further information in relation to the proposed revocation of the community land classification, please do not hesitate to contact me on 8733 0900 at your convenience.

Yours sincerely,

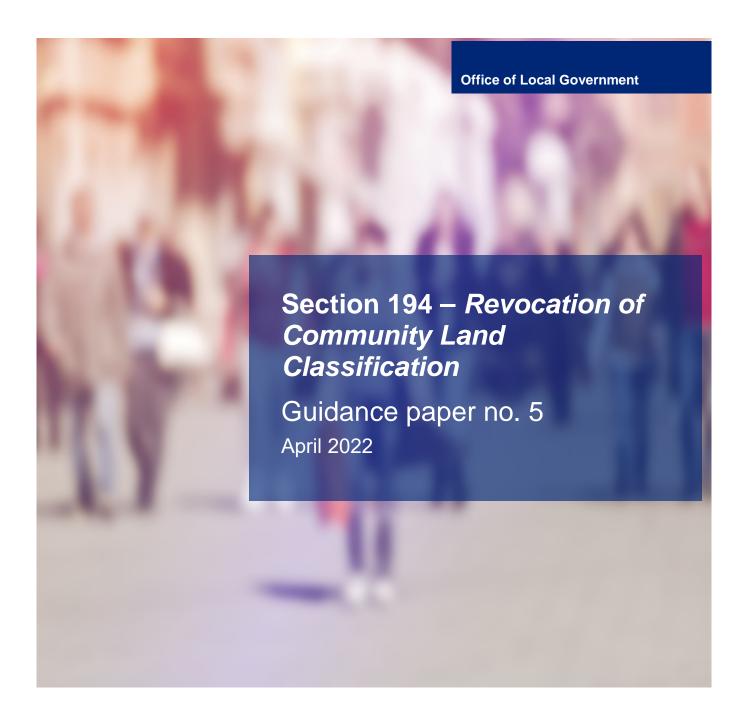
Paul Duka <u>DIRECTOR CORPORATE SERVICES</u>

Enc

Consultation Report Frequently Asked Questions

Telephone: Email: 08 8733 0900 pad@wattlerange.sa.gov.au

Wattle Range Council - Ordinary Meeting - 12 September 2023



This document and others in the series are provided as a guide to good practice and not as a compliance requirement.

The content is based on officer's knowledge, understanding, observation of, and appropriate consultation on, current good practice. Information papers may also include the Office of Local Government's views on the intent and interpretation of the legislation.

The material does not constitute legal advice.



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The community land legislative framework

The *Local Government Act 1999* (the Act)1 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'².

The framework aims to ensure a consistent, strategic and flexible approach to the administration and management of local government land. Its objectives are to protect community interests in land for current and future generations.

Local government land (other than a road, easement, or right of way) is taken to be classified as community land unless—

- the council resolves <u>before</u> the land3 is acquired or comes under its care, control and management that it is excluded from classification: section 193(4)(a) of the Act; and
- the land is <u>not</u> affected by provisions of a reservation, dedication, trust or other instrument that would prevent or restrict its alienation: s 193(4)(b).

Once classified, community land-

- cannot be disposed of, except in prescribed cases: s 201(2);
- may require the preparation and adoption of a management plan: s 196;
- can be leased or licensed but only in accordance with prescribed requirements: s 202;
 and
- can be used for business or commercial purposes, subject to the use being authorised in an approved management plan for the land: s 200.

The council may not revoke the classification of community land in accordance with section 194 of the Act for the following classes of land—

- · Adelaide Park Lands;
- land required to be held for the benefit of the community under Schedule 8 of the Act (Beaumont Common, Klemzig Memorial Garden, Levi Park, Reynella Oval, Lochiel Park Lands, and Frew Park), under a special Act of Parliament or under an instrument of trust; and

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1

¹ See Appendix A for definitions relating to Chapter 11 of the Local Government Act 1999.

Transitional arrangements between 2000 and 2003 allowed the council to exclude specific parcels of land from classification as community land. Typically, the land was used solely for council operational purposes (work depots), or for business or commercial purposes (car parks) or other non-community purposes (land identified for sale)

Land that formed a road or part of a road that vests in the council after the closure under the Roads (Opening and Closing) Act 1991 is taken to be community land unless the council resolves before or at the time of making the relevant road process to exclude the land from classification: s 193(4a).

land excluded by Regulation (no regulations have so far been made for this purpose).

The council may need to seek legal advice as to whether a parcel of land is subject to an instrument of trust.

Generally, the Act affords the council sufficient flexibility to manage and use community land, including a use for a business purpose, without the need to revoke the classification.

The council may resolve to classify any local government land that has previously been excluded from classification: s 193(5).

Role of the Minister

The relevant Minister is the Minister responsible for the *Local Government Act 1999* (the Minister).

The Minister has a duty to-

- review the process followed by a council in submitting a proposal for a revocation of community land classification, and
- · assess the merits of the proposal.

The Act sets out the steps a council must follow before submitting a proposal to the Minister. It is pre-requisite for the exercise of the Minister's discretion that the council has followed the steps set out in the Act.

If the council has not followed the requirements set out in the legislation the Minister cannot exercise his/her discretion to approve a proposal.

If the Minister is satisfied that the council has complied with the legislative requirements, the Minister can then assess the merits of the proposal in determining whether to approve or not approve the proposal. The Act requires that the council provide to the Minister a report on the content of all submissions made in the course of the public consultation. The public consultation process and its results are therefore relevant considerations for the Minister when assessing the merits of a proposal.

The Minister's approval gives the council the authority to pass a resolution to revoke the classification. The council should not pre-empt that the Minister's approval will be given in every instance.

Accordingly, where the council proposes to dispose of land by private sale or public auction, it should not commence advertising the sale or enter into a contract for the sale or disposal (including a contract made on the condition of the Minister's approval being given), until such time as the Minister's approval is given.

2

Crown Land

If the subject land is Crown land dedicated to a council and that dedication is removed then after the dedication is removed, the subject land is considered to no longer be classified as 'community land' for the purposes of the Act and as a consequence a community land process under section 194 of the Act is not required.

Revocation process⁴

It is important to note that the council is the instigator of any proposal to revoke the classification of community land, and as such, it is ultimately the council that is responsible and accountable to its community for the decisions it makes. The Act seeks to ensure that members of the community are involved in the revocation process, and to provide them with an opportunity to make submissions which their council must consider.

The process for revoking community land classification exists to give scope to the council to determine (in consultation with its community) whether the community's long-term interest in a parcel of land does or does not need to be protected. The council and the community may decide that such protection under this classification is no longer required, and failure to do so would prevent the land's use or development for other specified and agreed purpose. For example, the council may wish to dispose of the land and use the proceeds for some other community purpose, use the land wholly or substantially for operational or commercial purposes, or lease the site for a term greater than the maximum 42 years permitted by the Act: s 202(4).

The council should be able to clearly demonstrate to the community that it has developed a specific strategy for the future use of the land, and that revocation of the classification is necessary to deliver that strategy.

The council should also take a holistic approach when developing a proposal for revocation of land that will facilitate a project or strategy on adjoining land, for example, the revocation is necessary to enable a road to be opened under the Roads (Opening and Closing) Act 1991 to give access to an adjoining land division. It is important that the council takes into account the processes and procedures required under other legislation, in addition to those under the Act.

Report on the proposal for consultation

Before the council submits a proposal to the Minister for revocation of the classification of community land, it must prepare and make publicly available a report on the proposal. This report forms the basis of the council's consultation with the community. It must contain all of the information listed in subsection 194(2)(a) of the Act. If any of the required information is

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 $^{^{4}}$ A flowchart summarising the revocation process is shown in Appendix B.

not included in the report, the proposal will not comply with the legislative requirements and the Minister will not be able to exercise his/her discretion. If any of the information is not provided in sufficient detail, the Minister may consider that the community has not been given the appropriate opportunity to fully understand the proposal, and this may affect the assessment of the merits of the proposal.

The report must contain the following information—

(i) a summary of the reasons for the proposal;

Comment:

This must be a full statement on the reasons of the proposal. For example, the land will be disposed of for private residential development, or a long-term lease granting exclusive rights to a sporting organisation is to be granted, or will be used for council's operational purposes.

A statement in the report that the reasons for the proposal is to revoke the community land classification of the land is not sufficient.

The reason the council proposes to revoke the community land classification should be clearly articulated so that members of the public are fully informed and given a genuine opportunity to either express concerns or to support the proposal. This should also include any relevancy the proposal has to strategies or objectives of the council that the community had been previously consulted on or would be aware of. For example, the proposal will contribute to the objectives of the strategic management or annual business plan, or the property was identified as being surplus in the asset management plan and its possible disposal flagged in the annual budget.

It is advisable that the report also contain a copy of the relevant certificate of title, and spatial map showing the cadastral boundaries of the subject land and immediate surrounding areas likely to be affected by the proposal.

- (ii) a statement of any dedication, reservation or trust to which the land is subject; and
- (iii) a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land; and a statement of how the council proposes to use the proceeds;

Comment:

The report must include a statement of the intended use of the funds acquired from sale of the land, even if it is intended to put the money into general revenue.

Members of the public need to be given information about the use of acquired funds as it may affect their attitude to the proposal. For example, a person may be concerned about a proposal to sell community land if the money is to be placed into general revenue but may give support if the funds are to be used for the acquisition or upgrade of other community facilities.

If sale or disposal is contemplated, the report should indicate if the proposal is consistent with the council's policy on sale or disposal of land (s 49(1)(d)).

As mentioned above, where it is proposed that the land will be disposed of, the council should not commence advertising the sale or enter into a contract for the sale or disposal

(including a contract made on the condition of the Minister's approval being given), until such time as the Minister's approval is given.

Section 201(3) of the Act provides that if State Government financial assistance was given to the council to acquire the land and the council has not resolved to use the proceeds for the acquisition or development of other land for public or community use, or for the provision of community facilities, the Minister may request the council, as a condition of approval, to pay an amount to the Crown, or to apply, for a purpose specified by the Minister, an amount of money that does not exceed the sale price.

 (iv) an assessment of how implementation of the proposal would affect the area and the local community;

Comment:

This assessment should provide a discussion and conclusion on the effects of the proposal on the local community. It should set out the current use of the land and identify potential groups that could be directly affected by the proposal. For example, sporting groups or residents living in the locality who use the land. The assessment should explain clearly the perceived positive and negative affects on the community of the proposal.

The statement should take into consideration any relevant strategic planning documents prepared by the council, for example, open space or recreation strategy, residential strategy or town centre strategy.

The statement should also take into account the relationship of the proposal, if any, to government strategic planning for open or recreational land in the area or region, for example, whether the land is linked to the State Government's Metropolitan Open Space Strategy, or the targets or objectives in the 30 Year for Greater Adelaide or relevant Regional Planning Strategy.

(v) if the council is not the owner of the land – a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification:

Comment:

If the land is under the care, control and management of the council, but is not owned by the council, the classification of land as community land cannot be revoked unless the owner of the land approves the revocation.

If the land is owned by the Crown and is dedicated under the care, control and management of the council, the approval of the Minister for Sustainability, Environment and Conservation (as the Minster who administers the *Crown Lands Management Act 2009*) must be obtained on behalf of the Crown, before the report is prepared. For other land owned by the Crown, the approval of the relevant Minister must be obtained.

A person who holds Native Title in the land is also considered an owner for the purposes of the Act and the revocation of the community land classification cannot proceed without that person's consent.

If the owner(s) of the land place any conditions on their approval of the revocation, the report must state this and set out those conditions.

Public consultation requirements

After the report has been prepared, the Act requires that it be made publicly available. The information in that report is intended to inform members of the public of the council's proposal,

enable them to form a view on that proposal, and should they choose, make a submission in support of that view.

The Act (s 194(2)(b)) also requires that the council consult with the public on the proposal in accordance with its own public consultation policy.

Under the Act (s 50), all councils must adopt a public consultation policy. That policy must set out the steps that the council will follow in cases where the Act requires that a council must follow its public consultation policy.

The Act (s 50(4)) requires that the council's public consultation policy must provide interested persons with a reasonable opportunity to make submissions, and at least provide for—

- a) the publication in a newspaper circulating within the area of the council a notice describing the matter under consideration and inviting interested persons to make submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and
- b) the consideration by the council of any submissions made in response to an invitation under paragraph (a).

The council must adhere to the requirements of its own public consultation policy. If that policy prescribes steps that are more stringent than the minimum requirements of the Act, then those steps must be followed. If the policy is not complied with, the council's application to the Minister will not comply with the legislative requirements and the Minister cannot exercise his/her discretion in relation to that application.

The nature and outcome of the public consultation process are relevant to the Minister's exercise of his/her discretion.

Effective consultation

Planning is the key to successful engagement with communities on a proposal to revoke the classification of land as community land.

It is important to be clear about the decision to be made. Being unclear could lead to tension between the council and its community. In the context of a proposal to revoke the community land classification, the decision is generally much broader than the decision to change the classification of the land. The broader decision will also involve a decision to do something with the land if the classification is revoked. The real issue is the council's intention for the future use of the land.

Effective consultation assists in managing expectations by ensuring that communities fully understand the nature of the project and the likely impacts and benefits that may result from a decision.

Each revocation proposal is unique. The council should give careful consideration to identifying the parties with an interest in the proposal. These are likely to include people who are directly impacted by the proposal – such as owners/residents of adjoining properties or organisations that regularly use the land – as well as those individuals or groups who may not be directly impacted but may still have a legitimate interest in the proposal, such as resident groups or visitors from outside of the council's area.

The council is encouraged to develop an understanding of these individuals and groups, their sensitivity to the project, and choose appropriate communication methods. When reviewing its public consultation policy, the council should include measures that will ensure that a proposal to revoke the classification of community land is brought to the attention of the wider community.

The *Community Engagement Handbook* (March 2008) provides a model framework for leading community engagement practice in Local Government. The handbook is available on the Local Government Association's website.

The council is encouraged to consider including the following steps in its public consultation policy—

- Writing directly and individually to those who live or own property in proximity to the
 affected land, particularly where the revocation is for the purpose of alienating open
 space currently available for recreational purposes;
- Erection of a sign that explains the proposal and invites public submissions on the subject land;
- Publication of a media article in the local newspaper or council's newsletter which identifies the land and explains the proposal and the public consultation process (particularly when the land is large or significant);
- Holding a public meeting or a meeting of the council where community feedback can be received; and
- Allowing a period longer than the minimum 21 days in which the public can make submissions. This may be important where the proposal involves a large or significant parcel of land, or it is known that people living outside of the council's area also use the land

There is nothing preventing the council from conducting a broader public consultation process than is prescribed by its own policy.

Notice of the proposal to the public

To help inform the public of a proposal, it is desirable that the following information appears in the notice—

- Details which readily identify the land. For example, the name by which the land is commonly known, or a plan or photo showing the location of the land, the current use of the land, the Certificate of Title reference for the land and whether the proposal relates to all or part of the land identified;
- A clear statement that the council proposes to revoke the classification of the land as community land;
- The council's reasons for the proposal. For example, sale or disposal of the land, granting a long-term lease over the land, or future use for council's operational purposes;
- Details of where copies of the report and further information can be obtained;
- The name of the contact person at the council;
- An invitation for interested persons to make submissions to the council in relation to the proposal; and
- The closing date for submissions.

As mentioned above, it is desirable that the council considers a period longer than the minimum 21 days for the receipt of public submissions, where the proposal involves a large or significant parcel of land, or it is known that people living outside of the council's area use the land.

Consideration of submissions

The Act (s 50(4)(b)) requires that the council's public consultation policy must provide for the consideration by the council of any submissions made. Once the public notification period has ended, there must be compliance with this aspect of the policy. The Act (s 194(3)(a)) also requires that the council submit to the Minister a report on all submissions made as part of the consultation process.

Community members are more inclined to make submissions on a proposal if they feel they have the capacity to have input to the decision-making process. An acknowledgement in writing to those persons who have made a submission, and informing them that their

comments will be considered by the council, will also ensure that they feel they have contributed to the decision-making process. Where the proposal attracts interest from the community, particularly where there is both support for and opposition to a proposal, the council could consider including the date and time of the council meeting at which the proposal will be considered in the acknowledgment referred to in the previous paragraph.

Native Title

Consultation with Native Title groups needs to be consistent with any requirements in the council's public consultation policy in respect of land on which native title has not been extinguished. The council should seek its own legal advice as to whether or not Native Title may be an issue for the land concerned.

Seeking the approval of the Minister

After considering public submissions, the council may resolve to seek Ministerial approval for the proposal. Only then, can an application be made to the Minster.

The council may not delegate the power to make an application to the Minister (s 44(3)). The council must make a resolution to submit the proposal to the Minister for approval.

Information provided in the application to the Minister

When submitting the proposal to the Minister the council should provide a copy of its resolution to submit the proposal.

Information relevant to the application will help inform the Minister in making a decision on the merits of the application. Consequently, the following information should accompany an application—

- ☑ A copy of the report prepared by the council for the purposes of section 194(2)(a);
- ☑ In the event that the land is under the care, control and management of the council but is not owned by the council, a copy of the landowner's approval of the revocation (including approval of any native title holders);
- ☑ If the council proposes to sell the land, a copy of the council's policy on the sale or disposal of land, under section 49(1)(d);
- ☑ Details of the public consultation undertaken, including copies of the actual advertisement(s) placed in local newspaper(s), media releases, photos of signs erected on the land, and copies of any correspondence sent to adjoining property owners or occupiers as well as details of those persons who were notified;
- A copy of the relevant certificate of titles, spatial plan(s) showing the cadastral boundaries of the subject land and immediate surrounding areas, and any other documentation that the council believes will support its application; and

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- ☑ In the event that the land is to be sold, a copy of the valuation report on the land (if obtained), and a copy of any resolution by the council to use the proceeds of the sale of the land for the acquisition or development of other land for public community use or for the provision of community facilities.
- ☑ Copies of all submissions or petitions made on the proposal as part of the public consultation process;
- ☑ A report to the Minister on all submissions received on the proposal during the council's public consultation process, for the purposes of section 194(3)(a) and the council's response to the issues raised in the submissions received;
- ☑ A copy of the agenda report and minutes for the council meeting at which the council considered any submissions made during the public consultation process;
- ☑ A copy of council's resolutions relevant to the proposal, including the resolution to submit the proposal to the Minister;

It is requested that the application be sent electronically to the Minister at minister.brock@sa.gov.au in PDF format. Please consider the size of the document and break the application up into parts if the size is likely to disrupt transmission.

Notification of the Minister's decision

The council will be advised of the Minister's decision in writing. If the Minister does not approve the proposal, or the application does not comply with the Act, it is open to the council to submit a further proposal in relation to that land at a later time.

The revocation of the community land classification does not take effect unless the council makes a resolution to give effect to the proposal. It may decide that it does not wish to proceed with the revocation. In that case, it is desirable that an appropriate resolution is made.

If the council resolves to revoke the classification, the land is freed from any dedication, reservation or trust affecting the land, other than a dedication, reservation or trust under the Crown Lands Management Act 2009: s 195(1).

If a certificate of title has been issued over land that is subject to a dedication, reservation or trust, (other than a dedication reservation or trust under the Crown Lands Management Act 2009) the council must, immediately after the revocation of the classification of land as community land, give notice of the revocation to the Registrar-General in a manner and form approved by the Registrar-General.

The council may choose to place a notice of the resolution in the local newspaper or in the Government Gazette, but it is not legally required under the Act to do so.

Appendix A—definitions

NOTE: The definition in this appendix is provided as a guide only, please refer to section 4 of the *Local Government Act 1999* for interpretation.

"land" means, according to the context,

- (a) land as a physical entity, including
 - (i) any building or structure on, or improvements to, land: or
 - (ii) land covered by water and, in such case, the overlying water; or
 - (iii) a strata lot under the Community Titles Act 1996 or a unit under the Strata Titles Act 1988; or
- (b) a legal estate or interest in, or right in respect of, land.

"local government land" means land owned by a council or under a council's care, control and management.

"owner of land" means

- (a) if the land is unalienated from the Crown; or
- (b) if the land is alienated from the Crown by grant in fee simple
 - (i) the holder of an estate in fee simple, or a life estate, in the land; or
 - (ii) the holder of a leasehold estate in the land who is not in occupation of the land; or
 - (iii) a mortgagee in possession of the land (or a receiver appointed by such a mortgagee);or
- (c) if the land is held from the Crown under a lease, licence or agreement to purchase the lessee, licensee or purchaser; or
- (d) a person who holds native title in the land; or
- (e) a person who has arrogated to himself or herself (lawfully or unlawfully) the rights of an owner of the land.

and includes the executor of the will, or administrator of the state, of any such person.

"public notice" means notice published in the *Gazette* and in a newspaper circulating generally throughout the State.

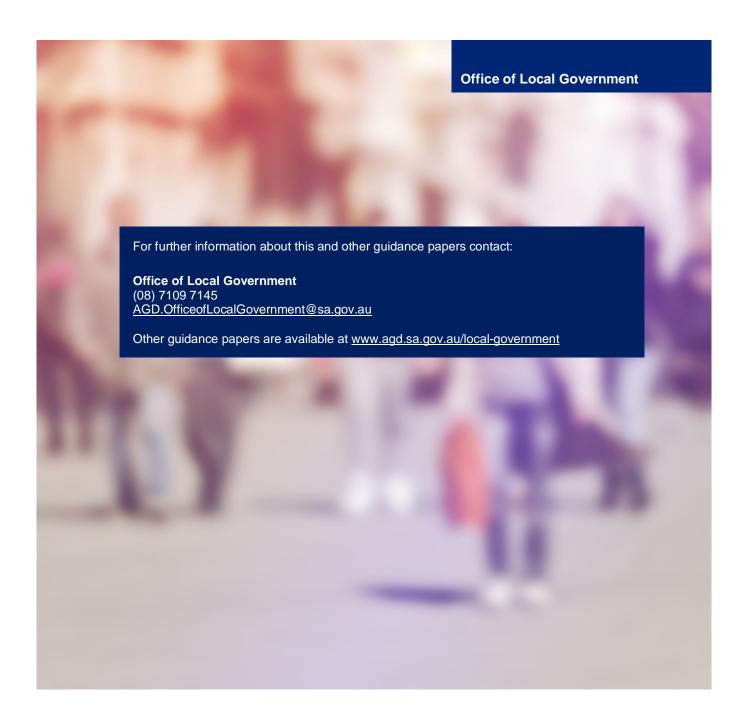
"public road" means

- (a) any road or land that was, immediately before the commencement of the *Local Government Act 1999*, a public street or road under the repealed Act; or
- (b) any road
 - (i) that is vested in a council under the Act or another Act; or
 - (ii) that is placed under a council's care, control and management as a public road after the commencement of the Act
 - but not including an alley, laneway, walkway or other similar thoroughfare vested in the council; or
- (c) any road or land owned by a council, or transferred or surrendered to a council, and which, subject to the Act, is declared by the council to be a public road; or
- (d) any land shown as a street or road on a plan of division deposited in the Lands Titles Registration office or the General Registry Office and which is declared by the council to be a public road; or
- (e) any land transferred or surrendered to the Crown for use as a public road that was, immediately before the transfer, held by a person in fee simple or under a lease granted by the Crown

(and includes any such road that is within the boundaries of a public square).

"road" means a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes a bridge, viaduct or subway; an alley, laneway or walkway.

Appendix B—flow-chart of revocation process Council resolves to commence revocation process Report on the proposal prepared containing Consent sought from owner of the the matters prescribed by the Act [s 194(2)(a)] land, if not the Council, and native title holder (if relevant) [s 194(1)(d)] Council resolves to commence public consultation process on the proposal. Consultation process carried out in accordance with Local Government Act and Council's public consultation policy [s 194(2)(a)]. Report on all submissions made on the proposal as part of the public consultation process for consideration by Council. Council considers report on submissions made and outcome of the consultation process, and resolves to proceed/not proceed with an application seeking the approval of the Minister [s 194(3)(a)]. Council submits application to the Minister Minister's assessment of the Council's compliance with the Local Government Act and the merits of the proposal. Minister approves proposal [s 194(3)(b)] Minister declines proposal Council may consider further proposal Council passes a resolution to revoke the community land classification [s 194(3)(b)] Registrar-General notified of the revocation (where applicable) [s 195(2)]





15.3 Director Development Services

15.3.1 Lions Park Upgrade Project

Report Type	Officer Report	
Department	Development Services	
Author	Rajat Shah	
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 1 - Community Vibrancy & Presentation 1.1 Maintain and enhance public space areas including parks, public places, car parking, street lighting and streetscapes to provide vibrant, attractive areas. 1.3 Continue to provide sustainable, vibrant community facilities. Theme 3 - Infrastructure & Asset Sustainability 3.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use.	
File Reference	GF/16.65.1	
Attachments	 ATTACHMENT 1 INITIAL DRAFT Charts and Diagrams [15.3.1.1 - 5 pages] ATTACHMENT 2 Lions Park Upgrade Conceptual Plans Options [15.3.1.2 - 3 pages] Lions Park Upgrade _ Conceptual Design _ 01082023 [15.3.1.3 - 7 pages] 	

Purpose of Report

To provide Council with an update to the Lions Park Upgrade Project and seek endorsement to undertake public consultation on the conceptual masterplan.

Report Details

Background

Unity Housing approached Council and organised a meeting on 26 November 2019 to discuss the need to upgrade the Lions Park. This meeting was attended and supported by the community, Wattle Range Council, Millicent Lions Club and Millicent Men's Shed. Following the meeting, Unity Housing took the initiative to submit grant applications and establish a 'Park Project Group', comprising community members, Council staff and Unity Housing representatives. This meeting resulted in the formation of concepts and identifying the amenities required at the Lions Park. A report was prepared for Council in February 2020 for future budget considerations.

Subsequently, another community engagement event was organised by Wattle Range Council staff to gather design considerations and understand user perspective for the Lions Park Upgrade. The Lions Park Fun Day was held on 16 December 2021, and funded by the Commissioner for Children and Youth People (CCYP) and was supported by Unity Housing and Millicent Lions Club.

Summary of Engagement and Conceptual Design Drafts

The Fun Day drew an unexpectedly large crowd of around 262 participants, both adults and children, with approximately 70% participating in consultation. The consultation aimed at collating information and encouraging the community to thoughtfully consider their aspirations and ideas. To achieve this, the consultation featured idea generation posters grouped in 4 themes, each with 6 design features. Community feedback highlighted the most popular theme as 'Active', followed by 'Nature'. Design features like water elements, inground trampoline and hammocks emerged as the top 3 desired features (refer to Attachment 15.3.1.1).

After the consultation, staff proceeded to develop considerations and design guidelines. Each consideration and design investigation were formulated based on budgetary and service level requirements. These considerations also took into account the necessity for robust materials and play equipment, considering maintenance factors and asset management in the future.

Based on the considerations and design guidelines, conceptual drawings were drafted and shared with Council's Engineering and Asset Management Team. An internal meeting was held on 8 March 2023 to review the two potential conceptual designs (see Attachment 15.3.1.2) for advancing the Lions Park Upgrade Project.

The internal meeting yielded significant outcomes from the asset management perspective, notably the decision to exclude the water feature from the park upgrades. This decision was primarily based on the nearby Millicent Swimming Lake, being a more suitable location for additional water features in the township. This approach is also feasible from a maintenance perspective, due to the pre-existing infrastructure for water chlorination at the Swimming Lake. Additionally, considering Lions Park's status as a pocket park, the potential challenge of managing visitor overflow with limited parking and amenities was also considered during this consideration. The inclusion of barbeque stations was considered to be low in priority due to the presence of such facilities in Parklands and Lake McIntyre. In contrast, the group highlighted significance of multi-sport courts and a pump track, aligning with the Active theme. Notably, the absence of a pump track within our Council region and its appeal to residents emerged as key factors. Following this meeting, it was determined that revisions are required for these conceptual alternatives.

Further Consultation and Conceptual Masterplan

Following the internal meeting, subsequent meetings were organised with local Indigenous representative, Jenny Bishop and the Director of Gladys Smith ELC to gather insights into their expectations regarding the Meeting Place and Children's Play area, respectively. Council staff conducted case studies of Meeting Place facilities at Millicent High School and Newbery Park Primary School to enhance their understanding before incorporating it into the design of the Lions Park Upgrade.

On 4 July 2023, Unity Housing organised a meeting to re-establish the Lions Park Committee previously referred to as the 'Park Project Group'. Attendees included representatives from the Lions Club, Wattle Range Council Staff, and community members.

Emma Clay, Director of Development Services, presented the initial drafts of two conceptual plans to the committee. In addition to this, the meeting covered various topics – including the recognition of available funds, community group involvement, infrastructure assessment, grants exploration, and stakeholder support. The committee was given the opportunity to provide suggestions for refining the conceptual drafts.

Subsequently, Council staff worked on refining the conceptual plan based on inputs from the committee, outcomes of previous internal meetings, and consultations with relevant parties. This 'Conceptual Masterplan' (see Attachment 15.3.1.3) was presented to the committee on 2 August 2023. During the meeting, the committee discussed and prioritised different elements of park upgrade. It was determined that the construction of access ramps and a toilet was of utmost priority, and that grant funding should be sought to see if the \$20,000 budget provided by the Council could be a suitable co-contribution to achieve the completion of these elements.

The conceptual masterplan was drafted (see Attachment 15.3.1.3) with a dedicated open area for the 'Children's Play Area', intended for detailed design based on stakeholder input. Thus, engaging the community through consultation is seen as the optimal approach to grasp their needs for this space. The conceptual plan features reference images for specific areas, aiding the community in understanding options. The community will have the opportunity to comment on and share their perspectives about various design aspects through Council's engagement online software.

Next Steps

It is intended the Conceptual Masterplan will be released for community consultation for a period of 21 days in accordance with Council's Community Engagement Policy.

Financial Considerations

Budget Allocation \$20,000

Budget Spent to Date \$0 Budget Variation Requested \$0

The design elements featured in the Conceptual Masterplan, such as the multi-sport court and pump track, are contingent upon the approval of grant funding.

Risk Considerations

Please refer to Wattle Range Council's SharePoint Register: Millicent Lions Park Upgrade – Consultation for Design.

Policy Considerations

Policy 1.5 Community Engagement Policy

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

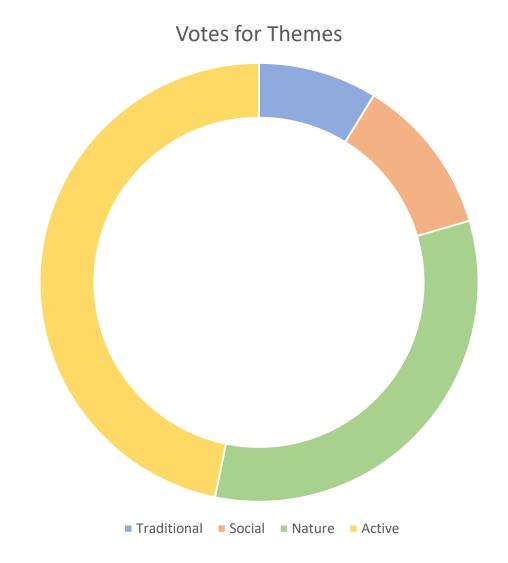
The consultation will be conducted via Council's engagement platform, Engage Wattle Range, which will utilise engagement tools such as a survey to determine the community's preferences in relation to the design details of the concept.

Unity Housing will play a pivotal role in this consultation, primarily by engaging tenants in the vicinity and educating them to participate in this process.

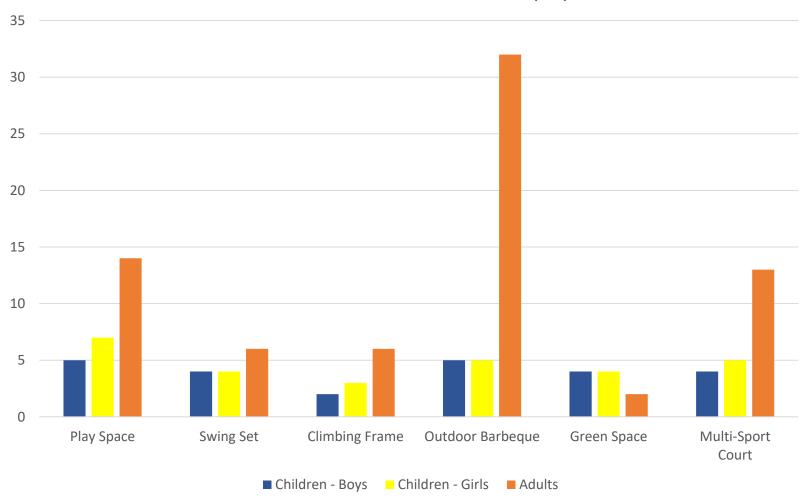
RECOMMENDATION

That Council:

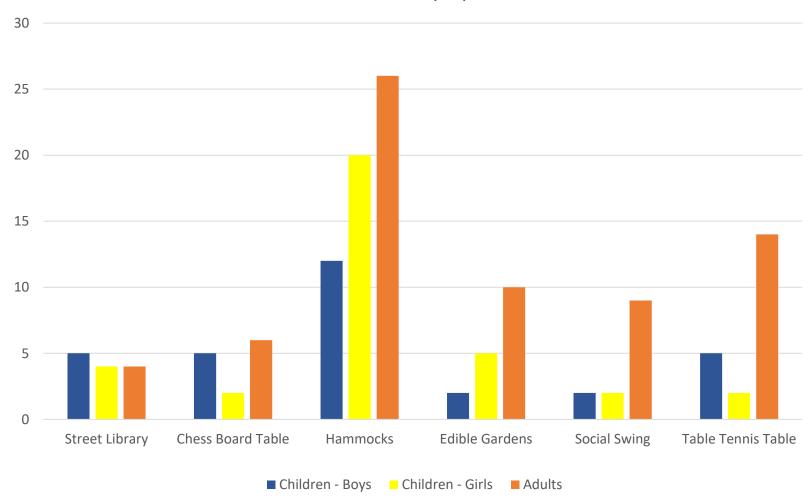
- 1. Receive and note the report.
- 2. Undertake public consultation in accordance with Council's Community Engagement Policy on the Conceptual Masterplan for Millicent Lions Park Upgrade.



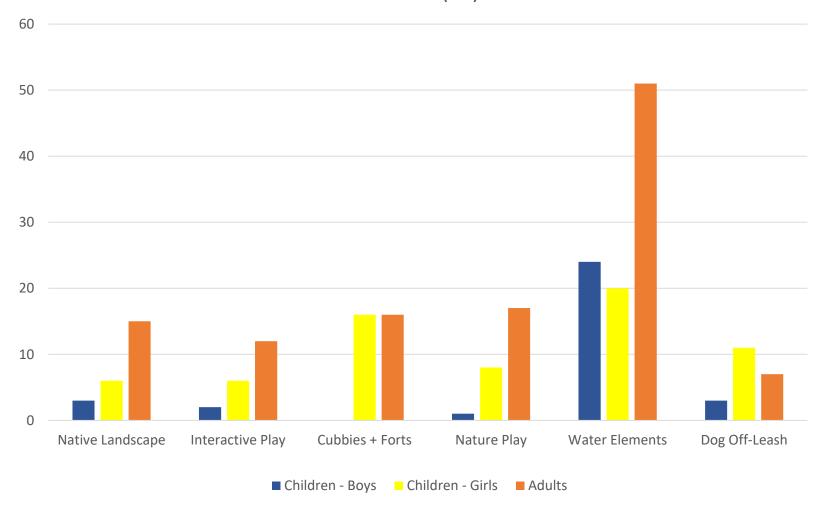
Votes for Theme – Traditional (15)



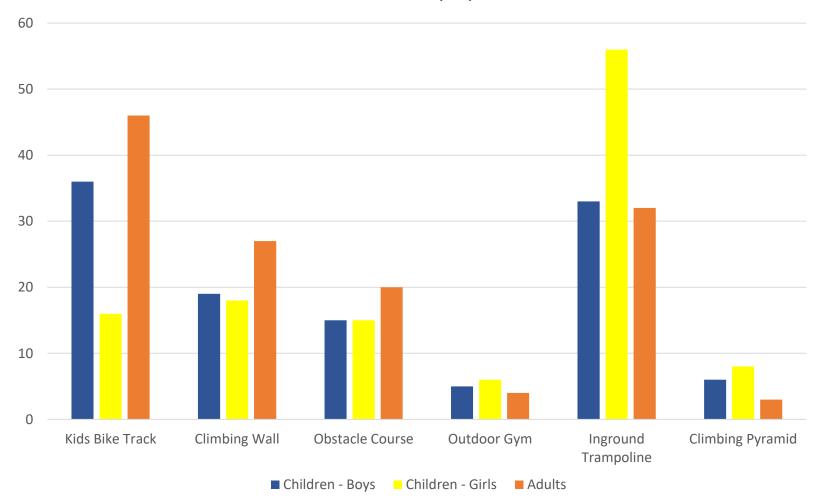
Votes for Theme – Social (20) and its Elements



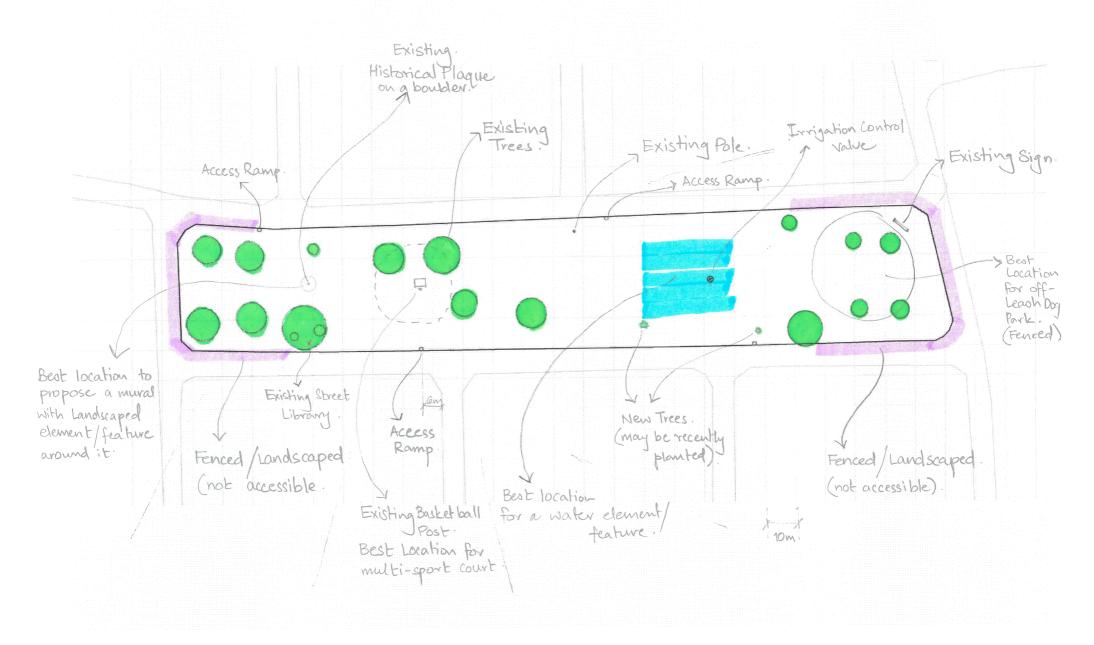
Votes for Theme – Nature (56) and its Elements



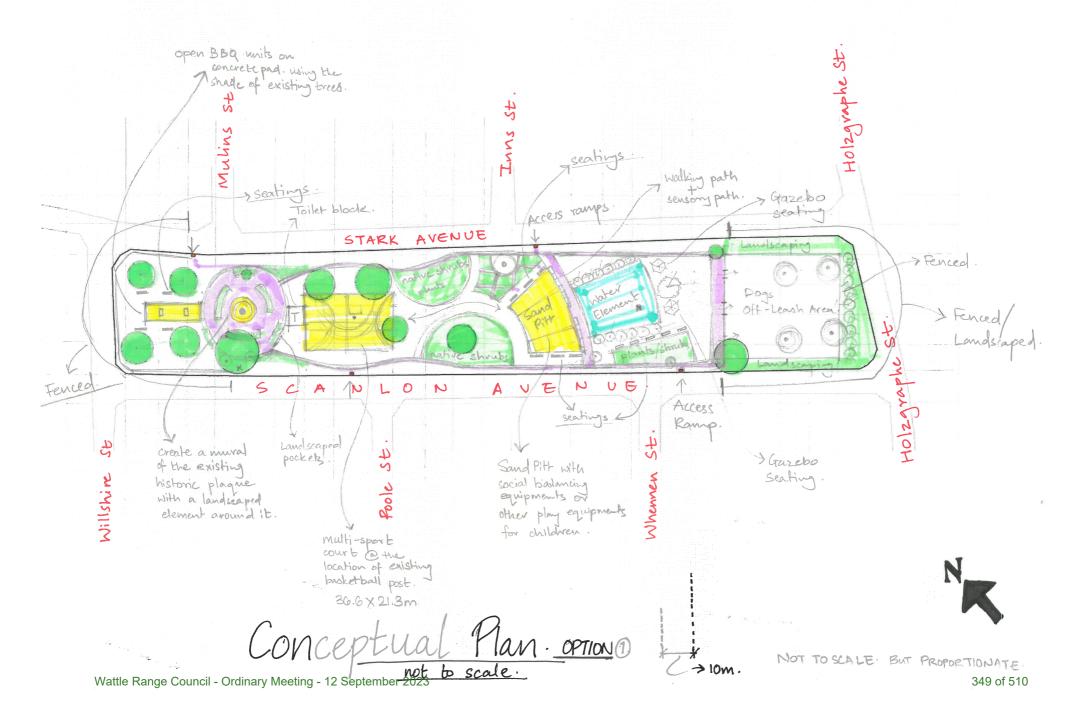
Votes for Theme – Active (80) and its Elements

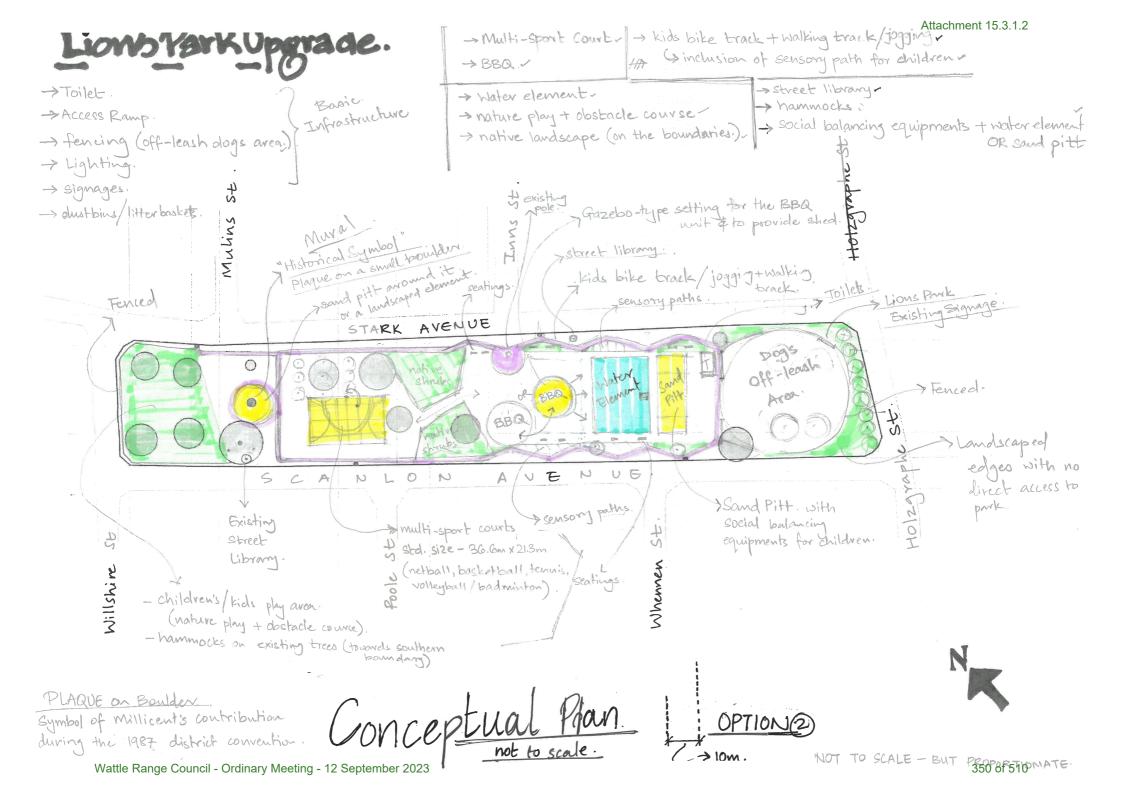


LIONS PARK UPGRADE.



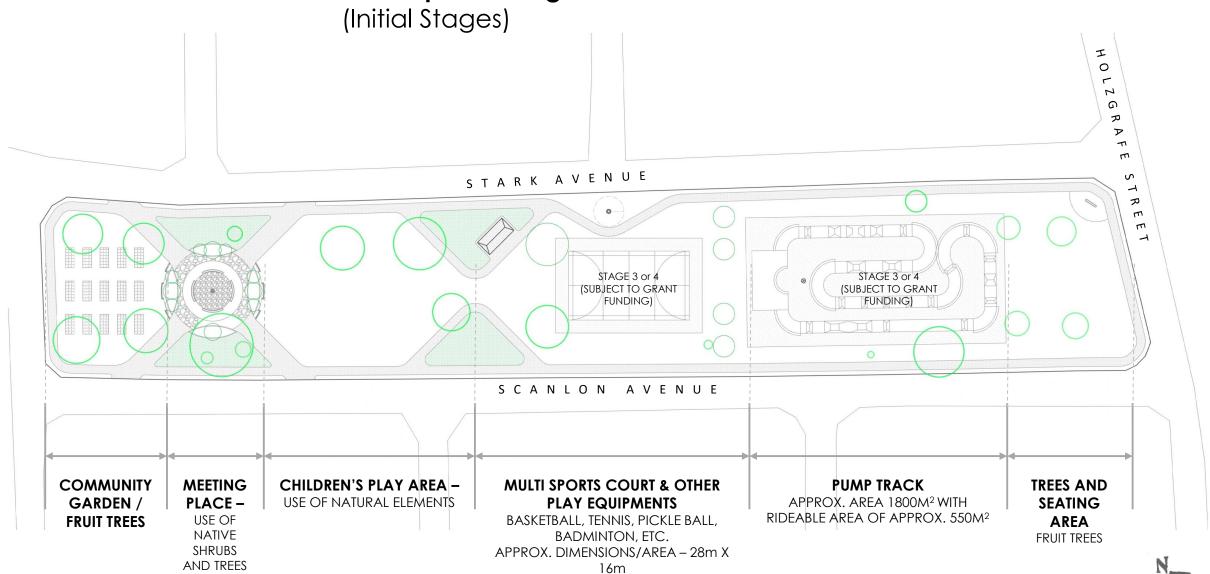
Lions Yark Upgrade.



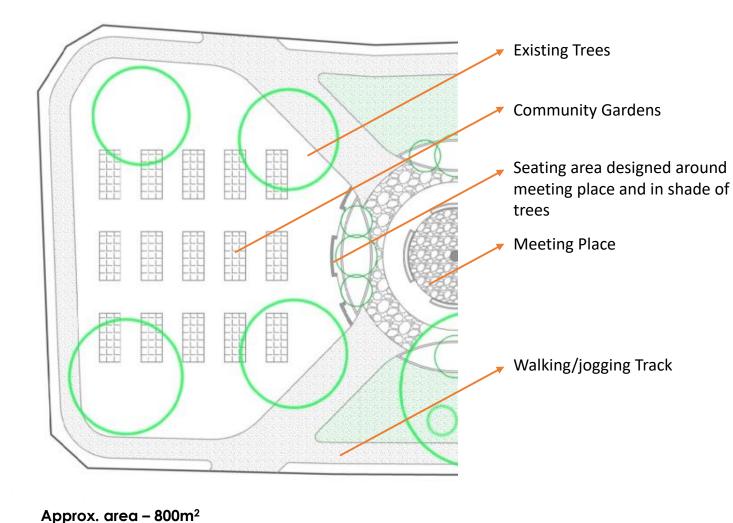




LIONS PARK UPGRADE - Conceptual Design



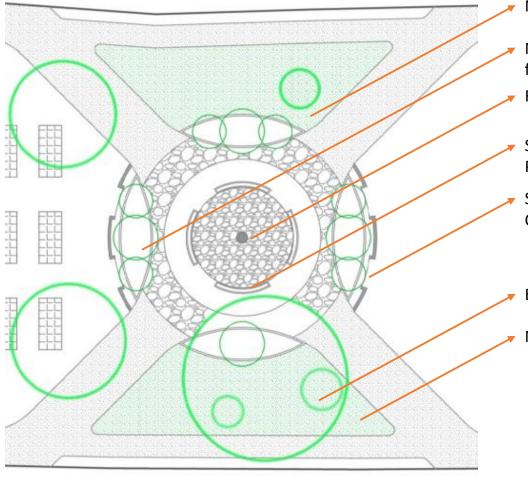
COMMUNITY GARDEN / FRUIT TREES







MEETING PLACE



Approx. area – 650m²



New Trees to be planted as a feature of Meeting Place

Fire Place

Seating Area around Meeting Place

Seating Area overlooking Children's Play Area

Existing Trees

Native Shrubs

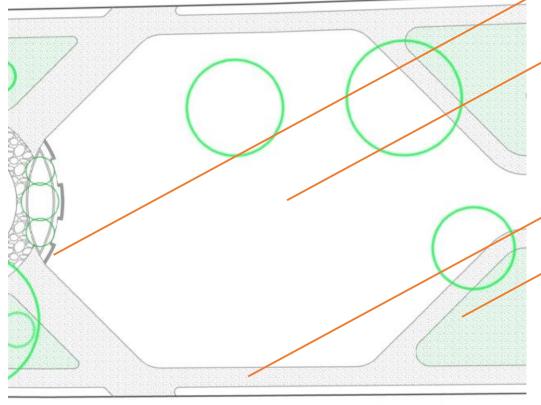








CHILDREN'S PLAY AREA



Seating overlooking Children's Play

Children's Play Area
 (To be designed in detail considering requirement of Gladys Smith Early Learning Centre and surrounding community)

Walking/jogging Track

Shrubs/Bushes















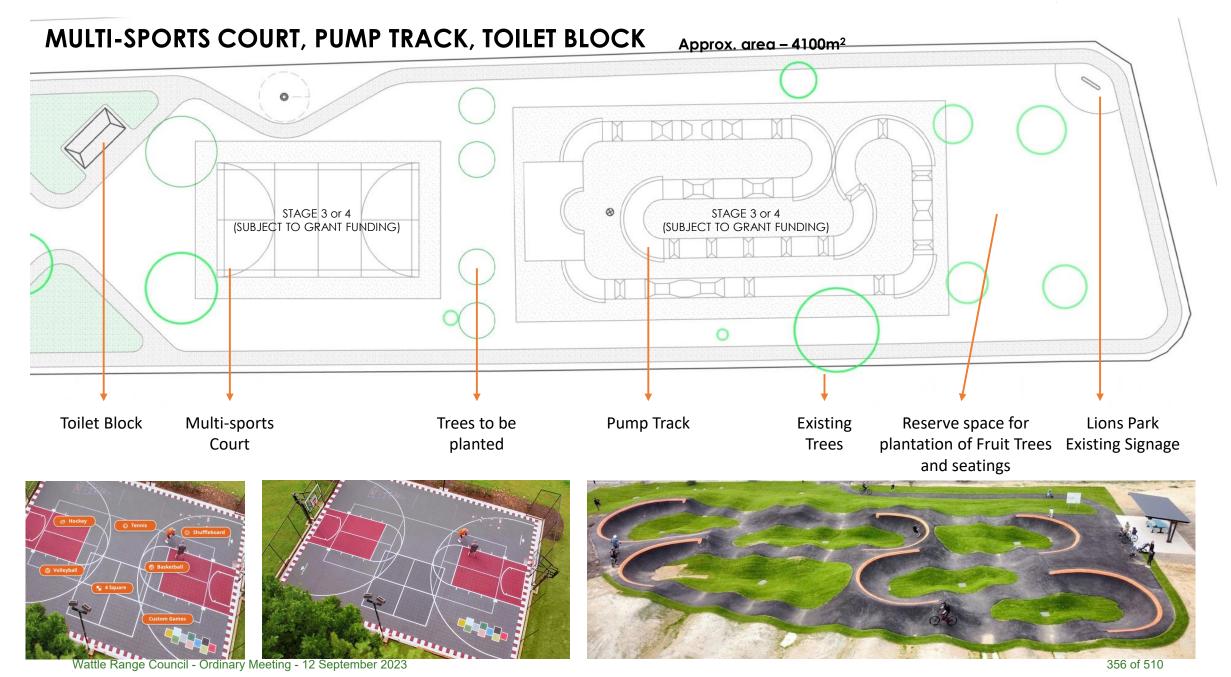




Wattle Range Council - Ordinary Meeting - 12 September 2023

Approx. area – 1400m²

355 of 510



OTHER ELEMENTS TO BE CONSIDERED AND INCORPORATED IN DETAILED DESIGN -

- WATER FOUNTAINS FOR DRINKING WATER FACILITY
- ACCESS RAMPS LOCATION OF ACCESS RAMPS TO BE FINALISED AS PER THE FINAL MASTERPLAN OF THE LIONS PARK
- BINS
- DOG BAG OUTLET
- OUTDOOR GYM EQUIPMENTS

15.3.2 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 1 June 2023 to 31 August 2023.

Report Details

Libraries and Cultural Services

LIBRARY SERVICES

June, July, and August have been very busy months in the library and gallery, with our extensive holiday program, gallery exhibitions, local history research, STEM and literacy events and activities. As Libraries increasingly evolve as critical community spaces, our library service also continues to adapt and evolve, continuing as a safe and welcoming space where community groups access rooms and facilities, offering their patrons additional opportunities and access to new technologies.

The July holiday program was an outstanding success and thanks must go to staff for their continued development and innovation within the program. Over 2,000 people passed through the library during these two weeks. Dane the Magician attracted over 130 children and parents to an action-packed afternoon followed up the next day with magic tricks and intrigue supported by staff. The regular Mario Kart competitions always attract keen gamers. There was beading fun, crafting tables, augmented drawing, and lots of technology. Our VRs and Switch attract visitors from all over the Limestones Coast along with tourists keen to experiment and have a go.







We were fortunate to host award winning Australian author Darry Fraser in conversation with Moira Neagle. What an outstanding morning it was, with excellent conversation and attracting 40 very interested readers. We look forward to hosting award winning Australian authors Chris Hammer and Tricia Stringer in October.

Our partnerships continue to develop and what an opportunity for the patrons of Banksia House who now regularly visit the library and enjoy the experiences on offer, far beyond what they have ever experienced - VRs with tourism experiences, virtual sports on the switch and looking at our extensive pictorial history collection on the screen. Youth Opportunities have commenced a partnership with Education and Youth Options. Similarly, our Crochet Club and Tech Savvy Seniors continue to grow in numbers and add vibrancy and community to the library. Millicent North Kindergarten children and staff visit fortnightly, and our staff now go to the kindergarten for storytelling and book borrowing and to work with their staff. The new, weekly, Dungeons and Dragons program has proven to be popular with local teenagers and young adults.





THE MILLICENT GALLERY

The Millicent Gallery continues to add to the art's vibrancy and three exciting exhibitions have been on show during the reporting period. Millicent Weaves a Tapestry of Art - A joint exhibition of 30 artisans, celebrating the art and craft of the Millicent Community Art and Craft members. They are an active group who meet regularly at the Fifth Street Art Hub, developing their art and craft, mentoring, and making welcome new members. Artist in residence during June into July was Pat Muhovics, weaving on her loom – and attracting lots of interest.

The second exhibition opened in July - Nature Through the Artist's Eyes curated by Julie McEwen. This exhibition celebrated the diversity of art and creativity through Wattle Range and introduced artists from Millicent, Penola and Beachport – many who have not exhibited before. Chris Hollingsworth's nature series was complimented by Tanya Hunter & Sue Smith,

Penola's Stella Scanlon, Anne Johnson, Cate Bell, Margaret Hage, Anne Miller, Val Smith, and Lois Hodge and Beachport's Julie Linnell, Leah Hamilton, Keryn Campbell, Wendy Drew and we welcomed back Kelvin Freer who has been a long-time supporter of the Gallery whose beautifully crafted timber work received many accolades.

On 04 August, the Millicent Gallery hosted the opening of the current SALA Exhibition, Heartlines. SALA is an acronym for South Australian Living Artists and forms part of a wider festival that runs throughout the state at this time each year. The Heartlines exhibition is a collaboration between the high-calibre, Limestone Coast artists, Ann Carpenter, Andrea Bartetzko and Kristen Johnston. Heartlines has been described my Ms Carpenter as "heartwarming, heartache, heartfelt, heartburn, the heart of the matter..... expressions that try to evoke how we feel about our lives". This exhibition runs until 19 September 2023 and is one that shouldn't be missed.

Development and Regulatory Services

DEVELOPMENT - PLANNING AND BUILDING

From June to August, the number of development applications has remained consistent with the previous quarter, however we are trending lower than in previous financial years. Smaller-scale developments have dominated this quarter as the total estimated cost of development is significantly less than in the previous quarter. There are still enquiries related to land divisions, boundary realignment, and subdivisions, indicating a continued interest in these types of developments.

Three applications were publicly notified. Two applications did not receive any representations and hence could be finalised without the need to be referred to the Regional Assessment Panel. The other application received four representations, which will be referred to the Regional Assessment Panel later this month.

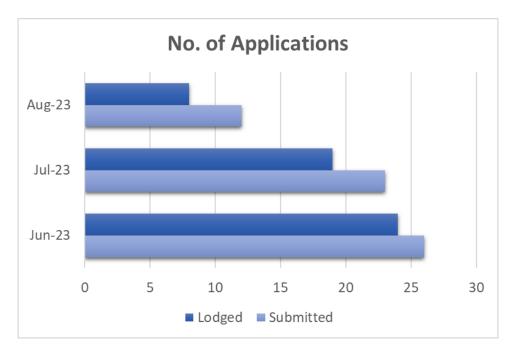
A meeting was held with key stakeholders regarding the project for the Lion's Park upgrade, involving Unity Housing, Lion's Club, tenants and the Council. The agenda of the meeting was to discuss the conceptual masterplan. Given feedback received from the community members present, Council has adjusted the concept in preparation for a wider community consultation process.

Section 7 property searches are completed upon request from real estate agents due to potential property sales (relates to Form 1 requirements). Work to prepare a section 7 report is conducted by multiple officers from Corporate Services and Development Services areas of Council. 68 full searches were completed over the last quarter.

Development Statistics for the Quarter (1 June 2023 to 23 August 2023):

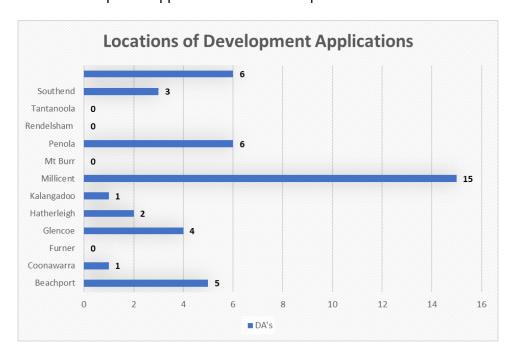
Development Applications Submitted	Estimated Development Cost
61	\$4.52 M

The number of applications submitted for the last quarter are identified on the graph below:

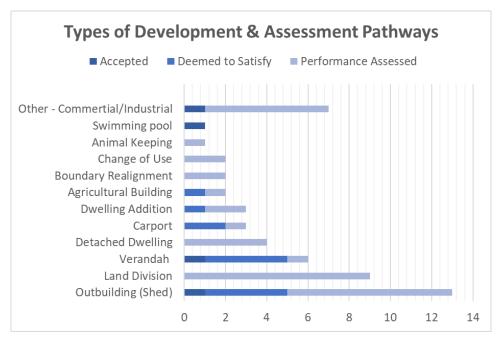


Source: Plan SA Council Area Report Applications Dashboard,

The locations of development applications for the last quarter are as follows:



The top types of development for the quarter are identified on the graph below:



Source: Plan SA Council Area Report Top Development Trends Dashboard,

PRELIMINARY ADVICE

Planning and Building staff provide preliminary advice daily to customers over the phone or in person to assist residents, business owners and community groups with their development assessment enquiries. 'Meet with the Development Team' sessions enable Officers to be more accessible to the community outside of Millicent. A summary of this quarter's 'Meet with the Development Team' sessions is provided below:

Location	Dates of Sessions	Topics of Interest
Beachport	13 June 2023	1 enquiry regarding a verandah development
	11 July 2023	
	08 August 2023	
Penola	21 June 2023	1 enquiry regarding change of use of a Local Heritage building
	19 July 2023	
	16 August 2023	

Planning and Building Officers were assisted by Council's Heritage Advisor, who was also available for some appointments during the above sessions and provided advice regarding heritage related matters.

PLANNING AND BUILDING COMPLIANCE

Development staff have continued to see many customer requests for Section 7 searches, predominantly in Millicent and Penola. As a result of these searches and complaints from community members, several unlawful developments and land uses have been identified and investigated. Subsequently, it is found that several properties have been used for unapproved uses, such as habitation, camping and commercial ventures; and various kinds of unauthorised developments like shed, carport, dwelling additions, etc.

Council's development team are addressing compliance matters on a case-by-case basis. Many of these can be resolved through retrospective development applications being lodged for assessment/approval. Others may require enforcement action to remove unlawful developments or cease unlawful land use. These compliance issues can be very time-consuming, often involving multiple inspections, follow ups, and thorough recording of documentation suitable for admission at the Environment, Resources and Development (ERD) Court if required. The Council currently has two open development matters in the ERD Court.

BUILDING FIRE SAFETY COMMITTEE

In the last quarter there was one Building Fire Safety Committee (BFSC) meeting. One matter was finalised at the meeting with any future use or occupancy of the building being subject to obtaining a development approval under the *Planning, Development and Infrastructure Act*.

As part of the building inspection priorities (which includes Hotels/Motels within Council's jurisdiction) there were three site inspections undertaken at the last meeting.

The Committee currently has seven properties in the Wattle Range region with open matters open relating to building fire safety.

ENVIRONMENTAL HEALTH

Location	Inspection Type	Number of Inspections
Millicent	Food premises	10
Penola	Wastewater#	1

[#]includes installation inspections and inspection of existing systems requiring upgrade

There have been the following Environmental Health related enquiries during the quarter:

- 3 new applications to obtain a food business notification number
 - 2 new home-based food businesses;
 - 1 new mobile food van;
- 2 new home based business requests:
 - 1 beautician
 - 1 cosmetic injection type business [note: Council does not regulate this type of matter; hence it was referred to the Australian Health Practitioner Regulation Agency (AHPRA)
- 2 customer service requests; and
- 5 counter enquiries.

Facilities that operate public swimming pools, including private pools where swimming lessons are provided, were provided with information on an upcoming training opportunity being held in the Limestone Coast. It is important that pool operators are well trained in pool operation and maintenance to reduce potential risks to human health.

Wastewater Applications

Wastewater applications continue with 13 open applications at the time of writing this report. 13 wastewater applications have also been assessed and approval granted during the last quarter.

Wastewater applications require the provision of technical information, when this information is not provided by applicants it can lead to longer processing times. Applicants are sent requests for further information when there is relevant information missing. Some current applications are pending the provision of information from the applicant.

Community Wastewater Management System – Septic Pump-Out Program

Council's Contractor has completed the septic pump-outs of Council owned facilities, with the exception of 1 facility. Penola Area 4 has not commenced due to weather impacts affecting the contractor's ability to adequately and safely undertake land spreading as a disposal mechanism. Planning will soon commence for the next round of septic pump-outs for the new calendar year.

Investigations have commenced to try and identify the possible source of a buildup of fats that was causing an issue at a Beachport pumping station.

Introduction of New Food Safety Standard

As noted in the previous quarterly reports, introduction of <u>Food Safety Standard 3.2.2A – Food Safety Management Tools</u> will impact many food businesses across the Council area.

Council is currently collaborating with officers from the District Council of Grant and City of Mount Gambier to produce an information sheet to support community groups on the requirements under the new Safety Standard 3.2.2A. SA Health has provided further updates on how the standard will apply to community groups such as sporting clubs. It is now confirmed that these types of groups will need to have a food safety supervisor when in operation, to ensure food safety is appropriately managed.

High Risk Manufactured Water Systems (HRMWS) (Cooling Towers / Warm Water Systems)

Two annual audit reports from third party auditors were received for HRMWS. Mandatory testing as part of the audit process identified the presence of Legionella in one of the systems which required follow up with the relevant owners. The system was decontaminated, and subsequent samples taken returned suitable results.

FIRE PREVENTION

A Bushfire Management Committee meeting (coordinated by the CFS) was attended in July.

The CFS has requested grassland curing reporting to commence. Council has 6 sites for which reporting is required, and it usually takes at least half a day to obtain and report the required data for each of Council's sites. These inspections are commencing fortnightly and will progress to weekly reporting until there is at least 80% curing reported.

UNSIGHTLY PROPERTIES

Four potentially unsightly properties are being investigated in Millicent, Penola and Nangwarry. Council is working with the owners of these properties to clean up and remove unwanted items from the land and rectify some of the issues that have been identified. These matters are often multi-disciplinary and require the assistance of multiple staff members.

ANIMAL MANAGEMENT

This quarter has seen significant time dedicated to animal management, having dealt with the following matters:

Type of Matter	Number of Matters
Wandering Stock (e.g. cattle, sheep on roads)	16
Impounded Dogs	18
Dog Attacks	3
Destruction Control Orders Issued	1
Dangerous Dog Control Orders Issued	2
Barking Dog Control Orders Issued	1

Dog registration renewals were due on 31 August 2023. Owners were sent renewal notices and reminder text messages. Nearly 83% of animals (dogs and cats) registered last year were re-registered by the renewal date. 3182 animals have been registered. Those that have been left unregistered will have a late fee applied to their registration where applicable.

GENERAL COMPLIANCE

The Development and Regulatory services team have developed and implemented a compliance register through SharePoint to better track matters that require follow-up or investigation. This includes conditions on approval documents, routine inspections, and complaint investigations. At the time of writing this report 254 items are open in the register and will require follow up at various times over the next 2 years. Since commencing operation of the register in late May, 28 items have been finalised. This has involved checking developments for planning condition compliance, investigation of barking dog complaints and more.

Likewise, an Environmental Health Register has been set up to better track food inspections and their outcomes.

ANNUAL REPORTING

The end of financial year brings multiple annual reporting requirements under various legislation. Officers have been working on the following reports which have fallen due or due in the coming months:

- Dog and Cat Management Act
 - o Form 26
 - o Form 28
- ESCOSA Reporting as Water Industry Act water provider (CWMS)
- Fire and Emergency Services Act
 - State Bushfire Coordination Committee Reporting
- Food Act
- Safe Drinking Water Act
- SA Health Public Health Act

TRAINING

Ongoing professional development is important, and for some roles mandatory to maintain accreditation or authorisations. A variety of training sessions have been attended by different officers during the quarter including:

- SA Health facilitated Legionella training day
- Customer Service in a Compliance Environment
- Powerful Business Writing
- Authorised Persons Association Professional Development Seminar
- Planning, Development & Infrastructure Act Variations
- Fire Prevention Officer Course
- Work Zone Traffic Management

Community Development

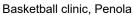
EVENTS

Full Throttle in Wattle - Winter School holiday program

Another vibrant school holiday program from the 11th to the 21st July, engaging 310 Eventbrite registrations from young people and families for activities in the Millicent Public Library, and other Wattle Range locations. Activity choices included a Basketball clinic at the Penola Stadium supported by the Millicent District International Basketball Association, Millicent Mitre 10 ran a pot painting workshop with a swag of gifts donated for participants and a *Strange World* animated movie in Millicent. The holiday favourite was the Magician in the Library and subsequent magic workshop. Our marketing mediums on various Council Facebook pages continue to attract attention with the Millicent VIC alone reaching 5039 views over 26 posts.

Participant feedback and staff review of activities continues to improve planning and activity ideas for future events, with a nature theme aligning with the SA Nature Festival in store for the September program.







Paint a plant pot, Millicent Mitre 10

Job Skills Expo

The Wattle Range Council was represented among 30 businesses and job providers at the 2023 Limestone Coast Jobs and Skills Showcase at Wulunda on Wednesday 14th August. A display at the event raised our employment profile with job providers, schools and community stakeholders and the opportunity to promote and discuss advertised vacancies with potential job hunters. The event also provoked review of our marketing material and banners and redesigned items will be available soon for a more professional presentation at future forums.





Showcase display, Wulunda, Mount Gambier

Pending media wall display

Celebrate Seniors

Council's Celebrate Seniors Working group has been busy preparing the program for Celebrate Seniors Month, which will be held across October. Events are being planned in Millicent, Beachport, Kalangadoo and Glencoe townships. This year's program is full of exciting events, such as easy painting sessions, a bus trip, cooking demonstrations, dance demonstration of various styles and includes involvement from Millicent High School. A final Program is planned to be distributed in early September 2023.

ROAR Community Connect Event

Council staff attended an expo at Wulunda, Mount Gambier, informing and celebrating people in our community living with a disability. Council staff used this opportunity to obtain feedback on the draft action for its updated Disability Access and Inclusion Plan. Information was alos provided about the Beach Buggy wheelchair, the Disability Events kit and the technology available in our library to support members of our community with a range of abilities. The VR Goggles proved to be a popular activity and staff received many comments about the great work that Wattle Range Council is doing in this space.

Central Limestone Coast Liquor License Accord

The Accord meeting on 9th August 2023 was held at the Somerset Hotel Motel, Millicent. The meeting was attended by nine in person and three online. Caroline Hill, Manager Community Development from Wattle Range Council presented on 'How to write a winning Grant Application'. Zoe Thomas, Assistant Director, Licensing, Consumer & Business Services updated the network on the liquor self-assessment checklist and changes to the short-term license process. Gaming Care reminded venues with Gaming of the change to the code in March 2023 and to ensure that facial recognition technology is checked every 12 months.

SAPOL, Jade Hill, provided her last meeting report on the region's statistics for offences in licensed premises and promoted the work of the Planet Youth.

Social Issues Gathering

Council attended the Social Issues Gathering on the 28th June and were updated by Tracey Wanganeen, FocusOne Health, on the Head to Health Centre development with Mental Health Clinicians and Mental Health Peer Workers as well as Telehealth support for mental health issues. Other discussions related to Covid 19 Booster update from the Medical Clinic Millicent, transport issues in Millicent and the Disability Rights Advocacy Service as well as individual attendee reports. Council representatives will provide an update on the Disability Action Plan and the Community Christmas Appeal at the October meeting.

Youth Advisory Council

The Youth Advisory Council have been busy building their leadership and teamwork skills at Noorla Yo-Long on the 21st of July. Plenty of group encouragement and banter was displayed as the youth were pushed outside of their comfort zone during the climbing wall and inside activities. A media training workshop was provided for the August meeting by Megan Tilley with tips and tricks on media communications. This will be a skill demonstrated in the pending marketing of the Halloween Disco as part of the YAC's strategic plan activity. Planning is coming along nicely with the YAC seeing the benefits of moving the event date for the Geltwood Festival on the 21st October to maximise attendance for local and visiting youth in the area.









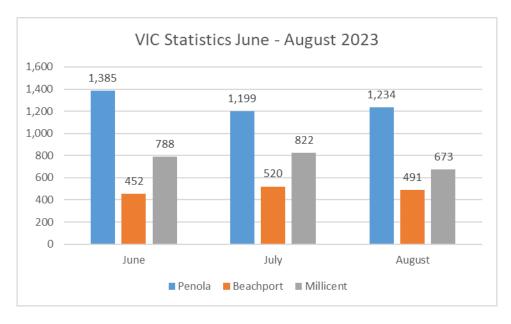


Tourism staff supported the Millicent Soccer Club with decoration, promotion and setting up audio equipment for the Matildas game on Saturday 12th August and again for the Wednesday night game.

TOURISM

Current visitors to Wattle Range Council Visitor Information Centres:

	Penola	Beachport	Millicent
June	1385	452	788
July	1199	520	822
August	1234	491	673



The Tourism Events and Coordinator position has appointed a 0.6 FTE member and the remaining 0.4 FTE of this role is currently advertised. The Community Development Officer position has also been advertised and is expected to be filled by the end of September. Tourism staff are temporarily backfilling these roles. A summary of tourism activities is outlined below:

- **SOTP:** Park Management have been appointed for the Southern Ocean Tourist Park and the transition and handover has been supported by tourism staff. Annual site licence renewals have been issued for compliant sites with some issues still requiring attention on remaining sites.
- Regional Tourism: Destination Development, LC LGA staff conducted the 13th July Tourism Management Group meeting in Robe. A presentation and discussion of the Destination Tourism and Marketing Plan highlighted the focus areas for 2023/2024. The SATC visit to the region and the Agritourism Sector Plan and funding opportunities were also discussed with current Council activities. The Tourism Group then enjoyed a delightful (and slightly scary) visit to Humpalicious Camel farm to be chased by hungry camels.

Wattle Range Development staff subsequently meet with the Destination Development Manager to further discuss the intended marketing for the region, and promotion of business and events through ATDW.

• VIC Accreditation and Training: Action on the Council motion to review the operating costs of the three Visitor Information Centres has resulted in approval from SAVIC Network, TiCSA and SATC to deregister the Millicent and Beachport sites as accredited Visitor Information Outlets. Other than removal of all material with the yellow "i", this change will not have an impact on the look and feel of these spaces but provide flexibility in opening times and staff resourcing. Penola will remain as an accredited Visitor Information Centre with display of the yellow "i".

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

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1. Receive and note the report.

15.3.3 Enforcement & Order Making Policy

Report Type	Officer Report
Department	Development Services
Author	Catherine Loder
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 Maintain and 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. Theme 4 - Organisational Excellence 4.2 Govern in a responsible and responsive way.
File Reference	GF/9.63.1/4 & GF/3.63.1
Attachments	Draft Enforcement and Order Making Policy [15.3.3.1 - 14 pages]

Purpose of Report

To review the draft Enforcement and Order Making Policy and endorse the release of the draft policy for public consultation.

Report Details

Council currently has three separate policies related to compliance and enforcement, *Order Making Policy, Enforcement Policy* and *Enforcement Policy – Unlawful Development.* Given the similar nature of the three policies and their use operationally, Council staff have suggested combining the policies for ease of use and simplicity.

Order Making Policy

Council's current Order Making Policy was last reviewed 10 November 2015 and is overdue for review.

Section 255 of the LG Act provides a number of procedures that must be followed in relation to orders under that Act and information that must be provided on an order, such as review rights.

Chapter 12, Part 2 of the *Local Government Act* (LG Act) provides Council with the power to make certain Orders. This gives Council the ability to order a person to do or refrain from doing a thing specified within section 254 of the LG Act. For example, to remove a structure or vegetation near an intersection.

Section 259 of the LG Act requires Council to take reasonable steps to prepare and adopt policies concerning the operation of the Chapter 12, Part 2 of the LG Act. Council may amend a policy at any time, but must first:

Prepare a draft policy; and

- Place notice in a newspaper circulating in the Council area which states:
 - The place(s) where copies of the draft policy are available to view (without charge) or purchase upon payment of a fee fixed by Council; and
 - Invite interested persons to make written representations on the draft within a period specified by the council (minimum of 4 weeks).

Enforcement Policy

Council's Enforcement Policy was last reviewed 10 March 2011 by the Management Team in place at the time.

Council has many regulatory functions assigned to it through a variety of legislative instruments, including the ability to appoint authorised officers who may undertake investigations into non-compliance with relevant legislation. This policy outlines the options available to Council Officers to ensure a consistent and reasonable approach to compliance and enforcement activities.

Enforcement Policy - Unlawful Development

Council's Enforcement Policy – Unlawful Development was last reviewed by Council on 11 August 2015 and is overdue for review. The content of this policy is remarkably similar to the Enforcement Policy mentioned above, however is specific to matters related to just unlawful development.

Combining the Order Making Policy and Enforcement Policies

Council has been assisted by its legal practitioners in the development of this draft policy (Attachment 1).

It is envisaged that the policy will be supported by several procedures developed and endorsed at operational level.

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

Policy and Procedure Review Cycles - Medium

Policy Considerations

There are other existing and potential policies and procedures that relate to these documents.

Legislative Considerations

The following legislation is relevant to this report:

Burial and Cremation Act 2013;

- Dog and Cat Management Act 1995;
- Environment Protection Act 1993;
- Expiation of Offences Act 1996;
- Fire and Emergency Services Act 2005;
- Food Act 2001;
- Impounding Act 1920;
- Liquor Licencing Act 1997;
- Local Government Act 1999;
- Local Nuisance and Litter Control Act 2016:
- Planning, Development and Infrastructure Act 2016;
- Private Parking Areas Act 1986;
- Road Traffic Act 1961;
- Safe Drinking Water Act 2011;
- South Australian Public Health Act 2011; and
- Supported Residential Facilities Act 1992.

Section 36(3) of the Local Government Act states that a council should, in the arrangement of its affairs, take reasonable steps to separate its regulatory activities from its other activities.

Environmental / Sustainability Considerations

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

Communication & Consultation Considerations

Section 259 of the Local Government Act requires Council to give notice of where copies of the draft policy are available for inspection without charge in a newspaper circulating in the Council area. The advertisement should also invite interested persons to make written representations on the draft within a period specified by the Council (being a period of at least 4 weeks).

Council must consider any submissions made.

RECOMMENDATION

That Council:

- 1. Receive and note the report.
- 2. Endorse the release of the draft Enforcement and Order Making Policy for community consultation in accordance with Chapter 12, Part 2 of the *Local Government Act 1999* and Council's Community Engagement Policy



POLICY	Version:	7
	Date Adopted:	DRAFT 2023_09

Enforcement, Compliance & Order Making

Date Adopted:	2023_09
Next Review Due:	TBC

1. STATEMENT

The purpose of this policy is to assist Council staff to act promptly, consistently and effectively in response to alleged or detected unlawful activity and non-compliance. It creates a framework which ensures transparency, procedural fairness and natural justice principles are applied and that enforcement action is proportionate to the alleged offence in each case.

It is the responsibility of individuals and other bodies to comply with the law. Notwithstanding this, Council is empowered by various legislation to address unlawful activity by enforcing and administering certain laws to protect individuals, property, and the community as a whole.

The compliance and enforcement tools available to Council are broad. Council will adopt a tailored approach to enforcement matters which takes into account the unique factors of each case, with the ultimate aim of encouraging voluntary compliance.

In addition to enforcement, Council carries out a range of activities to ensure voluntary compliance including community education programs. Related policies and procedures about such activities may also apply.

Unlawful activity may come to Council's attention in various ways, including by information received from members of the public or observation by Council Officers. Not all non-compliance or unlawful activity will warrant enforcement action by Council. Council must determine its response to non-compliance and/or an unlawful activity, and in doing so will consider a range of factors.

Enforcement activities include:

- patrolling streets and public places;
- inspecting premises either on a routine or random basis; and
- responding to enquiries and complaints

Council is empowered to make Orders under the *Local Government Act 1999* ("LG Act") and is committed to utilising those powers in order to facilitate a safe and healthy environment, to improve the amenity of a locality, and generally for the good governance of its area.

2. SCOPE

This policy applies to all Council staff, including Authorised Officers/Persons undertaking compliance and enforcement activities on behalf of the Council pursuant to the following legislation, any other legislation that Council has enforcement responsibilities, and any legislative instrument made thereunder:

Burial and Cremation Act 2013;

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- Dog and Cat Management Act 1995;
- Environment Protection Act 1993;
- Expiation of Offences Act 1996;
- Fire and Emergency Services Act 2005;
- Food Act 2001;
- Impounding Act 1920;
- Liquor Licencing Act 1997;
- Local Government Act 1999;

[Note: Section 259 of the Local Government Act (LG Act) requires Council to take reasonable steps to prepare and adopt policies concerning the operation of Part 2 of Chapter 12 of the Act. Part 2 deals with the making of Orders. This Policy is prepared and adopted pursuant to section 259 of the LG Act and sets out the steps Council will take in the making of Orders under that Act.]

- Local Nuisance and Litter Control Act 2016;
- Planning, Development and Infrastructure Act 2016;
- Private Parking Areas Act 1986;
- Road Traffic Act 1961;
- Safe Drinking Water Act 2011;
- South Australian Public Health Act 2011; and
- Supported Residential Facilities Act 1992.

3. **DEFINITIONS**

Authorised Officer is a person authorised by the Council (through a written instrument of authorisation) to carry out statutory functions or powers as specified within a particular piece of legislation and **Authorised Person** has the same meaning.

Complainant means the individual or organisation who makes a complaint or first brings issues of suspected Non-Compliance or Unlawful Activity to the attention of the Council.

Compliance means obeying and demonstrating adherence to the law.

Council means Wattle Range Council.

Council Officer means a member of the Council administration who is acting under the Council's delegated authority or pursuant to an authorisation.

Enforcement refers to the use of legislative powers by authorised officers/persons of the Council to seek, direct or require a person or body to remedy a legislative breach and/or

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seek to penalise a person for Unlawful Activity, and includes action taken in relation to Non-Compliance.

Non-Compliance means failure to comply with an Order.

Order means a written direction or requirement, such as an order or notice, requiring specific action to be taken to ensure Compliance. An order under the Local Government Act is a formal, written direction issued by Council to a person requiring them to take specified action/s or refrain from doing specified things.

Prosecution means a process of instituting legal proceedings to prosecute an offender for alleged Unlawful Activity and is a form of Enforcement. Prosecution may result in a criminal conviction, fines, and/or terms of imprisonment being imposed on the offender.

Unlawful Activity is any activity that is:

- contrary to a legislative provision regarding that activity;
- undertaken without the required permit or other consent;
- contrary to the terms or conditions of a permit or other consent; and/or
- contrary to the terms of an Order, including breaches of the criminal law.

4. PRINCIPLES

Enforcement action is taken within a legal and policy framework. Council will always carry out its Enforcement related work having regard to principles including:

4.1 Proportionality

A proportionate response means that Council's response and any actions will be scaled and determined by having regard to the seriousness of the suspected Non-Compliance or Unlawful Activity, and a measured response will be applied.

The following criteria will be considered by Council when determining the appropriate response and/or action to be taken:

- whether there are serious safety/health risks or concerns;
- where actual or potential hazards are controlled;
- the seriousness and nature of the suspected Non-Compliance or Unlawful Activity;
- the relevant legislation, including the powers of Council;
- Occurrence of the activity/incident e.g. frequency, duration and number of complaints received;
- Implications of not taking actions;
- The likely effectiveness of the various enforcement options;

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- the willingness of the individual or entity to cooperate with any enquiries or investigation;
- the cost to the Council in pursuing the suspected Non-Compliance or Unlawful Activity;
- the benefit to the community; and
- any other factor that may be relevant (for example any compliance action taken by another enforcement agency).

4.2 Consistency

Council will endeavour to take a similar approach in similar matters to ensure consistent responses and outcomes. Decisions regarding Enforcement require the use of professional judgement and discretion to assess varying circumstances. To assist with this, Council will:

- ensure fair, equitable and non-discriminatory treatment;
- follow standard operating procedures wherever possible; and
- make records of any deviation from standard operating procedures including the reasons.

4.3 Transparency

Council will be open and transparent about the manner in which it undertakes Enforcement action, and the laws it enforces.

When remedial action is needed, Council will explain clearly in plain language why the action is necessary. Where legally required and otherwise where practicable, Council will give notice of its intention to commence formal action, advising what action is required to achieve Compliance, and the timeframe for undertaking that action. If applicable, information will be provided to the individual or organisation on the process of seeking a review of, or how to appeal, a decision (within the relevant legal/policy framework).

Complainants will be advised of what action has been taken, and why that action has been taken.

4.4 Cost Recovery

Council may incur significant costs (legal and/or otherwise) when enforcement action is taken to rectify non-compliance or unlawful activity. In the interest of reducing the financial burden of pursuing enforcement matters on ratepayers, where possible, Council will seek to recover those costs incurred in attempting to rectify the breach in accordance with the relevant legislative provisions.

5. ENFORCEMENT RESPONSES

Council administers and enforces a broad range of legislation. As a result, the Enforcement action taken by Council may vary, depending on the legislation being enforced. In some circumstances, more than one Enforcement response will be available, in which case the

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most appropriate response will be considered, having regard to the principles listed in Section 4 above.

Subject to a provision of this Policy to the contrary, Council decisions about which Enforcement option to pursue will be made by the Council Officer or Authorised Officer with authority for enforcement of the relevant provision, or otherwise by resolution of Council.

The kinds of responses available to the Council are:

- **Education:** Encourage Compliance with the relevant legislation through education of rights and responsibilities.
- **Encouragement:** Council will listen, respond and provide information and opportunities for stakeholders to ask questions and discuss issues of concern, as well as giving parties an opportunity to voluntarily comply, without need for Enforcement action. Council may offer appropriate incentives or support from time to time to assist with achieving compliance.
- **Enforcement:** Enforcement responses (which are dependent on the applicable legislation) can include: no action, informal action (e.g. education), Orders, expiation notices, civil penalties, and/or Prosecution. Each Enforcement response (and the situations in which they may be pursued) are outlined below.

5.1 No Action

Council may determine to take no action in relation to suspected Non-Compliance or Unlawful Activity for a number of reasons, including where:

- the complaint is frivolous, vexatious or trivial in nature;
- there is insufficient evidence to prove the non-compliance;
- the person or entity who may have breached a law has rectified the breach, or committed to doing so;
- the alleged breach is outside of Council's jurisdiction or there is another jurisdiction or agency that may be the more appropriate to address the breach;
- taking action may prejudice other major investigations;
- having regard to the principles of proportionality and consistency, Council has determined that the breach is of such a nature that action would be an unreasonable use of Council resources.

A determination to take no action is itself a decision of the Council which will occur following full consideration of the matter.

5.2 Informal Action

Informal action to achieve Compliance may include:

issuing a person or entity who may have breached a law a verbal or written warning; or

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 verbal or written warnings that may include education about legislative requirements and requests for remedial action.

The circumstances in which informal action may be appropriate include situations where:

- the Non-Compliance or Unlawful Activity is not serious enough to warrant formal action;
- the past history of the person or entity who has committed the breach reasonably suggests that informal action will achieve compliance;
- Council's confidence in the person or entity is high;
- the consequences of Non-Compliance will not pose a significant risk of harm or nuisance to other persons or property;
- informal action is considered more effective than a formal approach.

5.3 Formal Action

Council may determine to take formal action in certain circumstances. When considering whether to commence formal Enforcement action, Council will use professional judgement and discretion to assess the suspected Unlawful Activity or Non-Compliance, including the reasonableness of the actions required by any direction or Order issued by Council, and the timeframe given to comply. Examples of formal action include:

5.3.1 Orders

Depending on the nature of the breach and the legislation relevant to the breach, Orders may be issued by Council itself, or by a relevant court of competent jurisdiction (which may occur on application of the Council).

Orders to address matters of Non-Compliance may be used, or sought from a court, where:

- a direction is required to prevent further Unlawful Activities or Non-Compliance;
- the Non-Compliance is of such a serious nature so as to warrant immediate action;
- the Non-Compliance has resulted in a threat to life or an immediate threat to public health or safety;
- informal action has failed to achieve Compliance.

A decision for Council to seek an Order through a court will only be made with the prior written consent of the Chief Executive Officer or their delegate, having completed an assessment of the matter and after considering the options available.

Orders will be recorded in accordance with the relevant legislation. Where required, Orders will also be confirmed in writing within any timeframe prescribed by the relevant legislation.

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of the Legal Covernment Act 1000 requires that Council develop noti

Section 259 of the *Local Government Act 1999* requires that Council develop policies with respect to its Order making powers in Part 2, Division 1 of that Act. Refer to Schedule 1 of this Policy for these specific policy considerations.

In some circumstances, such as (but not limited to) a threat to life or immediate threat to public health or safety, where permitted by legislation an Order may be made by the Council without giving the person or entity to whom the Order is to be directed notice of Council's intention to make the Order.

If permitted by the relevant legislation, an individual or entity receiving an Order may have a right of appeal. If an Order is served for which an appeal is possible, Council will advise the recipient in writing of the right of appeal and the relevant legal provisions at the time of serving the Order.

Where there is evidence and circumstances to support such action, Council may also issue an expiation notice or commence Prosecution proceedings in addition to serving an Order.

Non-Compliance with an Order may result in further Enforcement action.

5.3.2 Expiation Notices

An expiation notice alleges that an individual or entity has committed an offence, and sets out an expiation fee, which can be paid to expiate the offence, as an alternate to Prosecution.

Expiation notices may be issued by Council for certain expiable offences, including:

- animal management offences pursuant to the Dog and Cat Management Act 1995;
- development related offences pursuant to the Planning, Development and Infrastructure Act 2016;
- fire safety preparedness related offences under the *Fire and Emergency Services* Act 2005;
- food safety related offences under the Food Act 2001;
- in circumstances where the Council has responsibility for administering the provision, environmental offences under the *Environment Protection Act 1993*;
- local nuisance and litter related offences under the Local Nuisance and Litter Control Act 2016;
- offences against Council's By-laws; and
- parking offences under the Road Traffic Act 1961 (including under the Australian Road Rules and Road Traffic (Miscellaneous) Regulations 2014) and the Private Parking Areas Act 1986;
- public realm use and management offences under the Local Government Act 1999;
- public health related offences under the South Australian Public Health Act 2011;

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Enforcement.

 supported resident facility management offences under the Supported Residential Facilities Act 1992.

Council may choose to issue an expiation notice under the abovementioned legislation where it assesses that there has been a failure to comply with relevant legislative provisions and an Enforcement response, short of Prosecution, is justified in the circumstances.

5.3.3 Civil Penalties

Council has the ability under Section 34 of the Local Nuisance and Litter Control Act 2016 to recover civil penalties in relation to offences against that Act. Council has also obtained the authorisation from the State Planning Commission under Section 225 of the Planning, Development and Infrastructure Act 2016 to recover civil penalties in relation to offences against that Act.

This power is a targeted, pragmatic and efficient way to address compliance matters commonly faced by Council.

Council is to use its discretion as to when it is appropriate to utilise this power, bearing in mind generally it will be for situations involving a breach of the legislation which warrants a form of punishment that is more serious than an expiation, but not serious enough to warrant a Prosecution.

A civil penalty may be recovered in one of two ways, either by negotiation with the alleged offender, or by application to the Environment, Resources and Development Court.

Council may not recover an amount by way of civil penalty in respect of a contravention if the relevant offence requires proof of intention or some other state of mind. Council must, in respect of any other contravention, determine whether to initiate proceedings for an offence or take action under civil penalty provisions, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.

If Council applies to the Court for a civil penalty, it is required to give the offender the option of electing to be prosecuted first. It therefore should, prior to making such an application, ensure there is a reasonable prospect that the offence can be proven beyond reasonable doubt.

If Council negotiates a civil penalty, in determining what it considers an appropriate penalty, it should take into account:

- the maximum penalty for the offence under the relevant Act;
- the nature and extent of the offence;
- the seriousness of the offence;
- the offenders history of compliance with the relevant Act;
- any detriment to the public that has resulted from the offence;

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- any financial benefit or saving the offender stood to gain from the offending; and
- · any other factors that aggravate or mitigate the offending.

Should Council determine that a civil penalty is appropriate, the alleged offender is to be notified in writing setting out basic details of the alleged offence, the appropriate penalty and the factors taken into account in arriving at that amount.

In respect of civil penalties under the Planning, Development and Infrastructure Act 2016, Council must comply with the conditions of its authorisation from the State Planning Commission, including that it must, to the best of its ability, make use of this power in a consistent manner that is proportionate to the alleged offence or breach.

5.3.4 Prosecution

Council may choose to initiate Prosecution where it is deemed appropriate, for example where:

- the Unlawful Activity or Non-Compliance is of a serious nature;
- a person who receives an expiation notice does not expiate the offence by payment of the expiation fee, or otherwise elects to be prosecuted;
- · prosecution is in the public interest;

In considering whether prosecution is in the public interest, the following factors may be considered:

- the prevalence of the alleged offence and the need for deterrence, both personal and general;
- whether the individual or entity has committed a similar offence in the past;
- whether the individual or entity has shown remorse or contrition;
- whether the alleged offence was premeditated;
- the effect on the physical or mental health of relevant individuals (including witnesses);
- the availability, competence and credibility of witnesses and their likely impression on the Court;
- the admissibility of any alleged confession or other offence;
- any defences available to the individual or entity;
- the need to maintain confidence in the Council as a prosecuting authority.

Council may choose not to commence Prosecution proceedings in circumstances where there is not a reasonable prospect of success of securing a finding of guilt against the alleged offender/s.

The likely length and expense of any trial is a relevant (but not determinative) factor when deciding whether to prosecute for Unlawful Activities. Similarly, the implications

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and financial burden on a person or entity will not be determinative in considering whether to proceed with a Prosecution.

5.4 Complex Situations

At times, Council may be involved in a matter or dispute which involves more than one suspected Unlawful Activity, and/or more than one relevant party, or some other delicate or complicating factor.

In such cases, it may not be appropriate for Council to pursue a single option for Enforcement, but rather a combined approach, encompassing more than one Enforcement option may be utilised.

Council will have regard to the principles listed in Section 4 in exercising its discretion to act in complex will always act within the bounds of the relevant legislation.

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: <u>www.wattlerange.sa.gov.au</u>.

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. REVIEW

This Policy will be reviewed every four years.

8. REFERENCES AND FURTHER READING

References	
	Burial and Cremation Act 2013;
	Dog and Cat Management Act 1995;
	Environment Protection Act 1993;
	Expiation of Offences Act 1996;
Relevant	Fire and Emergency Services Act 2005;
Legislation:	• Food Act 2001;
	Impounding Act 1920;
	Liquor Licencing Act 1997;
	Local Government Act 1999;

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	Local Nuisance and Litter Control Act 2016;		
	Planning, Development and Infrastructure Act 2016;		
 Private Parking Areas Act 1986; 			
Road Traffic Act 1961;			
	Safe Drinking Water Act 2011;		
South Australian Public Health Act 2011; and			
	Supported Residential Facilities Act 1992		
Relevant	Any procedures made to support this policy		
Policies /	Register of Authorised Persons		
Procedures /	Delegations Register (Reliansys)		
Guidelines	Building Fire Safety Committee Terms of Reference		

9. ADOPTION AND 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	14 March 2006	Council	Adopted	Folio 3632; Item 11.1.12
2	12 December 2006	Council	Amended	Folio 3789; Item 18.1.1
3	14 December 2010	Council	Reviewed	Folio 4496; Item 16.1.7
4	11 December 2012	Council	Reviewed	Folio 4847; Item 11.1.9
5	12 August 2014	Council	Amended	Folio 5616; Item 12.2.3
6	10 November 2015	Council		Folio 6156; Item 13.2.6
7		Council	Adapted into new format. Combined the following policies together: • 1.4 Order Making Policy; • 3.8 Enforcement Policy; & • 3.14 Enforcement Policy – Unlawful Development	

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Enforcement, Compliance & Order Making

SCHEDULE 1: ORDER MAKING UNDER LOCAL GOVERNMENT ACT 1999

This Schedule will apply to those circumstances listed in Section 254 of the LG Act which provides that Council may Order a person to do or refrain from doing a thing under certain circumstances, as specified in the table included within that section of the LG Act.

In accordance with the requirements of the LG Act, this schedule also applies in respect of Orders issued by Council under Section 216 (power to Order the owner of private road to carry out specific roadworks) and section 218 (power to require owner of adjoining land to carry out specific work)¹.

Procedures

Except in the case of an emergency described below, Council will take reasonable steps, within available resources, to resolve cases by negotiation and agreement before issuing an Order. This may include Council Officers approaching the person informally and/or issuing an informal warning letter prior to commencing a formal Order making process.

Except in the case of an emergency described below, before making an Order Council will give notice of its intention to make an Order in accordance with section 255 of the Act by:

- Giving the person to whom an Order is intended to be directed a notice in writing stating the:
 - o proposed action;
 - terms of the proposed Order (i.e. what it requires the person to do or refrain from doing);
 - o period within which compliance with the Order will be required;
 - o penalties for non-compliance; and
 - o reasons for the proposed action; and
- Inviting the person notified of the opportunity to give reason/s, within a specified time, why the proposed action should not be taken.

Where notice of a proposed Order has been given to a person who is not the owner of the relevant land, the Council must take reasonable steps to serve a copy of the notice on the owner of the land.

After considering any submissions received from the person to whom notice of the Order has been directed, the Council may make an Order in terms of the original proposal or in modified terms or determine not to proceed with making an Order.

An Order must be served by the Council on the person to whom it is addressed, in accordance with the methods of service set out in Section 279 of the LG Act. If the person

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¹ See sections 216(2) and 218(2).



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to whom the Order are addressed is not the owner of the land, the Council must take reasonable steps to serve a copy of the Order on the owner of the land.

Council may vary any Order or revoke any Order at its discretion.

Acting in the Case of an Emergency

Council will proceed to make an Order without negotiation or notice, in accordance with section 255(12) of the LG Act where Council considers the circumstances or activity constitute, or are likely to constitute:-

- a threat to life; or
- an immediate threat to public health or public safety; or
- · an emergency situation.

Review Rights

Pursuant to section 256 of the LG Act any person to whom an Order is issued (including an Order issued under section 254, 216 or 218) has a right to seek a review in respect of the Order. Any such review must be lodged within 14 days of that person's receipt of the Order. The Council will ensure that reference to this right of review, in a form which complies with the requirements of the regulations, is included in any Order issued.

Non-Compliance with an Order

If an Order is not complied with within the time fixed for compliance (or if there is an application for review, within 14 days after the determination of the review) the Council may (subject to the outcome of any review) take the action required by the Order.

The reasonable costs and expenses incurred by Council in taking action under this section may be recovered by Council as a debt from the person who failed to comply with the requirements of the Order.

Where an amount is recoverable by Council, Council may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid and, if the amount is not paid by the person within that period, the person is liable to pay interest and Council may impose a charge on the land for the unpaid amount, together with interest, in accordance with section 257(5) of the Act.

Non-compliance with an Order of Council is an offence for which a person may incur a statutory penalty provided for in the LG Act. Section 258 provides for a maximum penalty of \$2,500 and an expiation fee of \$210 for failure to comply with an Order issued under the LG Act.

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Responsibilities & Delegations

Council's Authorised Persons are responsible for enforcing compliance with the LG Act.

Council may choose to delegate the power to issue Orders under sections 254, 216 and 218 of the LG Act to Council Officers.



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15.4 Director Engineering Services

15.4.1 Millicent Swimming Lake Renewal

Report Type	Officer Report
Department	Engineering Services
Author	Craig Turner
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	High
Strategic Plan Reference	Theme 1 - Community Vibrancy & Presentation 1.1 Maintain and enhance public space areas including parks, public places, car parking, street lighting and streetscapes to provide vibrant, attractive areas.
	Theme 3 - Infrastructure & Asset Sustainability
	3.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use.
File Reference	GF/16.55.1/4
Attachments	Nil

Purpose of Report

To consider proposed renewal works for the Millicent Swimming Lake.

Report Details

The Millicent Swimming Lake has been using excessive water and after investigation it was discovered that much of the lake floor has been compromised. There are also some operational issues that require attention before the floor treatment is addressed so the improvements need to be implemented in a systematic way. Much of the lake pipe work and associated equipment is outdated and its condition unknown. There is an opportunity to modernise and automate processes to reduce maintenance costs, improve efficiencies and minimize risks associated with ongoing compliance.



Lake floor- The current chlorination system flows from underneath the diving platform. This area has five large visible holes which are contributing to the water loss, and the entire area needs to be removed and reinstated.







There are up to fourteen other visible defects across the lake floor that are likely to be contributing to the leaks. These are mostly throughout the deepest section of the lake and as such would result in the greatest loss of water due to head pressure. Each of these defects are significant and will require immediate attention.









Towards the shallow end of the lake there are many areas that require reinstatement with evidence of cracking in the surface.







As the defects are significant and the water loss excessive the Council has allocated a significant budget to address the issue. At the time of establishing the budget the issues and potential solutions were not known. At this point in time we are considering two options to fix the asset, one being a resurfacing of the current floor and the second being a full reconstruction of the floor.

Resurfacing

Council officers have been in discussion with InRoads who are the contractor we use for resealing works on our sealed road network. They resurfaced the lake in 2010-11 (12 years ago) with a layer of spray seal after a complete and thorough clean of the lake floor. Below are some of the photos of the works being undertaken in 2010.





Reconstruction

The alternative to the resurfacing is the full reconstruction of the lake floor. Council inspected the Naracoorte Swimming Lake which was fully reconstructed several years ago due to a catastrophic failure in the floor (large hole opened up). The full reconstruction of the floor was undertaken by removing the existing seal reshaping and then concreting the floor.

Officers have been in discussion with engineers, contractors and suppliers to investigate this option. It is critical that the concrete mix design is appropriate for this purpose. This treatment would have a much longer life span, and whilst more expensive it looks to be the more appropriate option.

Chlorination/ Filtration and Disbursement System - The current chlorination system is a closed loop system whereby the lake level delivers water via the skimming baskets into a

catchment sump and into a surge tank. Two pumps pull from the surge tank and pump through the three-filter system, water picks up the chlorine and is returned to the lake in the middle under the diving platform.

There is no water level control for the lake, the two pumps are always running but are throttled back to 50% of their capacity. Officers currently monitor the water level by estimating run times for pumps and the surge tank can run dry if not closely managed. The delivery location in the centre of the lake doesn't deliver enough chlorinated water at each corner of the lake and at the young children's fenced area.







Skimmer box

Surge tank

Pumps 1/2 throttle

The lake is currently drained annually. The outlet must be monitored because the discharge water can flood the nearby street. Once drained the lake still holds water because of the drainage location outlet which is 300mm up the lake wall. This has been installed in this way as the fall the discharge point did not allow it to be installed any lower. This remaining water is manually pumped out of the lake using a sump pump. The remaining water is allowed to evaporate off before lake can be fully cleaned.



Current drainage outlet

Professional advice is being sought to redesign and improve the filtration and discharge system for consistent sanitation and circulation and improved filtration. This is likely to be a staged approach with the focus on getting the pipe network and pump sized correctly to address circulation and then automate pumps, improve filtration, control and dosing system, and lake water levels.

Disabled Access – At present there is no disabled access to the swimming lake, disability access should be considered with the lake upgrade to allow all to enjoy. Access via the current path from the car park to the southwestern corner of the lake with smooth transition into the water with handrails/ grab rails included in the upgrade. This access would double as vehicle ramp access into the lake area for maintenance in the off season.







Action- Incorporate disability access into the swimming lake renewal program whlist upgrading the floor treatment.

Budget estimated options for consideration

			Bitumen	Re	construction
Step		ке	surfacing (seal)		(concrete)
1	Remove concrete under platform	\$	3,600.00	\$	3,600.00
2	Preparation excavation	\$	21,825.00	\$	62,900.00
3	Floor treatment	\$	127,004.00	\$	525,600.00
4	Chlorine and pipework	\$	79,600.00	\$	79,600.00
5	Remove balloon and fit valve	\$	7,000.00	\$	7,000.00
6	Disabled access	\$	25,425.00	\$	25,425.00
7	Fill monitor and maintain	\$	3,000.00	\$	3,000.00
8	Contingency	\$	32,000.00	\$	76,000.00
9	Engineering	\$	20,000.00	\$	20,000.00
		\$	319,454.00	\$	803,125.00

Expected useful life and depreciation cost comparison

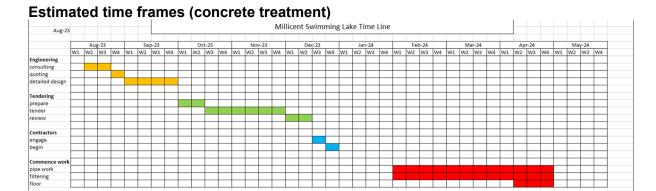
Life Expectancy & Annual Cost Comparison				
	Cost	Years	\$/year	
Concrete	\$803,125.00	60	\$ 13,385	
Bitumen	\$319,454.00	10	\$ 31,945	

Pathway forward

Any infrastructure improvements need to be considered now before applying any floor treatment. Providing that the concrete floor treatment solution is the best way forward, full engineering reports by swimming pool specialists (people that work in this space) are required. This will provide full detailed design of the floor treatment as well as the underfloor requirements and associated chlorination delivery, suction and filtration requirements.

The engineers will provide more precise cost estimates for the complete upgrade.

Then we propose to tender and engage the services of contractors to undertake the work with the understanding there are limited companies that provide these type of specialist services.



It is the officer's recommendation that Council close the lake for this summer period so a full renewal of the swimming lake can be undertaken.

Financial Considerations

Council has allocated funds to this project:

- (2022-2023) \$132,000 to improve chlorination and water management issues which has been resolved to be used to address the issue of the water leak;
- (2023-2024) undertake improvement works to the value of \$600,000 to remediate the excessive water issue; and
- \$7,000 to replace the drain valve.

The current total project budget allocation to the swimming lake is \$739,000.

Budget Allocation \$739,000 Budget Spent to Date \$6,000

Estimates Option 1 = \$319,354 (bitumen)

Option 2 = \$803,125 (concrete)

The option of reconstruction the swimming lake floor will require an estimated additional \$70,125. The final amount will not be known until contracts have been tendered and awarded. As these tenders are to be brought back to Council for consideration it would be appropriate to consider any budget variation at that point in time.

Should tenders require additional funds Council has the option of allocating some of the fourth phase of the Local Roads Community Infrastructure Program (part a) which is \$628,298 to cover the variation.

Risk Considerations

There are two risks in the risk register relating to the Millicent Swimming Lake. This report relates to the risk associated with major leaks in the surface resulting in a breach in the water allocation.

The assessment of this risk is currently High as it is likely that this will occur noting the actions in this report if supported by Council will mitigate this risk to a residual low risk.

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. Authorise the CEO to tender for the reconstruction of the Millicent Swimming Lake floor and bring a tender evaluation report back to Council for its final consideration.

15.4.2 Millicent Saleyards Update

Report Type	Officer Report
Department	Engineering Services
Author	Craig Turner
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	High
Strategic Plan Reference	Theme 1 - Community Vibrancy & Presentation 1.1 Maintain and enhance public space areas including parks, public places, car parking, street lighting and streetscapes to provide vibrant, attractive areas. Theme 3 - Infrastructure & Asset Sustainability 3.4 Plan for and optimise Council's stock of building assets whilst meeting the future and current needs of community.
File Reference	GF/4.64.1/9
Attachments	Nil

Purpose of Report

Update Council on Millicent Saleyards Upgrade Project

Report Details



During a Special Meeting held on 29 June 2023 Wattle Range Council (Council) resolved that the Millicent Saleyards will continue to operate as a stock transfer facility and that the truck wash will remain open for use after the yards were permanently closed for cattle sales.

Following this decision Council officers have reviewed the operational impact of these changes and what improvement work must be completed to comply with the following:

- SafeWork SA improvement notices,
- Environment Protection Authority (EPA) South Australia requirements,
- Department of Primary Industries and Regions South Australia (PIRSA) regulations.

Infrastructure Update

Truck Wash, Ramps and Yards - Hamlyn Wilson was awarded the tender to undertake improvements to the truck wash bay and cattle ramps in August 2022. Council has received the new 9-meter ramp and much of the associated equipment for the project. Hamlyn Wilson has advised that they could recommence work as soon as October 2023 depending on their progress with other projects, and at the latest in January 2024.

Due to the decision to no longer operate sales from the facility Council only needs to complete works on two of the fixed ramps.







EPA Requirements – In July 2021 Tonkin Consulting helped develop a "Closure and Post-closure Plan" for the Millicent Saleyards. On the 17th of August 2023 the EPA issued a letter requesting a revision of this plan to reflect the Council's decision to continue to use the facility for stock transits and truck washing. The revised plan must be submitted to the EPA by 30th September 2023.

The significant reduction in stock numbers now falls below the Environmental Licensing threshold which should result in the elimination of the requirement for an EPA license. Records of actual stock numbers transiting through the facility need to be obtained to present the case to the EPA for the removal of EPA license. It must be noted that not having an EPA license does not eliminate the requirements for continued wastewater management and monitoring i.e. as long as the truck wash and yards are used the wastewater management and monitoring must continue and be undertaken in accordance with the relevant legislation.

Council should also note that once the EPA license has been relinquished there will not be an opportunity to reinstate the license unless the entire site is brought up to modern EPA standards. The annual cost for the EPA license is \$10,700. In addition to this we budget a further \$17,500 for water sampling and preparation of a technical report as part of the license conditions.

Use of the Facility (Induction, Permit and Payment) - Officers must establish safe work methods to minimise any risk to facility users. There is now a heightened risk for the public using the facility as there will be limited staff supervision and people will often be working alone. New procedures and user induction packages must be created prior to issuing permits to transit stock. An administrative payment and record keeping process needs to be established to align with PIRSA traceability requirements in case of disease breakout. Users of the facility must sign and acknowledge their obligations and responsibilities and officers will routinely inspect the site for non-compliant users.

Two Story Office and Canteen Building - The downstairs toilets and showers are available to members of the public and are typically used by truck drivers and the Rider Safe program.

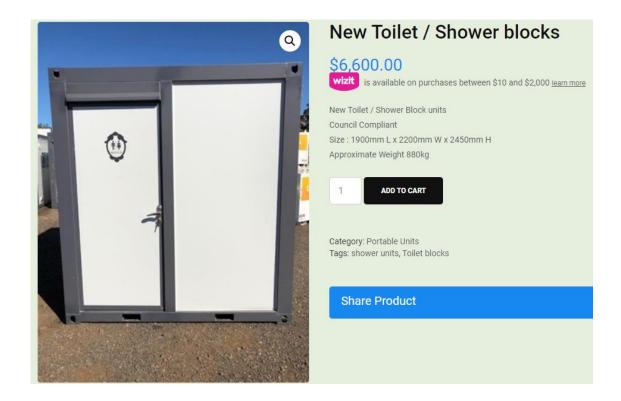
The upstairs section of the building is currently cordoned off due to safety concerns, and the downstairs agents' offices are no longer being used.



The building's condition is poor and requires either considerable investment to keep it watertight or demolition. Asbestos is present in the ceiling, in the floor tiles and wall sheeting and some parts of the kitchen. Southeast Asbestos has quoted to remove and dispose of the asbestos.

The allocated budget to repair this building is \$269,000. A full renovation would require \$416,000 and the toilets and showers would require an additional \$115,000 in future years.

Consideration must be given to the viability of renewing this building due to its age, condition and limited use. It would be more financially viable to demolish it and replace it with a portable toilet facility. A secondhand ablution block (purchase and install) is approximately \$30,000. Demolition of the existing building could then be undertaken post asbestos removal.



Use of land - There is 165 Acres of land associated with the Millicent Sale yards that could be utilized for farming purposes. Tender documentation is being prepared for the land's use, but may be limited to cropping only due to high nutrient loads and ongoing wastewater irrigation requirements.





Saleyards cost table - Budget \$984,500			
#	Action	cost	
1	Hamlyn Wilson		
	Preliminaries	\$28,600.00	
	truck wash	\$71,580.00	
	Improvements to static platforms	\$89,350.00	
	design and construct loading ramp	\$66,590.00	
	Pro way 9m cattle ramp	\$152,850.00	
	Committed total	\$408,970.00	

2	Lighting switch board upgrades	\$ 66,367.00
3	Remove asbestos from weighbridge office and canteen	\$21,000.00
4	Guarding all ramps and fencing changes etc for compliance (pre upgrade)	\$76,800.00
5	Fence effluent pond	\$15,000.00
6	Remove weighbridge office	\$22,000.00
7	Recondition the canteen 2 story building	\$269,000.00
8	Workshop improvements	\$6,500.00
9	Incidentals signs, lines, etc	\$15,000.00
10	contingency	\$80,000.00
	Total	\$980,637.00

Financial Considerations

Budget Allocation \$984,000

Budget Spent to Date \$408,970 (committed)

Budget Variation Requested \$0

The financial considerations related to this report are detailed above with a breakdown in the actual and budgeted cost.

Risk Considerations

Low

The Millicent Saleyards currently has three risk items in the register two relate to this report being Saleyards Disease Control and Saleyards environmental compliance with continuation to implement the measures in this report they are both considered low risks.

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:

Receive and note the report.

2.	Authorise the Chief Executive Officer to surrender the EPA Licence associated with the Millicent Saleyards facility.

15.4.3 Council Service Centre

Report Type	Officer Report
Department	Engineering Services
Author	Peter Halton
Disclosure of Interest	No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration.
Current Risk Rating	High
Strategic Plan Reference	Theme 3 - Infrastructure & Asset Sustainability 3.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use. 3.4 Plan for and optimise Council's stock of building assets whilst meeting the future and current needs of community.
File Reference	GF/16.65.1/29
Attachments	 A 19845- W 0- W 19 rev C [15.4.3.1 - 20 pages] Wattle Range Council Administration Building Landscape Drawing Set [15.4.3.2 - 7 pages]

Purpose of Report

To determine whether to proceed to the tender phase of the project for the construction of the new Council Service Centre and how that construction should be project managed.

Report Details

Council has been working to develop a new Council Service Centre for the provision of administrative services for several years. A Prudential Management Review of the project was adopted on the 13th of July which supported the progression of the project.

The next step in the project is to resolve on how Council wants to manage the project in terms of delivery, and to seek appropriately qualified contractors to undertake the building and construction works.

In terms of project management, the Council has three options and all three have advantages and disadvantages which are detailed below. The three options are to undertake the project management using internal resources, outsource the activity to a specialist project management consultant or engage the architect (Chapman Herbert) to undertake the project management functions for the project.

Internal Resources

Council has built an internal project management capability over last few years to manage the delivery of the capital works program. This has included the appointment of a Program Manager, Project Manager and Contract Administrator. These additional positions have been working on both the backlog of projects and the future planning and streamlining of new projects. The Program Manager has a strategic focus on the current and future program. They audit projects and prepare the monthly capital status report. The role also actively manages several individual projects at any given time. The Project Manager takes on much

of the delivery of projects that are outsourced to external contractors. The Contract Administrator is responsible for managing tenders and contracts and a handful of the smaller less complex projects.

The benefits in using these resources to manage the Council Service Centre project is that these staff are all very capable and would enjoy the challenge of managing and delivering this project which is a once in a career opportunity. They are also located locally and as such would be able to attend the site regularly. They would also be users of the new facility and have a significant ownership of its development. The main challenge associated with using internal resources is the additional workload that would be required and the impact this would have on other projects in the capital works program, unless some level of backfilling was provided. The other issue is we do not have the established systems and technical experience for a construction project of this scale and complexity.

The cost to undertake the works using internal resources would be the backfilling of the Project Manager which would be in the order of \$100,000.

Specialist Project Management Services

There are specialised project management consultants in the construction field that have all the established systems and technical experience to manage and deliver a project of this scale. The advantage is they can tailor their resources for this specific project as well as bringing a different lens to the table as they would be independent of both the client (Council) and the design (architects) teams.

In general, they offer a specific service specialised in projects acting on behalf of the client and previous experience has shown that a good project manager could save the cost of their service in variations and scope creep alone. These potential savings are reduced as the level of design detail increases, as the level of detail better reflects the clients wishes.

The disadvantage is that we would prefer to tender for this option prior to tendering for the construction phase of the project as it would be beneficial if the project manager was involved in the tender process from the beginning. This would add delays to the overall project timeline. It is also the most expensive option, as Quantity Surveyor Chris Sales have advised that the cost is likely to be between \$127,500 and \$170,000.

Architectual Services

The third option is for the architect to provide the project management services, which is a common option for building projects. The current contract with Chapman Herbert includes the option to undertake the contract administration which is in effect project managing this project. The contracted value for this work was \$74,250 and was based on a percentage of the total project cost.

In a recent discussion with the architect, they advised that they would be seeking a variation for this element of the contract based on the expected increase in the overall project budget and the time that has passed since the contract was awarded (December 2021). The variation being requested is an additional \$32,500 plus disbursement. At the time of appointment we received no estimate of the value of disbursements. The consultant has now provided this estimate which they advise will be in the order of a further \$18,090. Disbursements relate to the cost of attending onsite and project meetings. They have

indicated in the variation an anticipated number of meetings they are proposing to attend. It should be noted that one of the senior consultants is located in Mount Gambier so this cost is significantly less than if Council were to appoint a consultant who was not local.

Council would need to resolve to amend the current contract if it was not in favour of Chapman Herbert proceeding as the contract administrator/project manager, or alternatively it would need to consider whether to accept the variation for the additional costs. Officers have reviewed the variation as proposed by Chapman Herbert and feel that the value of the increase is reasonable.

The advantages in using the architects are they have a detailed knowledge of the project and its design and have worked with the client and the various subconsultants in the development of the design and documentation.

The major argument in not using the architect is that they can be somewhat biased to any saving to the project presented by the contractor which may conflict with their own views on materials and finishes. The way that this can be managed is through clarity over delegations of authority, in that the final decision on scope and variations are strictly controlled by the client.

The officer's recommendation is to continue using the architect on this project as proposed in 2021 for the contract administration/project management of this project and authorise the variation to this contract.

Design and Development Documentation

The latest architectural and landscape plans for the project have been attached to this report. These, along with detailed documentation on structural, mechanical, electrical, civil, water and wastewater, have been developed to support a tender for a lump sum contract to construct the new Service Centre. A copy of these design documents has been provided separately to all elected members to demonstrate the level of detailed information required for the tender process and the amount of work that has gone into appropriately scoping a project of this scale and complexity.

Officers recommend that the Council now proceeds with an open tender process for the construction of the Service Centre which is believed to offer the most transparent and best procurement option for a project of this scale. The tender will be advertised as a lump sum contract for the bulk of the works with some provisional items for discretionary elements such solar and landscaping.

Once tenders are received a review will be undertaken by the tender evaluation committee who will prepare a tender evaluation report for Council's consideration with the intent to appoint a civil contractor for the construction of the new Service Centre.

It is anticipated that this report will be brought back to Council for a decision at the January 2024 meeting.

Financial Considerations

Budget Allocation \$3,000,000 (Stage 1)

Budget Spent to Date \$

Budget Variation Requested \$0

The main budget consideration in this report relates to the appointment of resources to undertake contract administration/project management for the project. If Council resolves to support the officer's recommendation, an additional \$50,590 would be required to undertake the project management services for the development of the Council Service Centre. This does not require a budget variation now; however, Council will need to consider whether a variation is warranted at the time the civil contract is awarded depending on tender outcomes. At this time a detailed breakdown of all costs will be presented to Council.

Risk Considerations

A project as complex as this has quite a few risk considerations. In the development of the proposal a detail risk assessment has been development. In reviewing this document several of the risks relate to the engagement and management of the civil contractor.

A summary of the risk related to the project management and delivery of the civil contract are detailed below.

Risk	Control	Score
Project not being delivered on time	Regularly review Gantt chart and provide updates.	High
Cost and budget blowout	Appoint Quality Surveyor (QS), continue to review costs, track and forecast cost at completion making adjustments as necessary. Build in 10% contingency on cost and scheduling.	Medium
Project Conflict	Hold regular Project Control Group (PCG) meetings, contracts, defined scope, design and documentation review	Medium
WHS Issues arising	WHS management plan, contractor WHS plans and procedures, ongoing inspections, site meetings, reports to ELT and Council Project Control Group (PCG) auditing by 3rd party	Low
Project scope unclear, poorly defined	Working with team of principal consultant (architect) and sub consultants to review scope prior to tender.	Medium
Project Variations	Regular Project Control Group (PCG) meetings, inspection of works and preparation of project Status reports. Check all plans with quantity surveys.	Medium

Policy Considerations

This report has been prepared in consideration of the Council Procurement Policy.

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. Approve the variation to the contract for Architectural Service with Chapman Herbert to the value of \$32,500 to undertake contract administration for this delivery of the Council Service Centre (new administration office) and note that they have provided an estimate for disbursement of a further \$18,090.
- 3. Proceed to open tender to seek submissions to undertake the civil works to build the Wattle Range Council's new Services Centre. Provide Council a tender evaluation report following receipt and review to the tender submissions.

CHAPMAN HERBERT ARCHITECTS



WATTLE RANGE COUNCIL SERVICE CENTRE

LOT 5 NORTH TERRACE, MILLICENT, SA 5280

ARCHITECTURAL DRAWINGS

PROJECT NUMBER A19845

DATE 21 AUGUST 2023



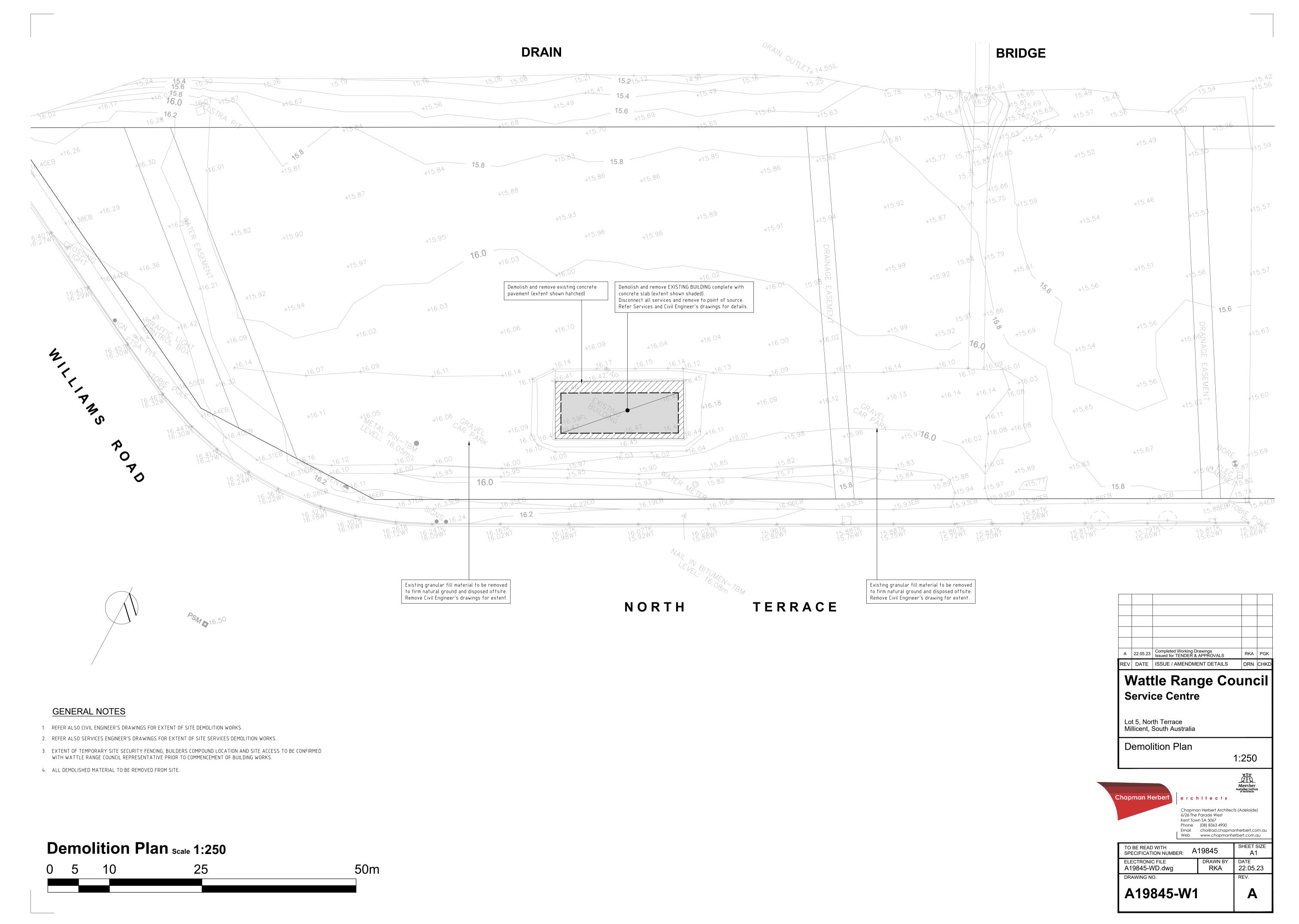
DRAWING INDEX

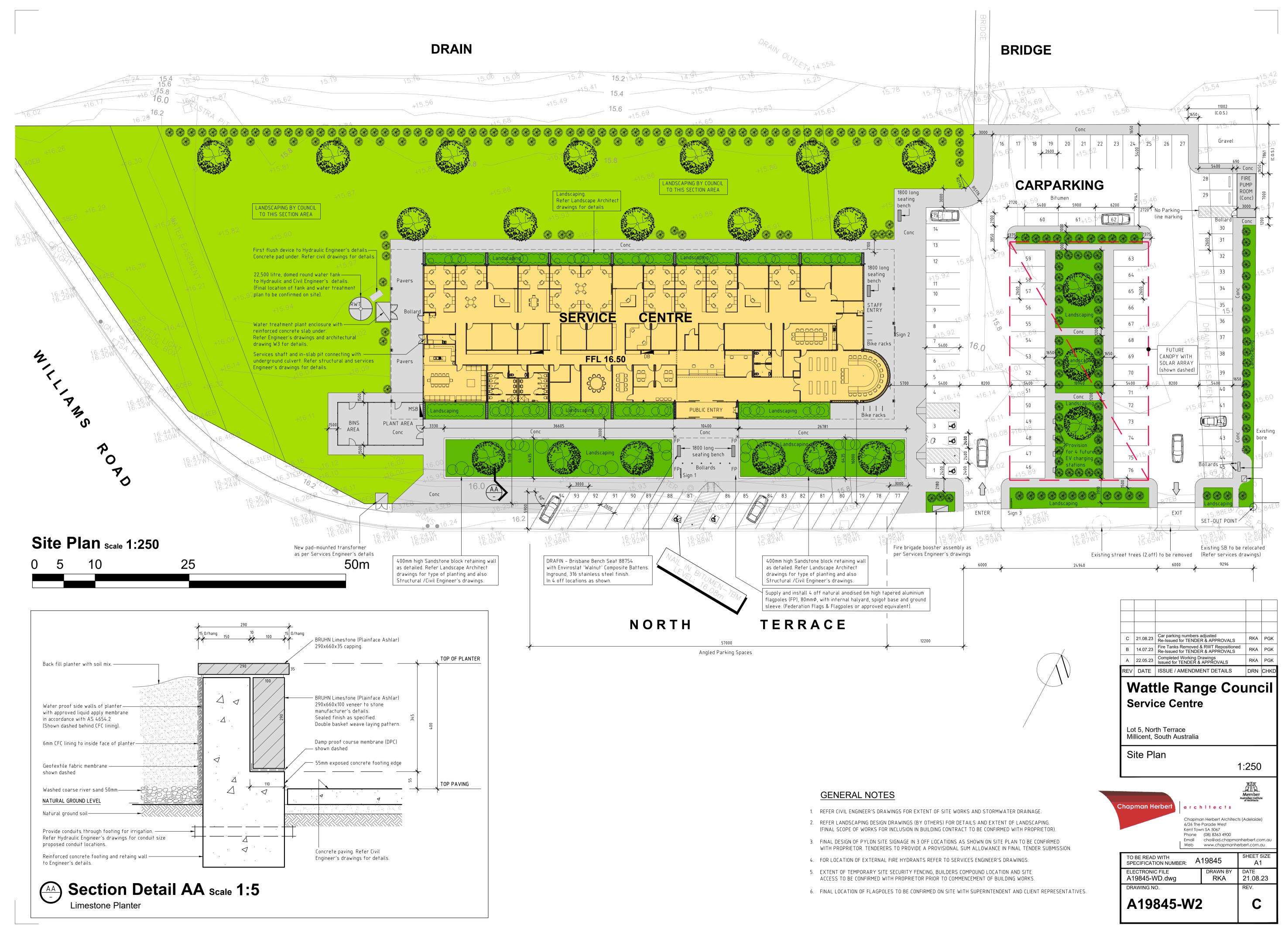
WO	COVER SHEET & DRAWING LIST
W1	DEMOLITION PLAN
W2	SITE PLAN
W3	OVERALL FLOOR PLAN
W4	FLOOR PLAN - PART 1
W5	FLOOR PLAN - PART 2
W6	CEILING PLAN
W7	ROOF PLAN
W8	ELEVATIONS - 1
W9	ELEVATIONS - 2
W10	SECTION A
W11	SECTION B
W12	SECTIONS CC & DD
W13	DETAILS-1 (Section Details)
W14	DETAILS-2 (Plan Details)
W15	DOOR & WINDOW SCHEDULE
W16	INTERNAL ELEVATIONS-1
W17	INTERNAL ELEVATIONS-2

W18 JOINERY DETAILS

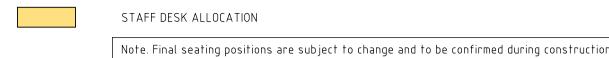
W19 FLOOR FINISHES

A REV	21.08.23 DATE	Issued for TEN	IDER & APPI	ROVALS		
			ENDMENT		DRN	PGI
		rth Terrace South Aust	ralia			
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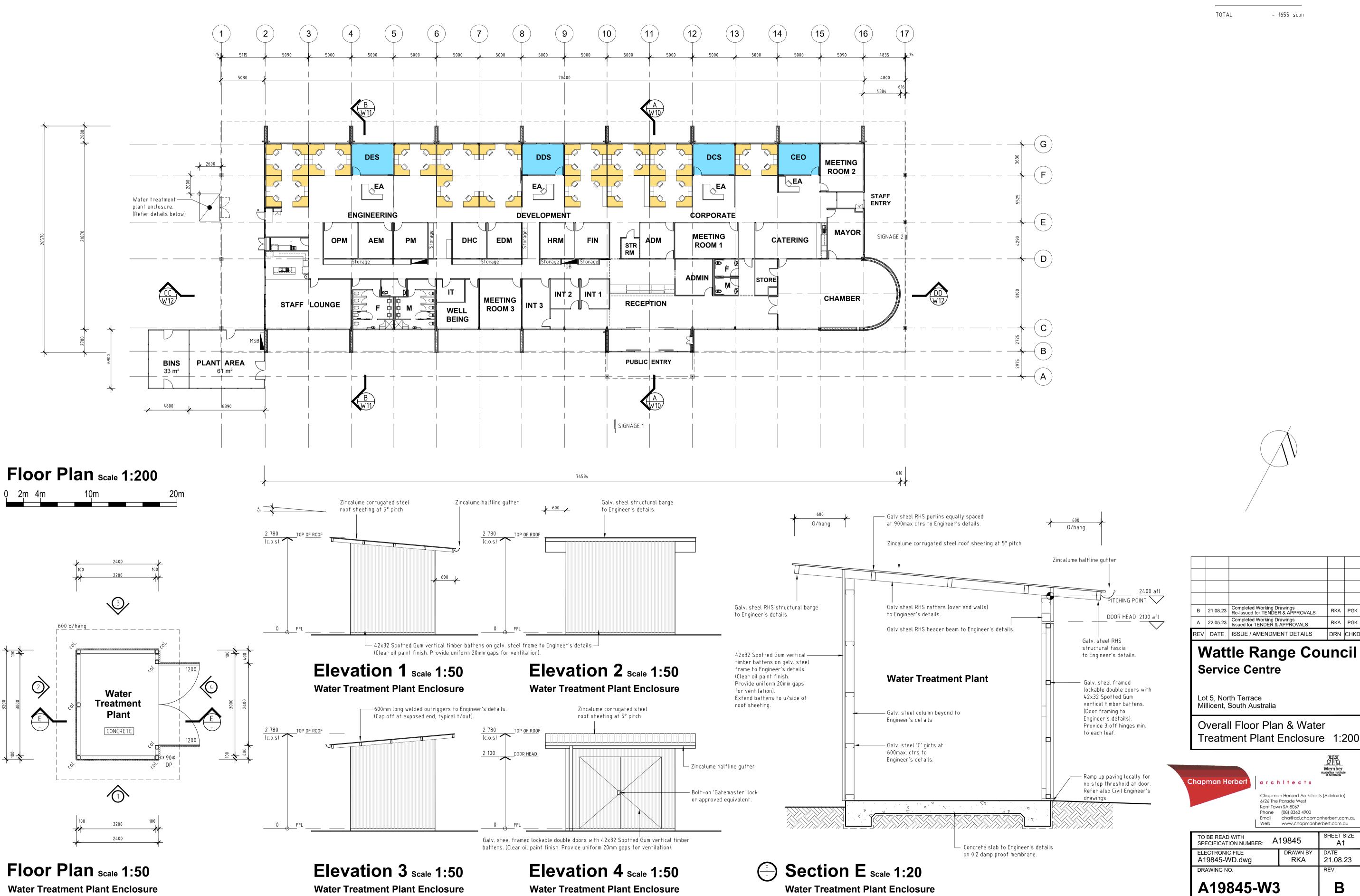


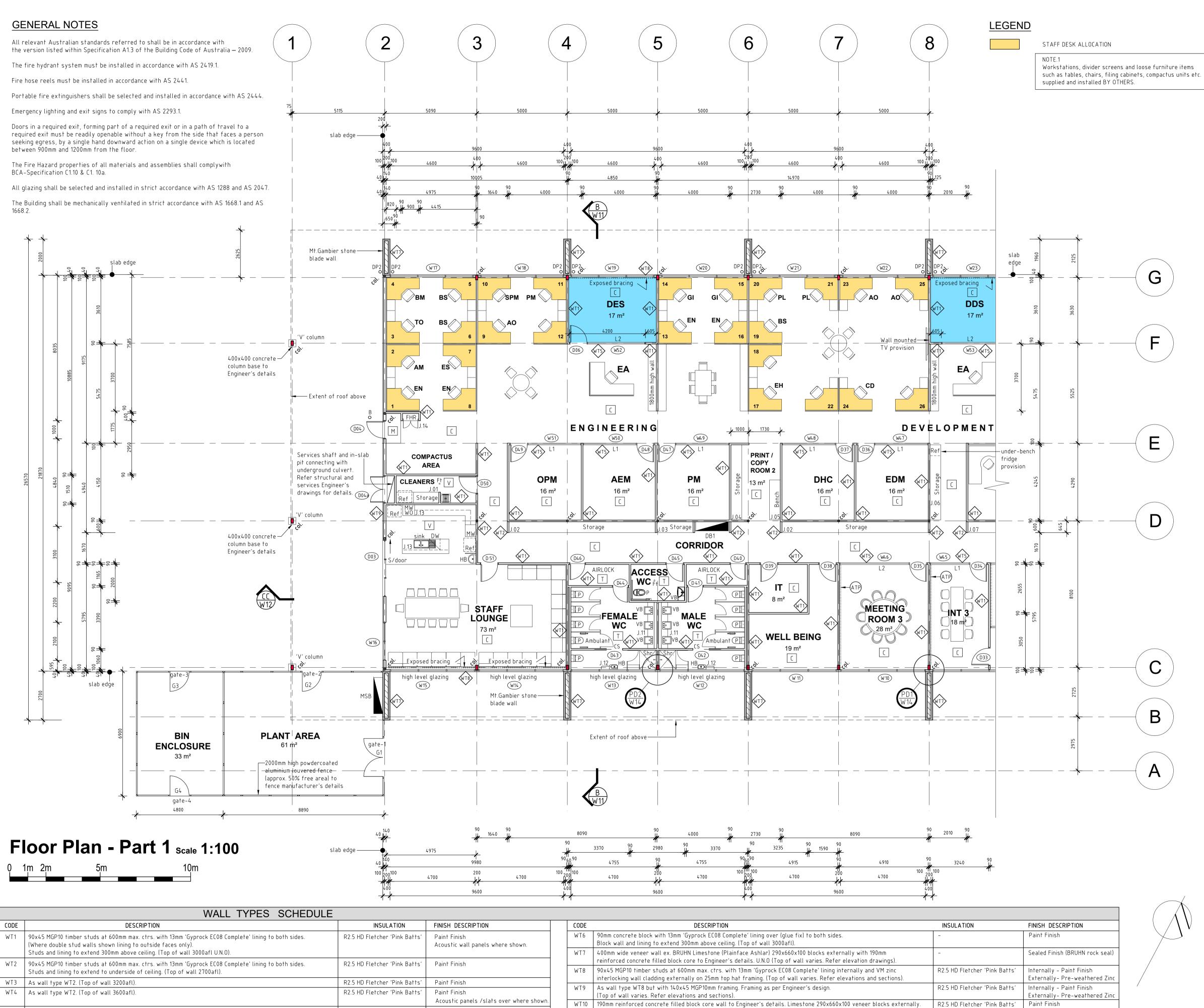
AREAS

ADMIN BUILDING - 1567 sq.m

PUBLIC ENTRY PORCH - 36 sq.m

PLANT AREA - 52 sq.m





Natural anodised

90x45 MGP10 timber studs at 600mm max. ctrs. with 13mm 'Gyprock EC08 Complete' lining internally. (Top of wall 3200afl).

NOTE. 2 Contractor to coordinate wall and partition types setout and allow for packing / furring channel to ensure alignment to all internal and external linings.

NOTE. 1 Unless noted otherwise, all internal partition walls are WT1, to finish 300mm above ceiling level.

GENERAL ANNOTATIONS SCHEDULE

W00 Window - refer to window schedule

) Door - refer to Door Schedule

CJ Construction joint / Control joint

Structural column to Engineer's details

Structural column to Engineer Electrical distribution board

Electrical switchboard

Main electrical switchboard

100mm dia., sewer grade uPVC downpipe to paint finish. Refer Hydraulic and Civil Engineering plans

DP2 150mm dia., sewer grade uPVC downpipe to paint finish.

Refer Hydraulic and Civil Engineering plans

3 100 ϕ (nominal) stainless steel door bollard, 950mm high

Cleaners trough

Stainless steel kitchen sink

k Stainless steel kitchen sin

W Microwave provision
O Wall Oven

Dishwasher provision

Fridge provision

Cavity sliding door

Hand basin (mounted 850afl)

B Vanity hand basin (typ. mounted 850afl)

mounted at 820afl for Access WC Toilet pan

Shr Shower

t Floor trap

2/290x45 MGP10 F7 timber lintel (nail laminated) over glazing partition/ window, u/side 2700afl

L2 2/300x45 HySPAN timber lintel (nail laminated) over glazing partition, u/side 2700afl

Denotes joinery item. Refer internal elevations and joinery details

Denotes acoustic wall panels /slats as scheduled. (To full extent of wall)

IR Fire hose reel to Services Engineer's details

FLOOR COVERINGS

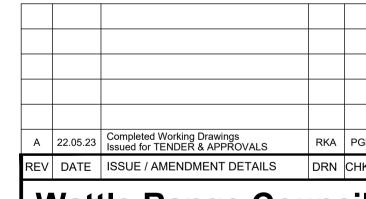
C Carpet Tile
V Vinyl

Т

M Carpet Entry Mat

Tiles

Refer floor finishes drawing and specification schedule for details.



Wattle Range Council Service Centre

Lot 5, North Terrace Millicent, South Australia

Floor Plan Part -1

1:100

Chapman Herbert

a r c h i t e c t s

Chapman Herbert Archite
6/26 The Parade West
Kent Town SA 5067
Phone (08) 8363 4900

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 A1

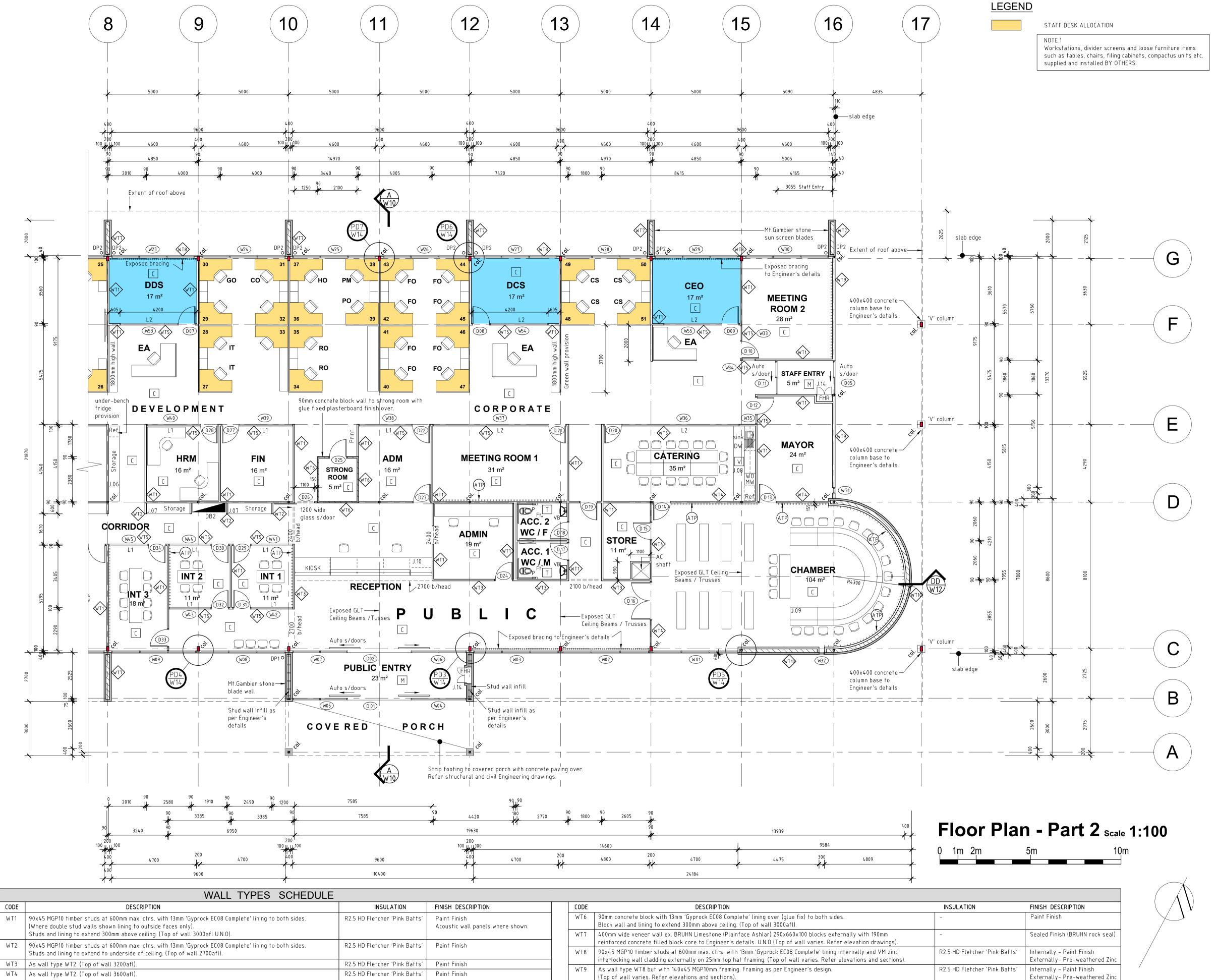
ELECTRONIC FILE A19845-WD.dwg RKA DATE 22.05.23

DRAWING NO. REV.

Wattle Range Council - Ordinary Meeting - 12 September 2023

ADX Metinno 9000C series fully glazed partition. (Top of window framing 2700afl)

Lintel over as scheduled with lining to both sides and to extend 300mm above ceiling.



190mm reinforced concrete filled block core wall to Engineer's details. Limestone 290x660x100 veneer blocks externally.

90x45 MGP10 timber studs at 600mm max. ctrs. with 13mm 'Gyprock EC08 Complete' lining internally. (Top of wall 3200afl).

NOTE. 2 Contractor to coordinate wall and partition types setout and allow for packing / furring channel to ensure alignment to all internal and external linings.

NOTE. 1 Unless noted otherwise, all internal partition walls are WT1, to finish 300mm above ceiling level.

Acoustic panels /slats over where shown.

Natural anodised

GENERAL ANNOTATIONS SCHEDULE

W00 Window - refer to window schedule

Door - refer to Door Schedule

CJ Construction joint / Control joint

Structural column to Engineer's details

Structural column to Engineer
Electrical distribution board

Electrical switchboard

Main electrical switchboard

100mm dia., sewer grade uPVC downpipe to paint finish. Refer Hydraulic and Civil Engineering plans

P2 150mm dia., sewer grade uPVC downpipe to paint finish. Refer Hydraulic and Civil Engineering plans

B 100¢ (nominal) stainless steel door bollard, 950mm high

Cleaners trough

Stainless steel kitchen sink

Microwave provisionWall Oven

)W Dishwasher provision

ef Fridge provision

CS Cavity sliding door

HB Hand basin (mounted 850afl)

B Vanity hand basin (typ. mounted 850afl) mounted at 820afl for Access WC

P Toilet pan

t Floor trap

2/290x45 MGP10 F7 timber lintel (nail laminated) over glazing partition/ window, u/side 2700afl

L2 2/300x45 HySPAN timber lintel (nail laminated) over glazing partition, u/side 2700afl

OD Denotes joinery item.

Refer internal elevations and joinery of

Refer internal elevations and joinery details

P) Denotes acoustic wall panels /slats as scheduled.

(To full extent of wall)

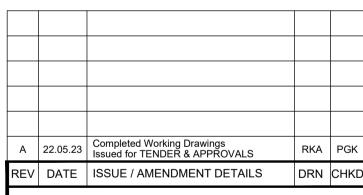
HR Fire hose reel to Services Engineer's details

FLOOR COVERINGS

C Carpet Tile
V Vinyl

M Carpet Entry Mat
Tiles

Refer floor finishes drawing and specification schedule for details.



Wattle Range Council Service Centre

Lot 5, North Terrace Millicent, South Australia

Floor Plan Part - 2

1:100

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TO BE READ WITH SPECIFICATION NUMBER: A19845

ELECTRONIC FILE A19845-WD.dwg

DRAWING NO.

ELECTRONIC FILE A19845-WD.dwg

RKA

ELECTRONIC FILE A19845-WD.dwg

RKA

REV.

A19845-W5

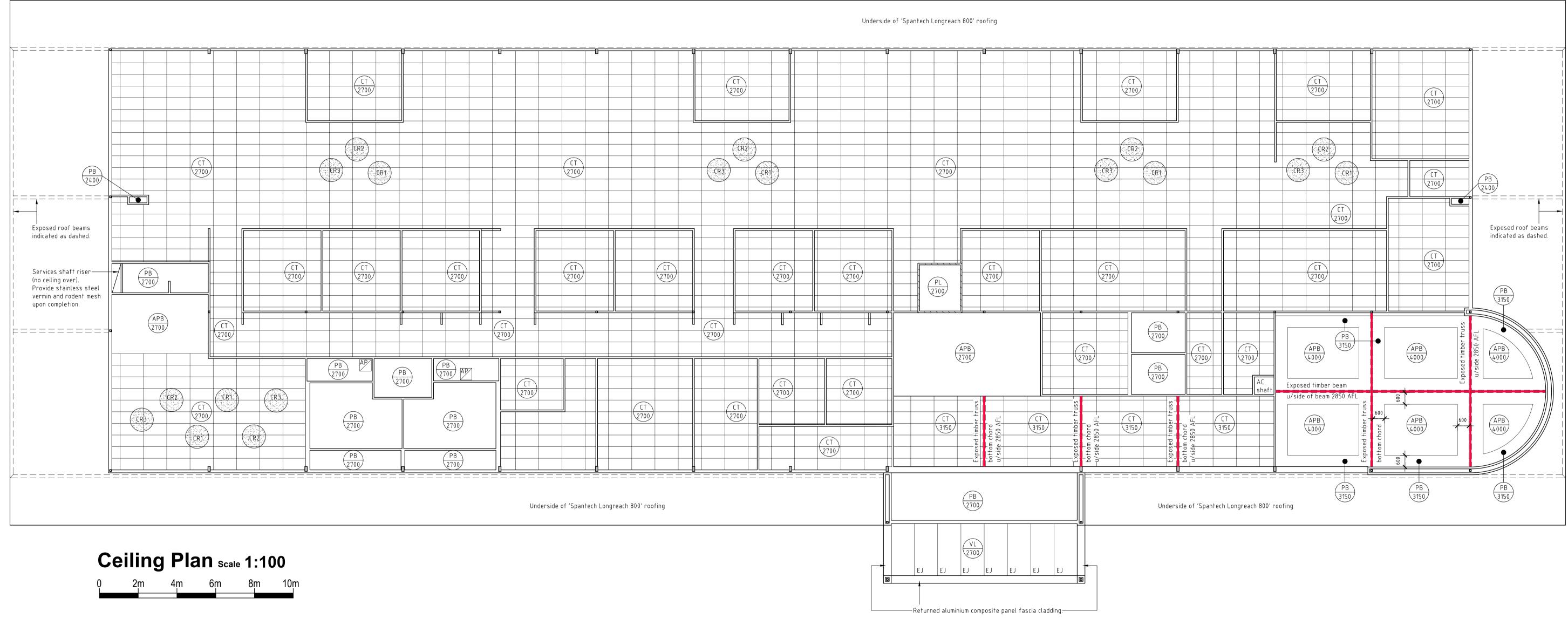
Paint Finish

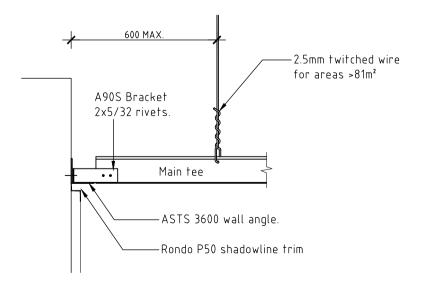
R2.5 HD Fletcher 'Pink Batts'

A

ADX Metinno 9000C series fully glazed partition. (Top of window framing 2700afl)

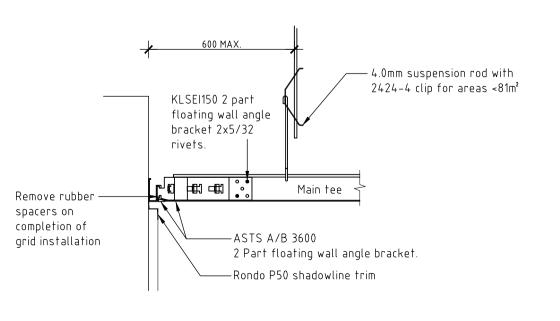
Lintel over as scheduled with lining to both sides and to extend 300mm above ceiling.





Fixed Main Tee Bar Wall Connection (Secondary tee connection to fixed angle similar but no suspension required. Max. perimeter length is 600mm).

Typical Seismic Ceiling Instalation Details Scale 1:5



Floating Main Tee Bar Wall Connection

(Secondary tee connection to floating angle similar but no suspension required. Max. perimeter length is 600mm).

For full seismic ceiling installation guide and details refer to manufacturer's details. Ceiling suspension system as specified. Ceiling seismic details supplied by ceiling supplier.

Ceiling Legend

_____ Ceiling Type Ceiling Height

- PB Flush plasterboard ceiling as specified (paint finish).
- APB 'Stratopanel random plus' perforated flush acoustic plasterboard ceiling as specified (paint finish).
- Proprietary suspended grid ceiling system with exposed 'T' bar and 1200x600 painted acoustic plasterboard tiles as specified.
- VL Versilux soffit lining with expressed joints as specified (paint finish).
- Plywood ceiling as specified with butt joints (paint finish).
- Expressed joint.
- 600x600 ceiling access panel. Refer also to Services Engineer's drawings.
- Suspended acoustic ceiling raft, 1200mm diameter. Underside of raft at 2500 afl. Colour as scheduled. (Knauf AMF TOPIQ Sonic)

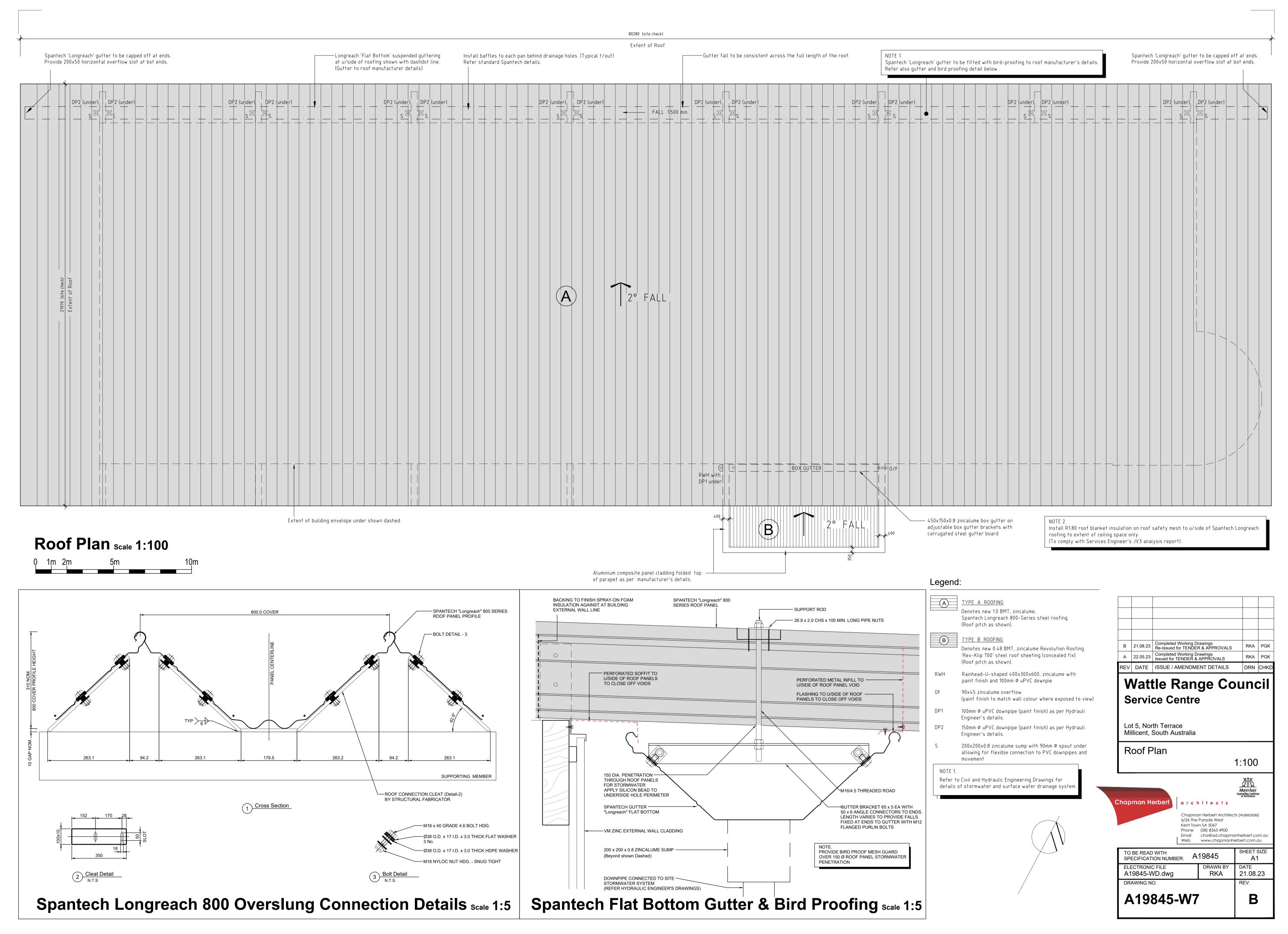
Refer to Services Engineer's drawings for lighting layout including emergency and exit lights and extent of all other ceiling mounted services.

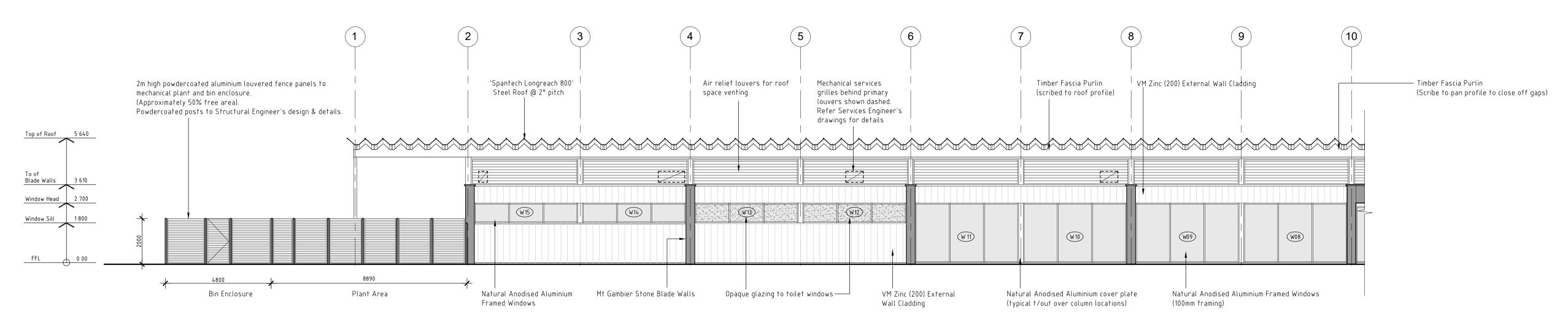
R3.0 thermal insulation as scheduled to be placed directly over suspended ceiling tiles.



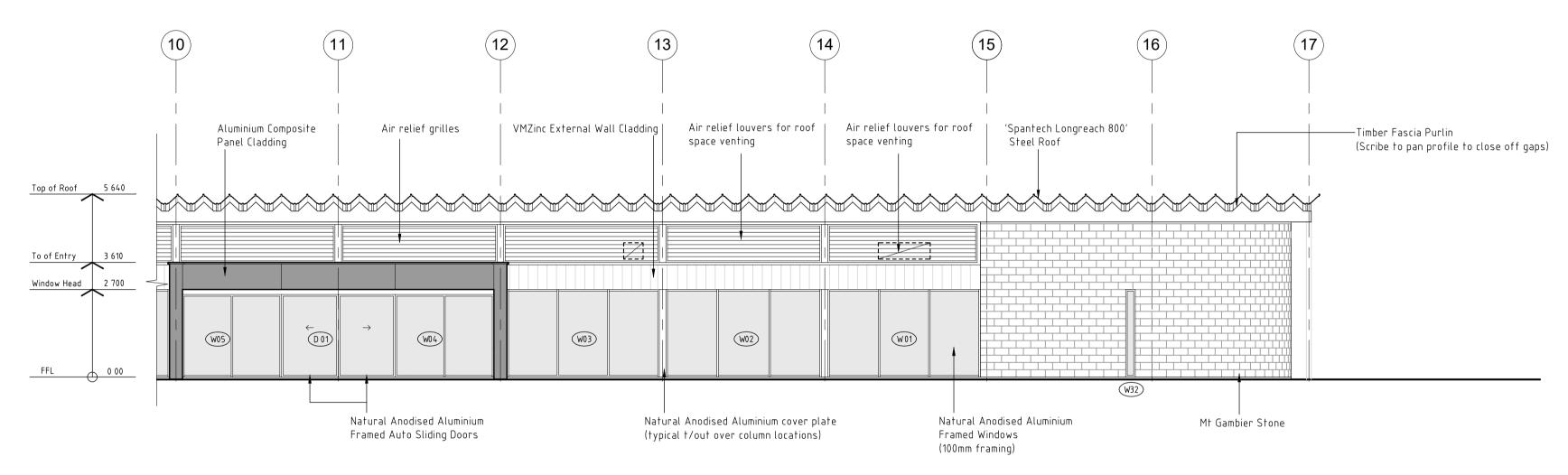


413 of 510

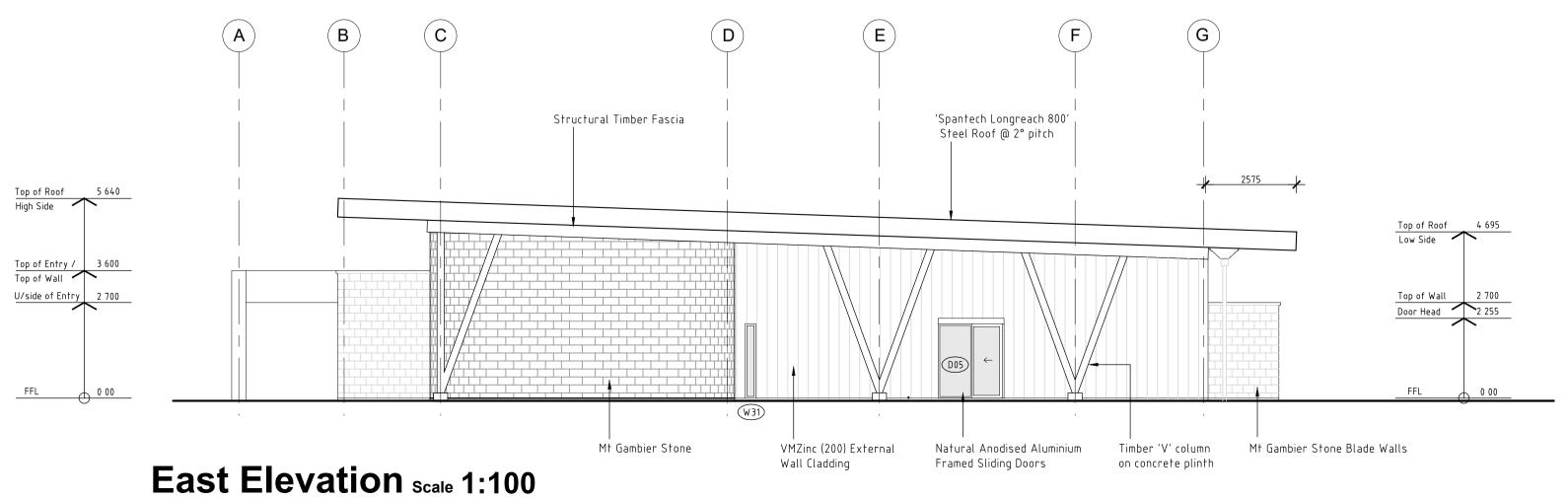




South Elevation Scale 1:100 Part 1

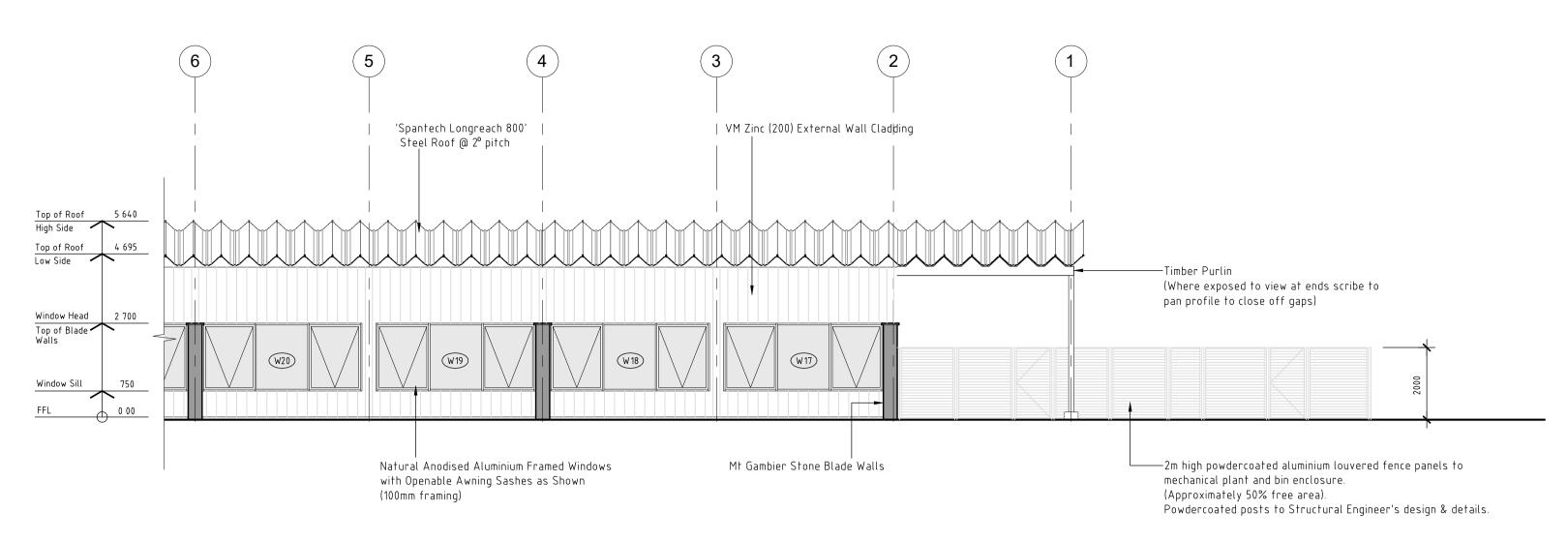


South Elevation Scale 1:100 Part 2

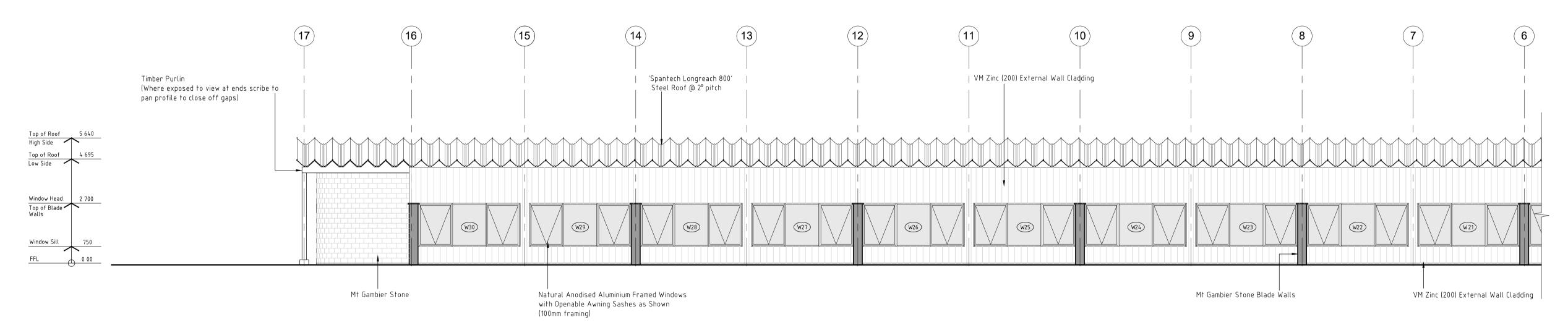


ITEM:	MATERIAL:	FINISH:	COLOUR:
ROOF:	Steel "Spantech Longreach"	Zincalume	-
GUTTERS:	Steel "Spantech Longreach"	Zincalume	-
DOWNPIPES:	PVC	Painted	Mid grey
EXTERNAL WALLS:	Mt Gambier Stone	Sealed	Clear
EXTERNAL WALLS:	Cladding "VMZinc" 200	Pre-weathered Zinc	"Anthra-Zinc"
EXTERNAL TIMBER COLUMNS:	Timber "CLT/GLT"	Painted Woodstain	Clear
STRUCTURAL FRAMING:	Timber "CLT/GLT"	Painted Woodstain	Clear
DOOR & WINDOW FRAMES:	Aluminium	Natural Anodised	Natural Anodised Aluminium
EXTERNAL AIR RELIEF GRILLES / LOUVRES:	Aluminium	Colorbond	matching "Anthra-Zinc"
COLUMN'S BASE PLATES / BOLTS:	Steel	Painted	Black

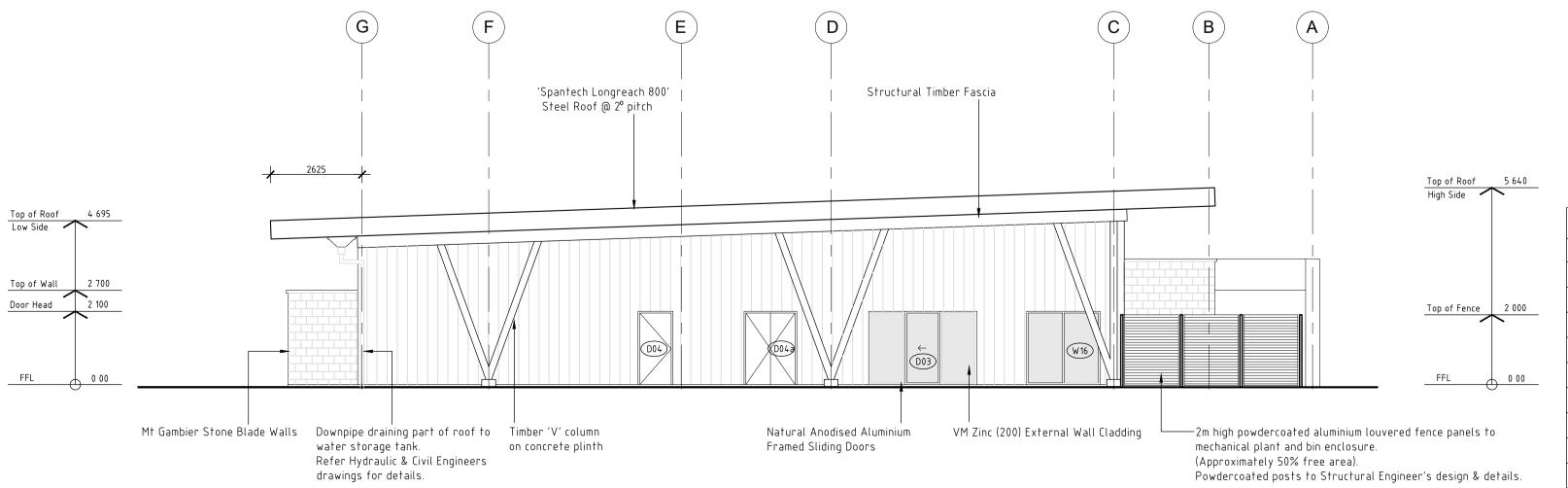
A 22.05.23 Completed Working Drawings Issued for TENDER & APPROVALS REV DATE ISSUE / AMENDMENT DETAILS Wattle Range Council **Service Centre** Lot 5, North Terrace Millicent, South Australia Elevations - 1 1:100 Member Australian Institute of Architects Chapman Herbert architects Chapman Herbert Architects (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 SHEET SIZE TO BE READ WITH SPECIFICATION NUMBER: A1 ELECTRONIC FILE A19845-WD.dwg DRAWN BY **RKA** 22.05.23 A19845-W8 Α



North Elevation Scale 1:100 Part 1



North Elevation Scale 1:100 Part 2



Materials	&	Finishes	Schedule
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ITEM:	MATERIAL:	<u>FINISH:</u>	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" 200	Pre-weathered Zinc	"Anthra-Zinc"
EXTERNAL TIMBER COLUMNS:	Timber "CLT/GLT"	Painted Woodstain	Clear
STRUCTURAL FRAMING:	Timber "CLT/GLT"	Painted Woodstain	Clear
DOOR & WINDOW FRAMES:	Aluminium	Natural Anodised	Natural Anodised Aluminium
EXTERNAL AIR RELIEF GRILLES / LOUVRES:	Aluminium	Colorbond	matching "Anthra-Zinc"
COLUMN'S BASE PLATES / BOLTS:	Steel	Painted	Black

A 22.05.23 Completed Working Drawings Issued for TENDER & APPROVALS REV DATE ISSUE / AMENDMENT DETAILS DRN CHKD

Wattle Range Council Service Centre

Lot 5, North Terrace Millicent, South Australia

Elevations - 2

1:100

Chapman Herbert

architects

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Web www.chapmanherbert.com.au

TO BE READ WITH SPECIFICATION NUMBER: A19845

ELECTRONIC FILE A19845-WD.dwg

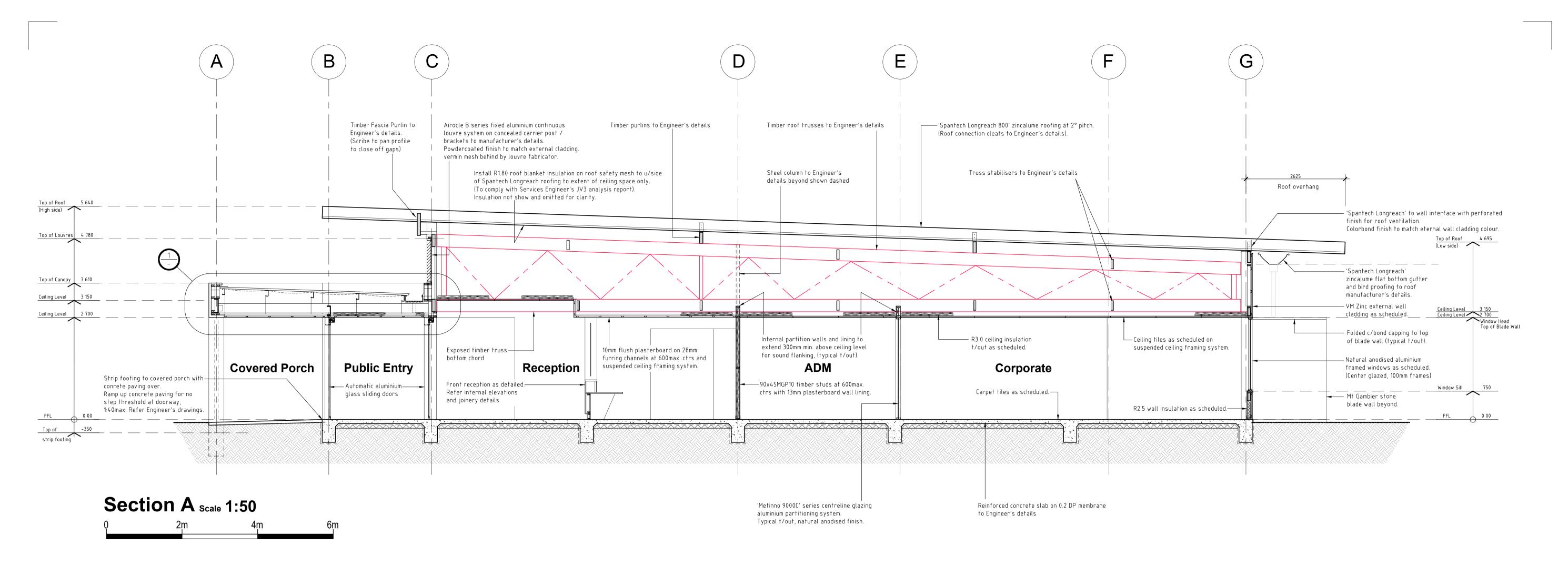
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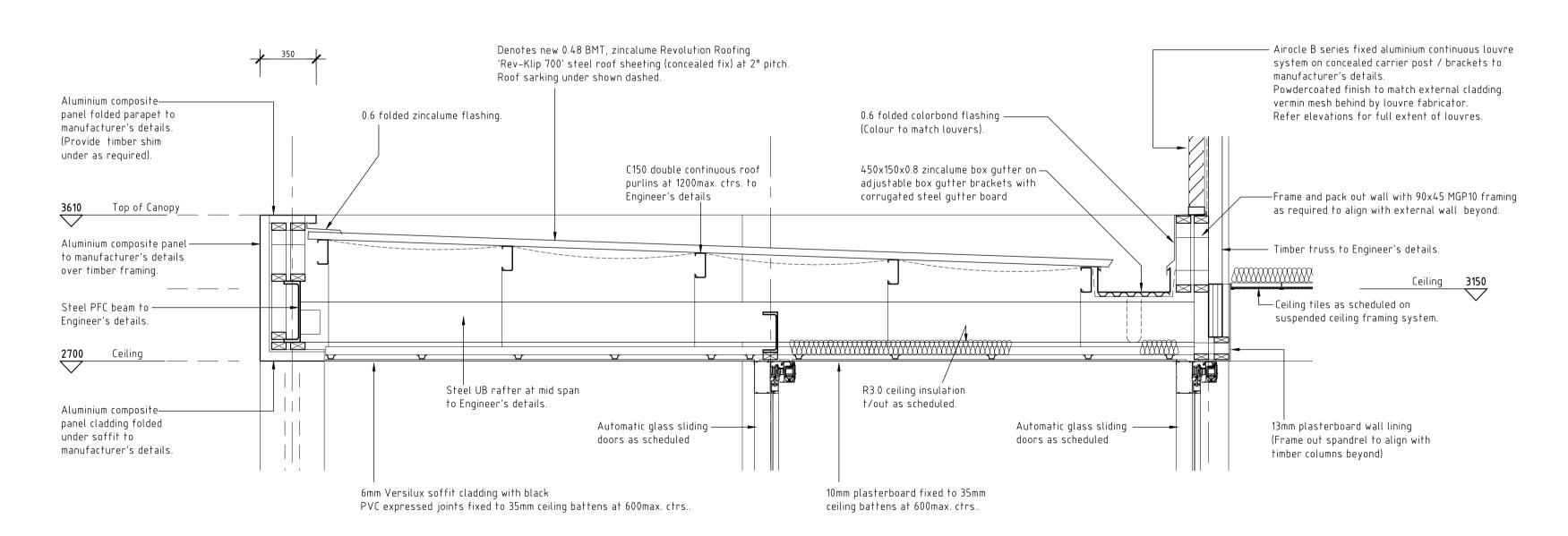
A19845-W9

REV.

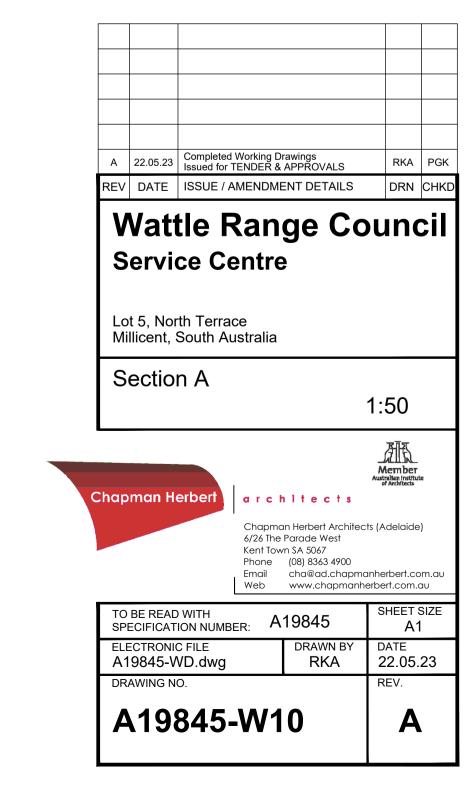
West Elevation Scale 1:100

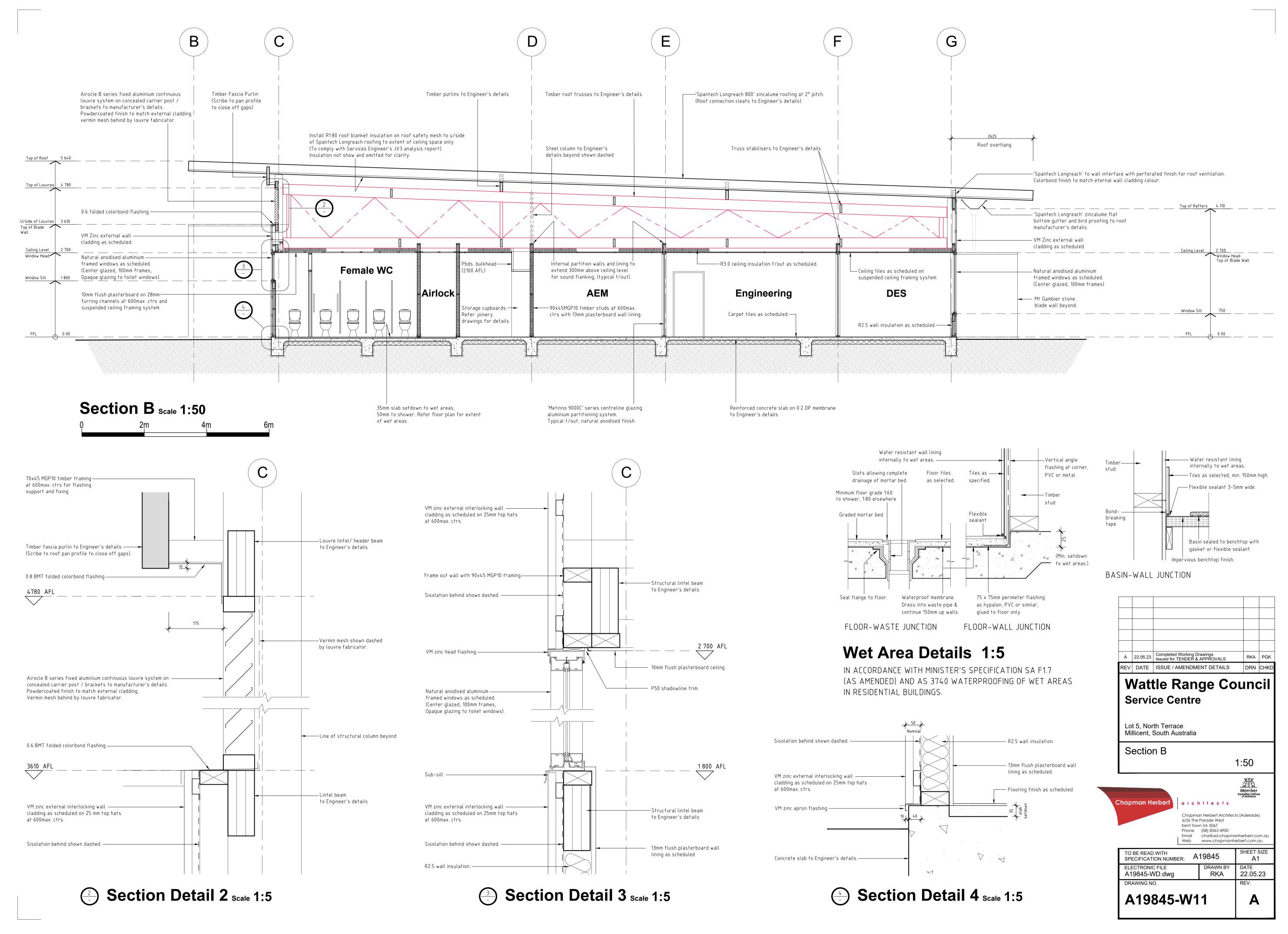
0 2m 4m 6m 8m 10m

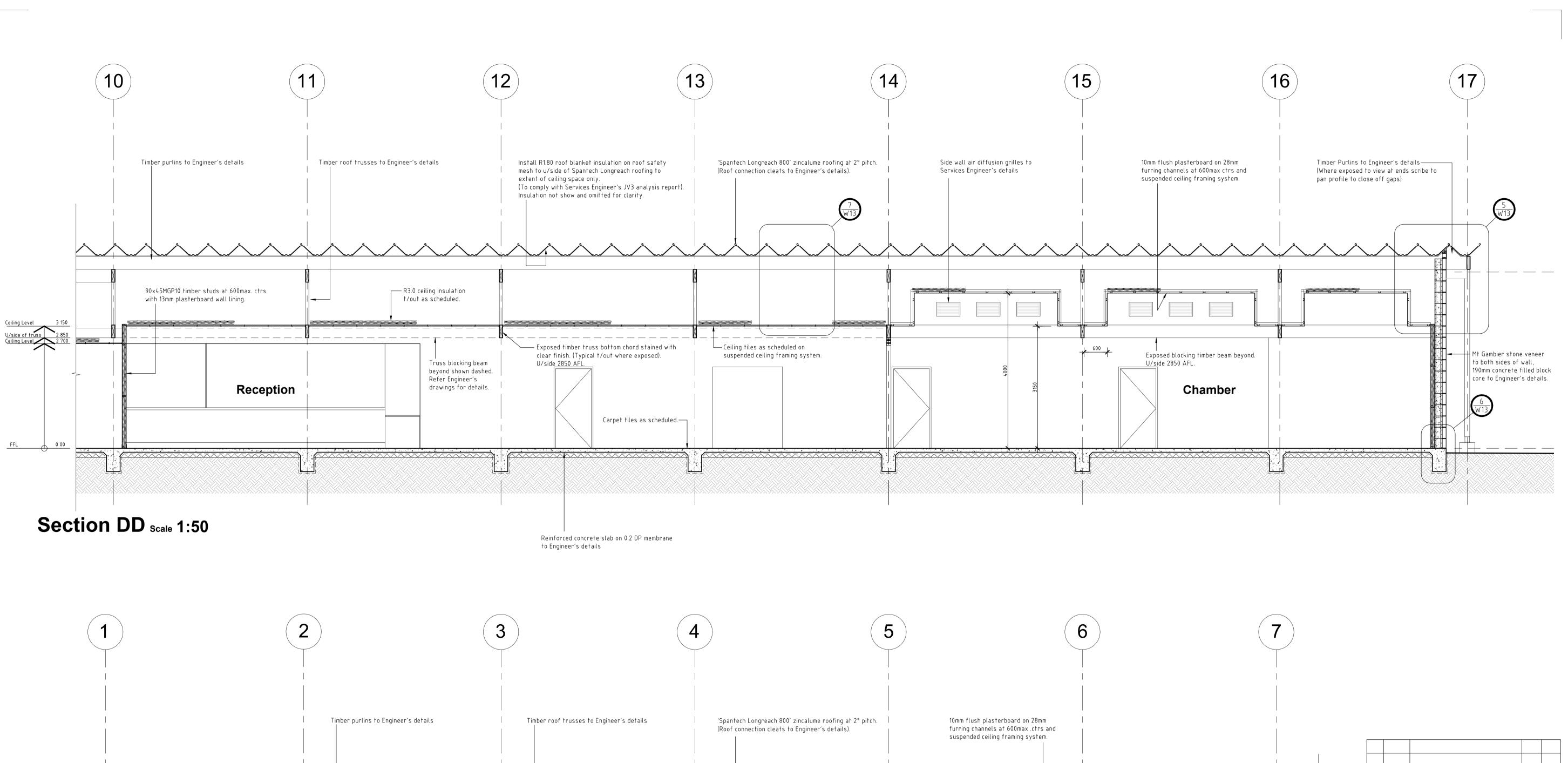


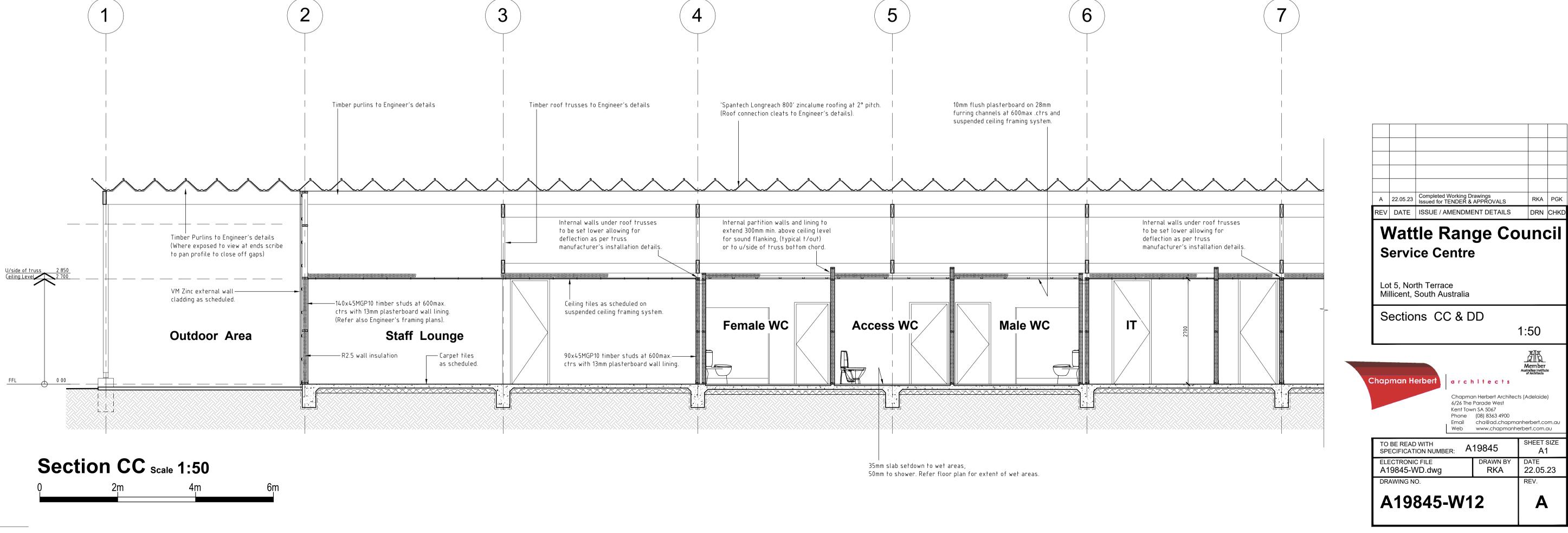


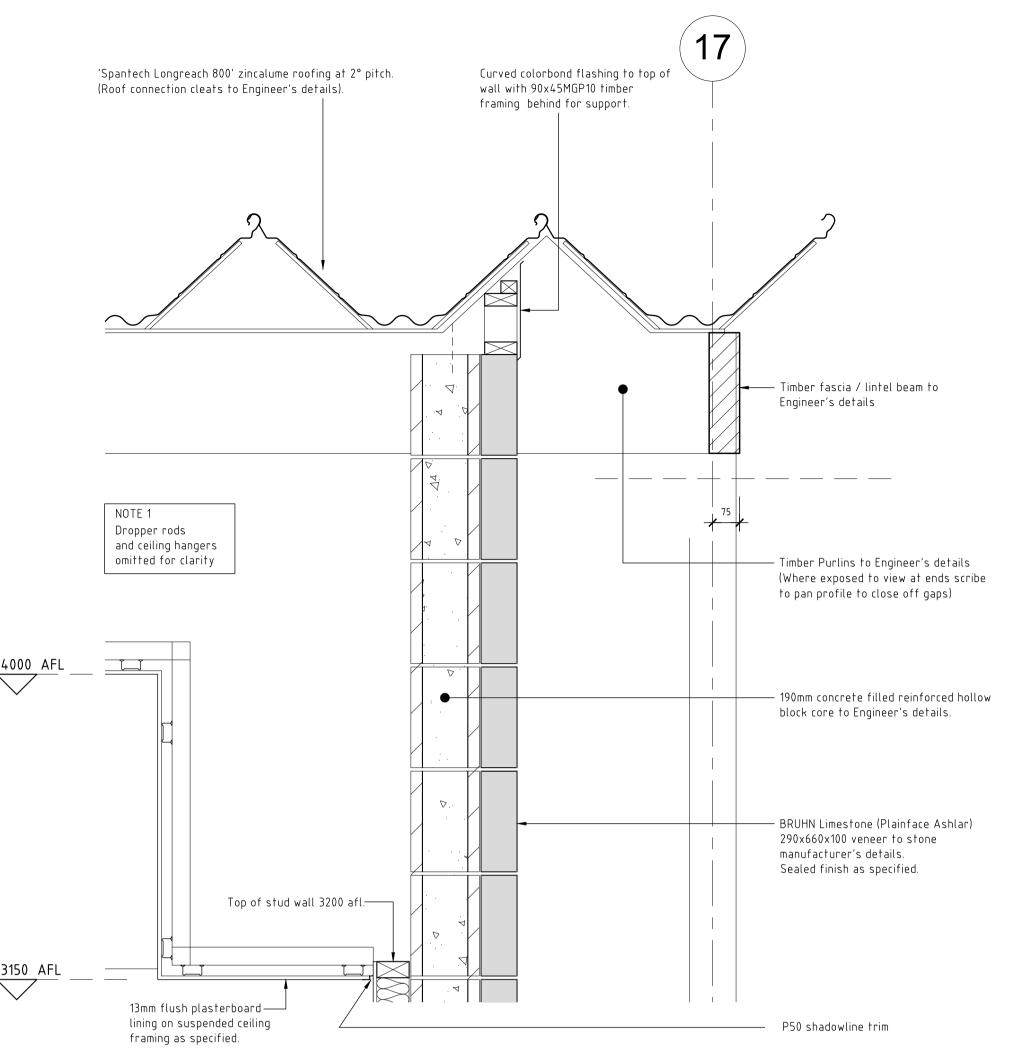
Section Detail 1 scale 1:20

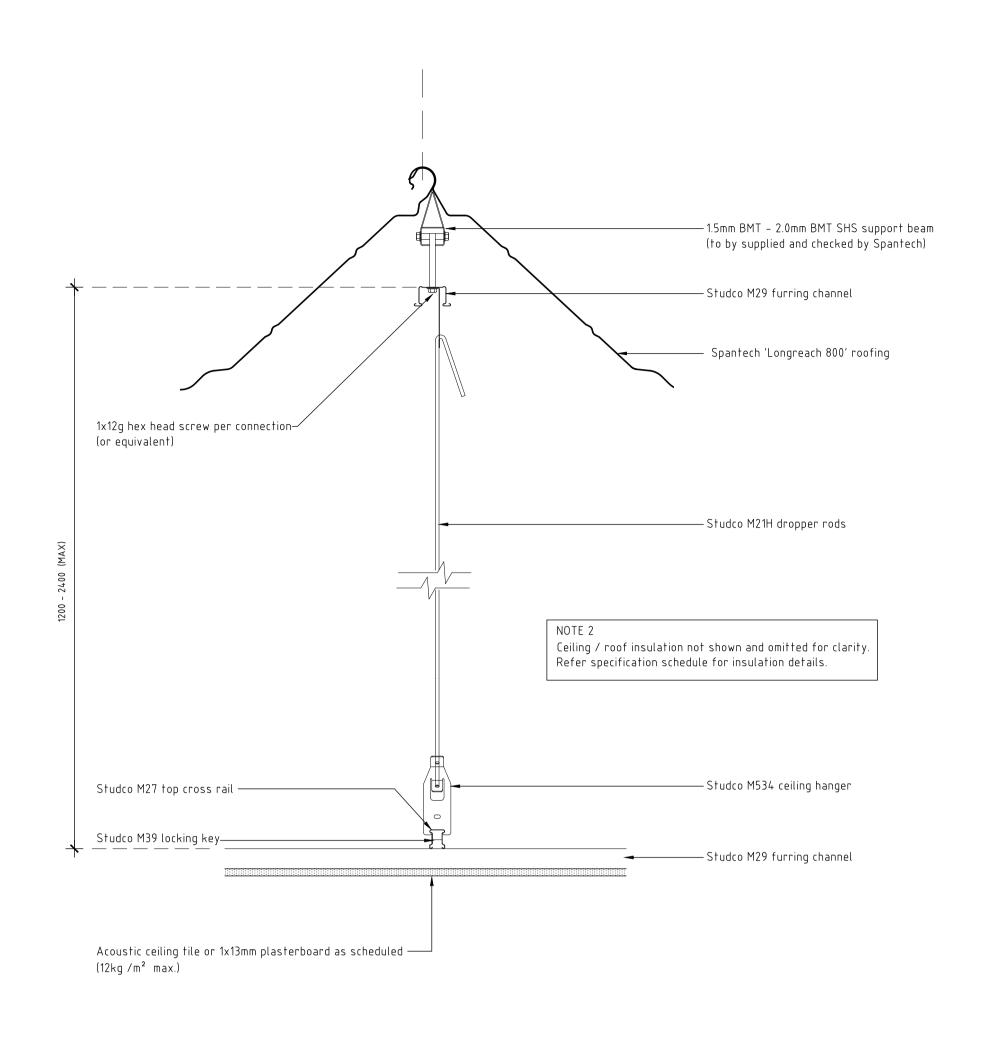




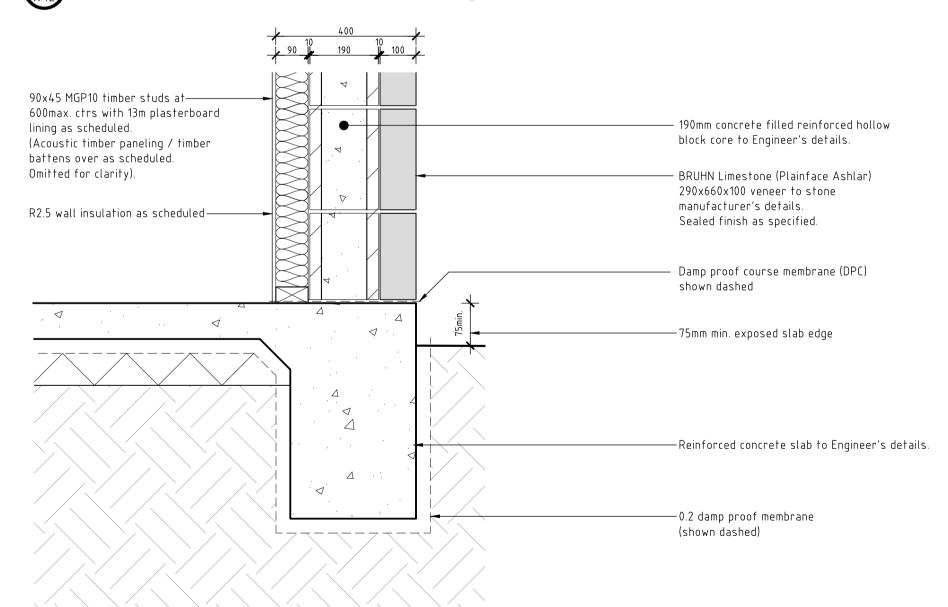




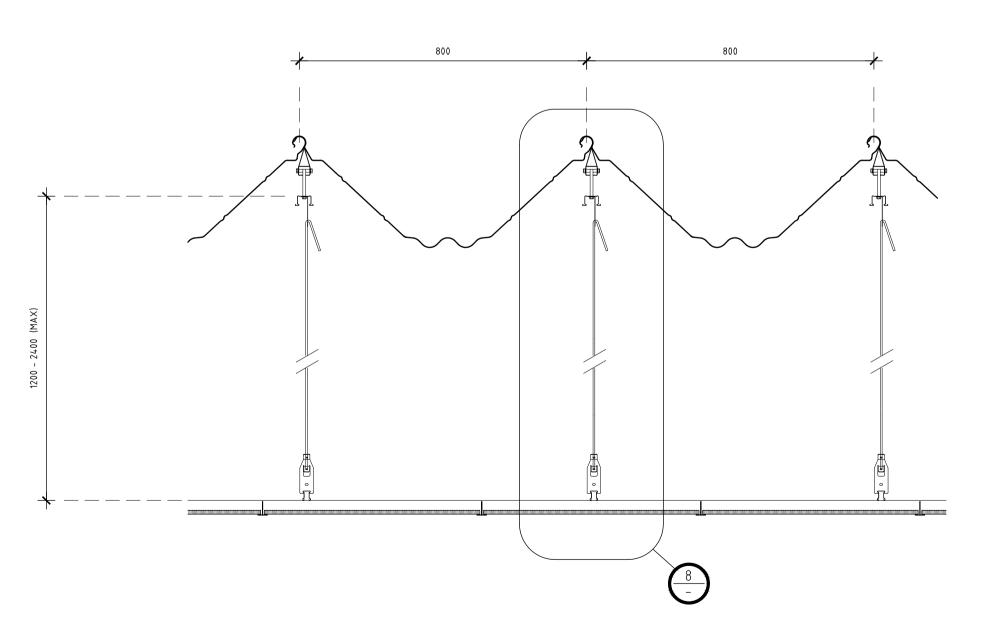




Section Detail 5 scale 1:10



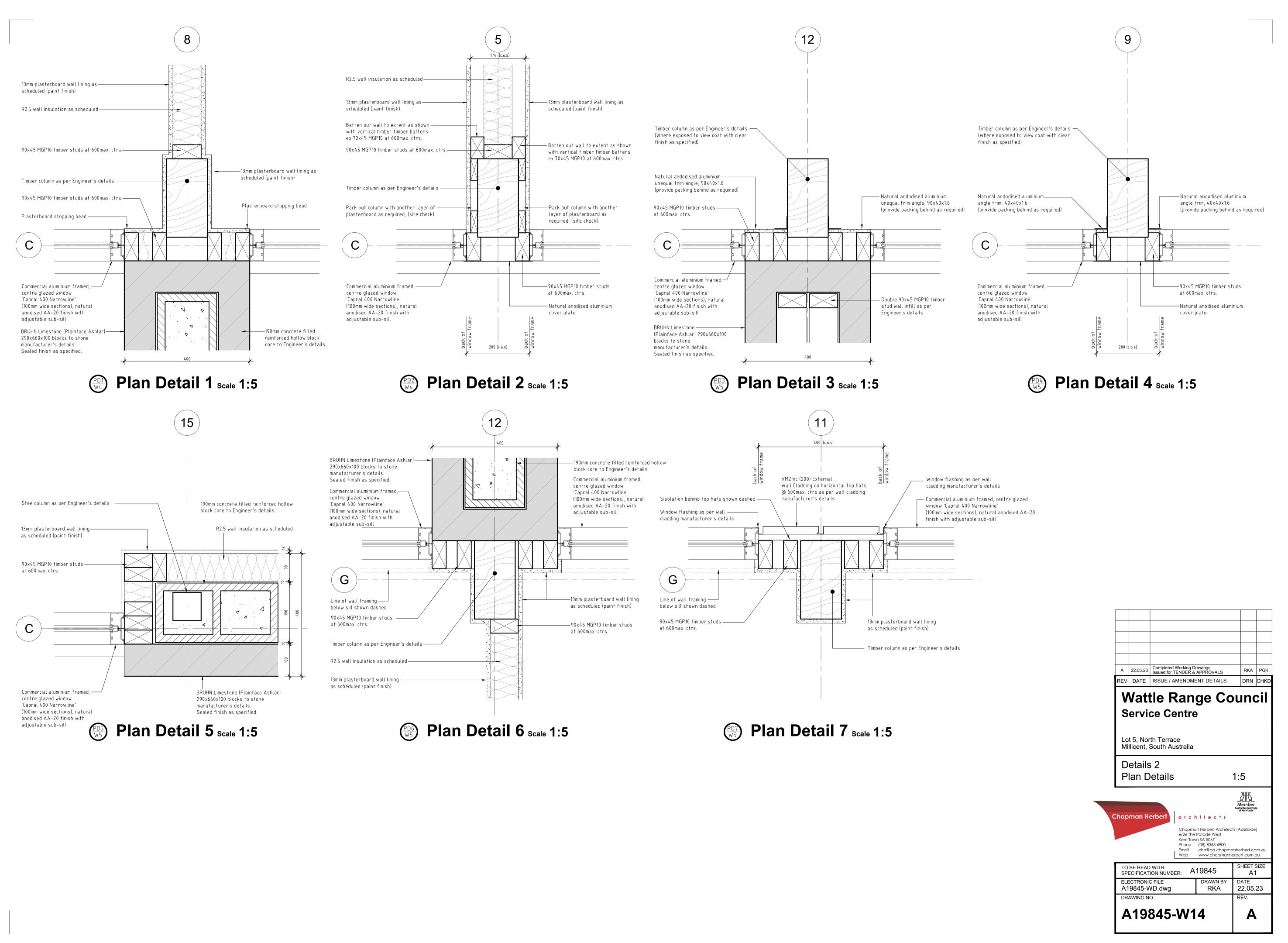
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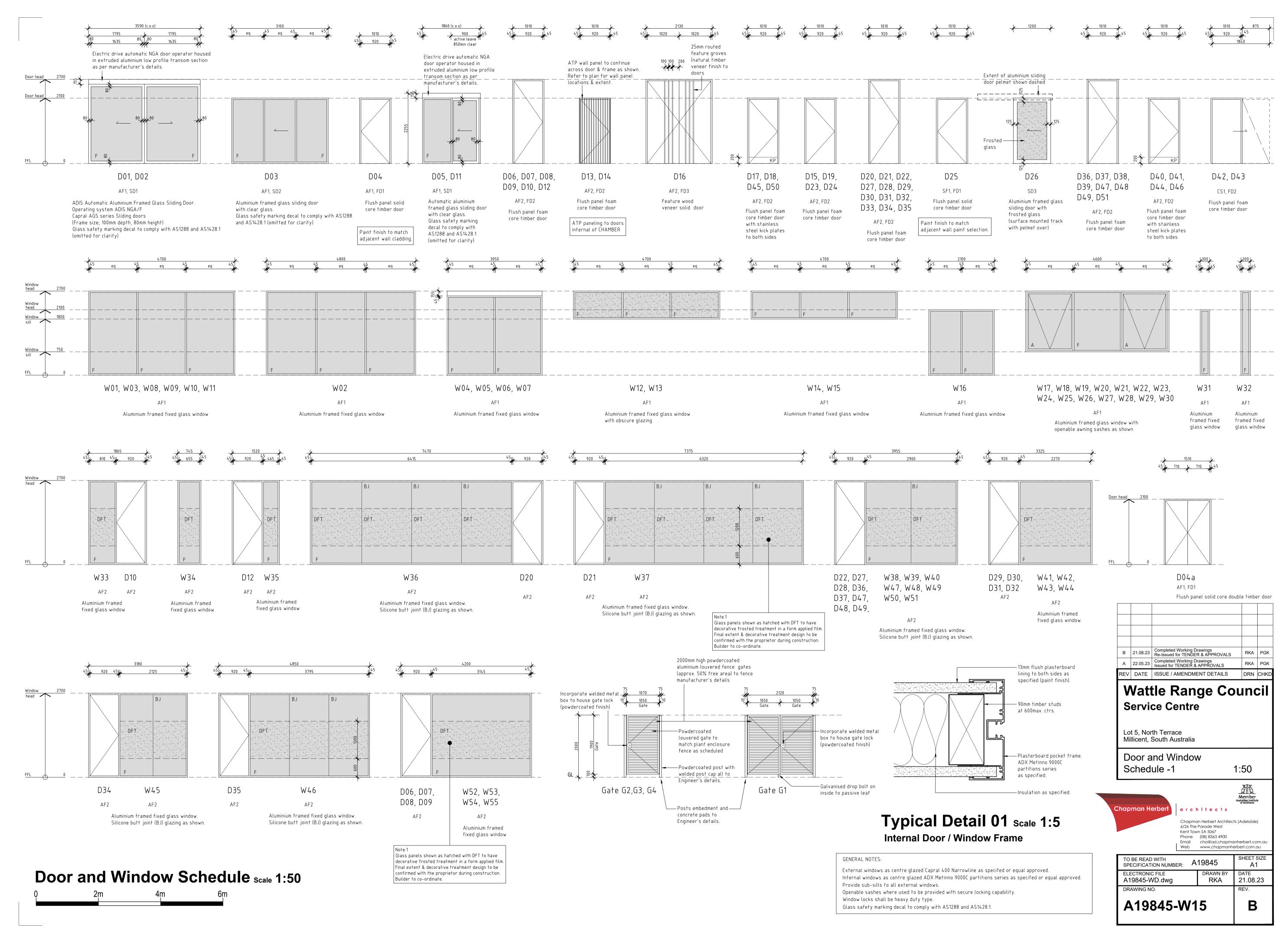


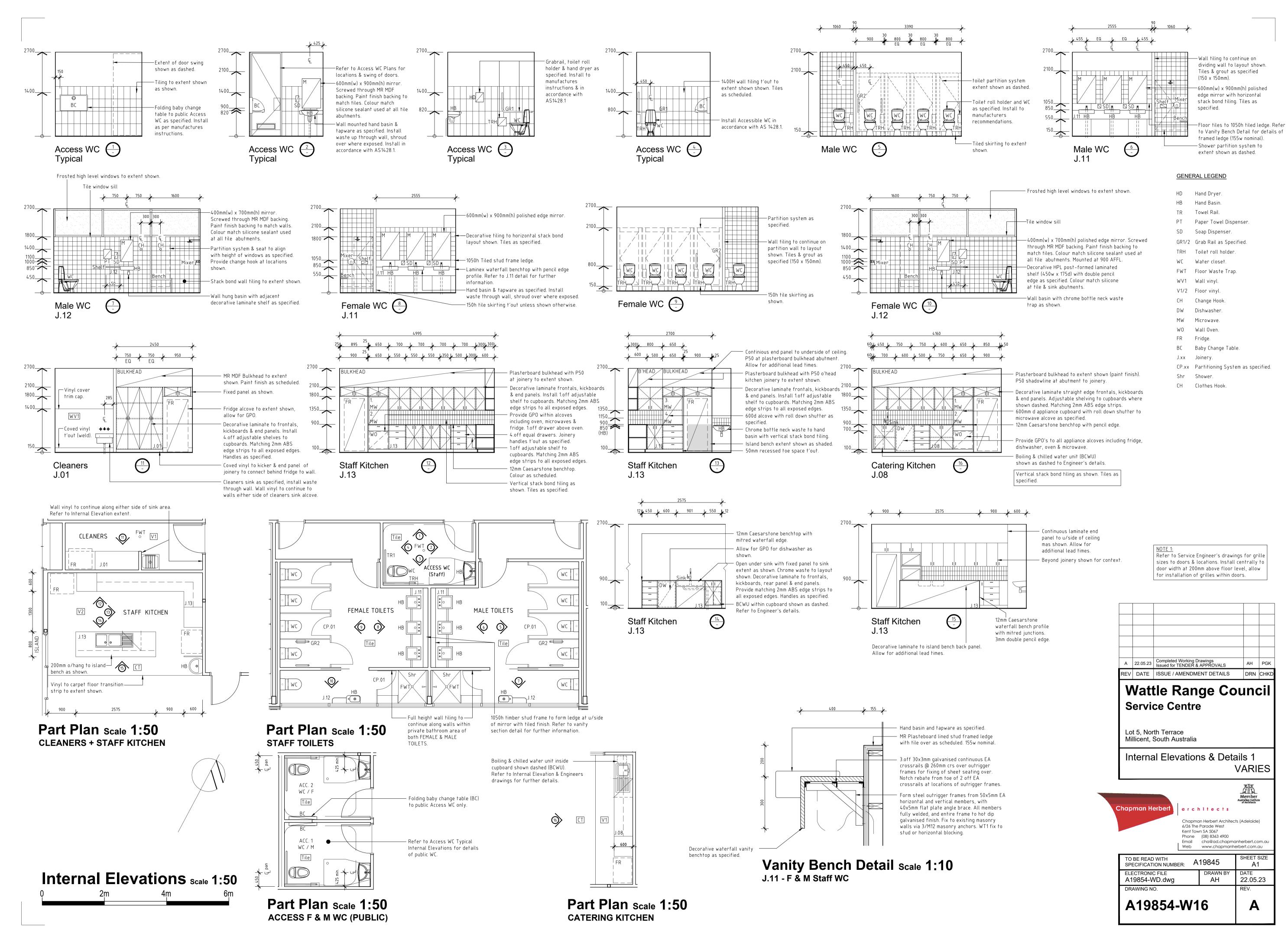
Section Detail 6 Scale 1:10

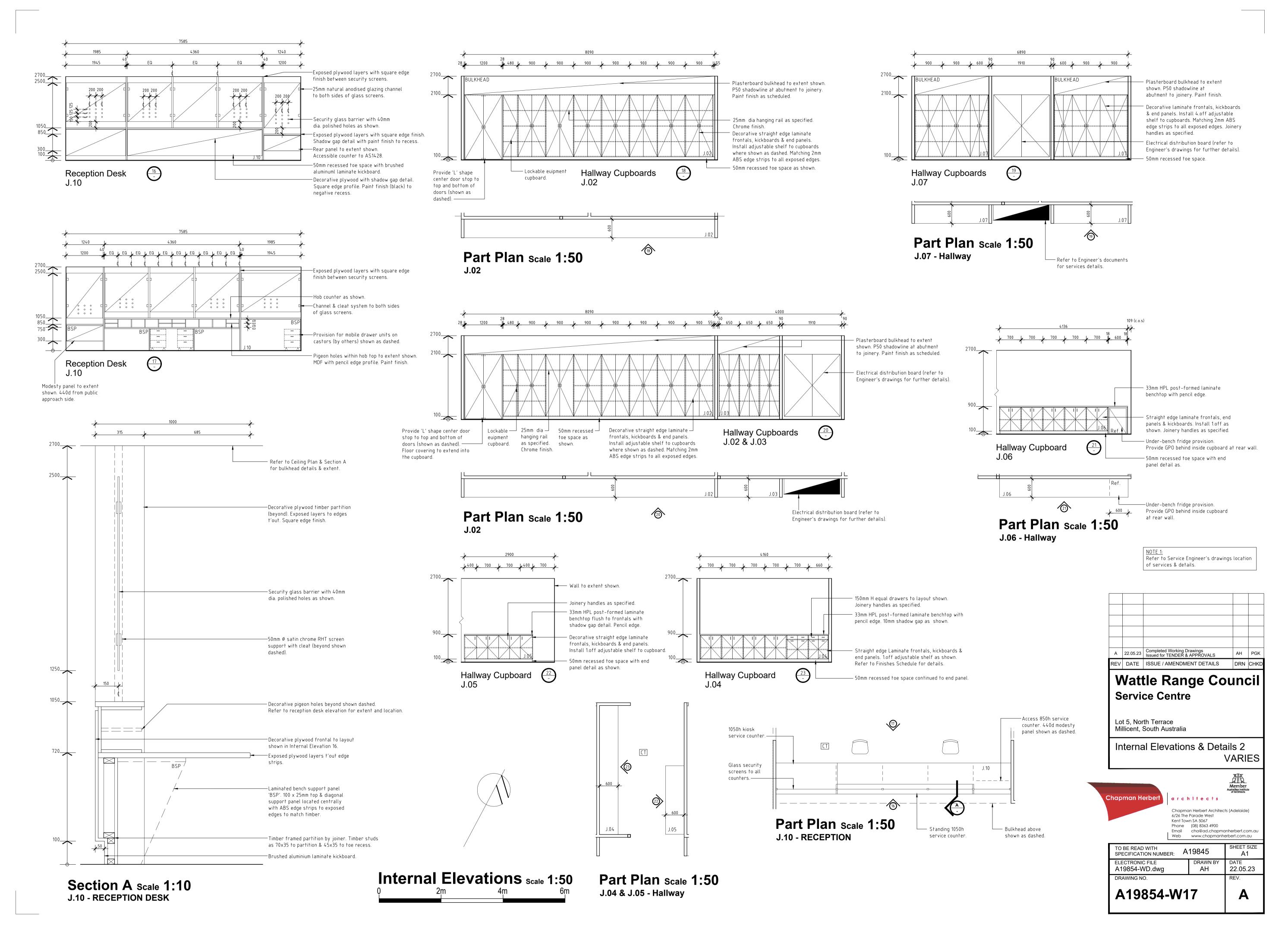
Section Detail 7 scale 1:10

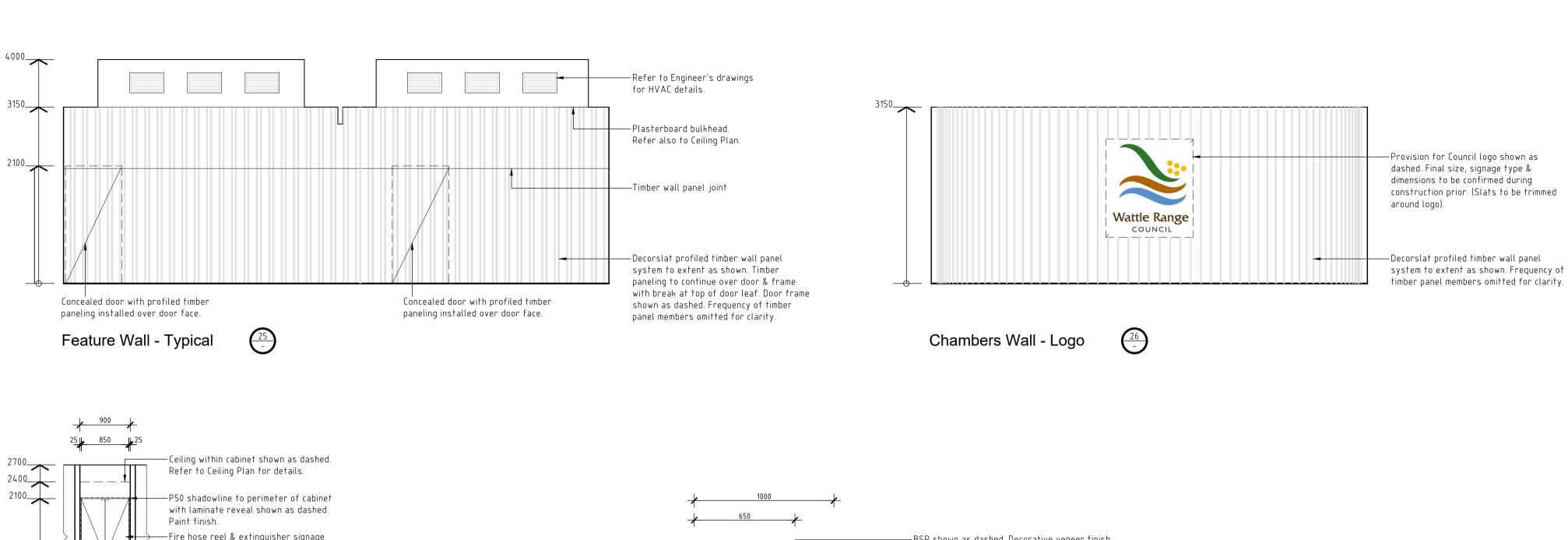












2700 —Fire hose reel & extinguisher signage in compliance with NCC. -Decorative laminate frontals to cupboard as scheduled. Handles as specified. -Provide center door stops to top and bottom of doors (shown as dashed).

Fire Cabinet

NOTE 1: Fire Cabinet in 3.off locations. Refer to Floor Plan & Engineer's details.

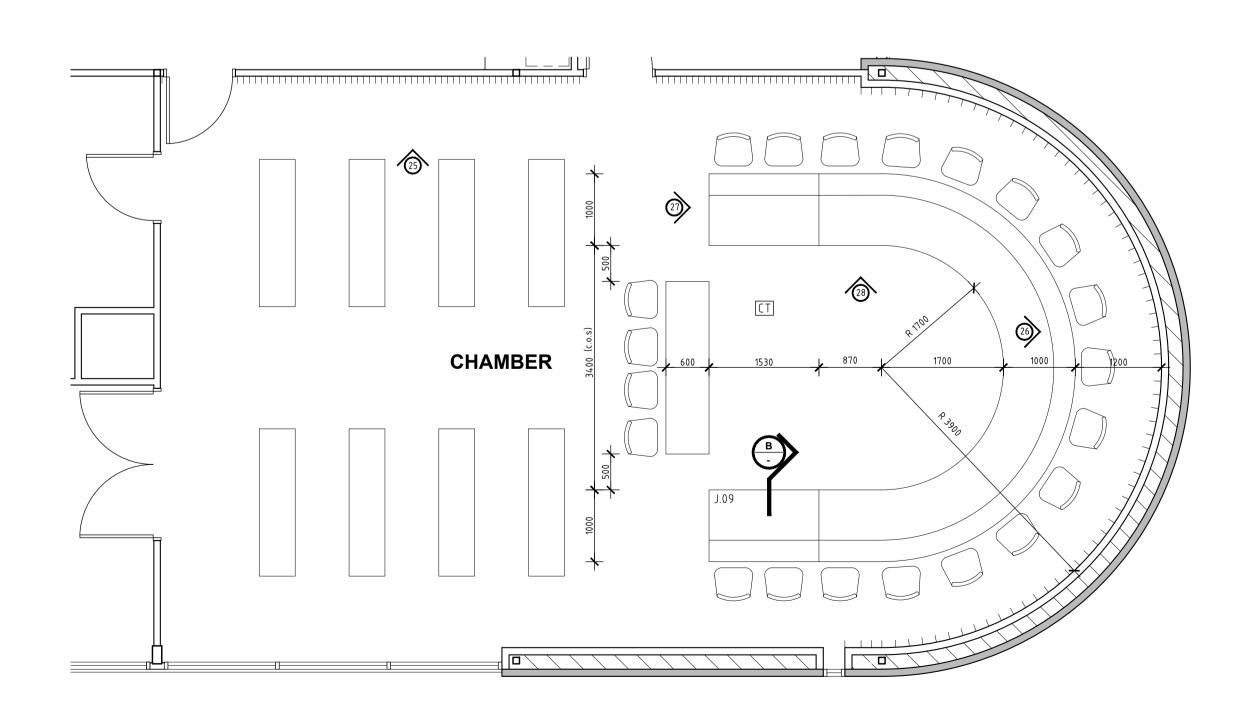
—BSP shown as dashed. Decorative veneer finish. -Benchtop flush to decorative front and side panels with 10mm negative joint. Negative joint to end flush with counter top at seated side joinery as shown. —Mitred front and end panel abutment to wrap over decorative rear panel to form recessed toe space and negative joint detail. Decorative finish to rear panel. —End panel to extent shown. Recessed toe space to visible ends of joinery.

Cambers Desk J.09

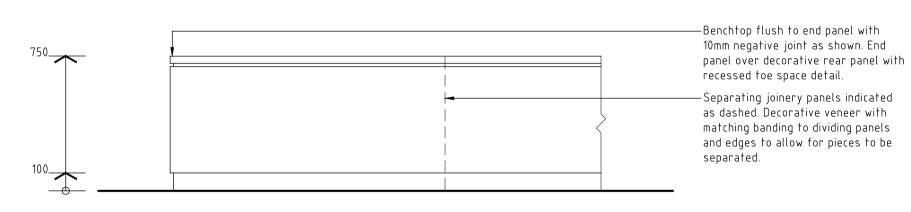
90 1 900 -Refer to Engineer's drawings for details.

Part Plan Scale 1:50 J.14 - Fire Hose Reel/Hydrant Cabinet

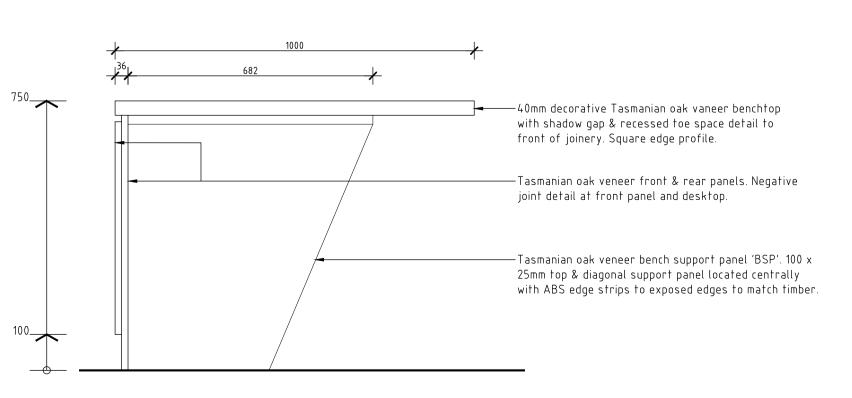
Internal Elevations Scale 1:50



Part Plan Scale 1:50 J.09 - CHAMBER



Cambers Desk



Section B scale 1:10 J.09 - CHAMBERS DESK

NOTE 2:
Refer to Service Engineer's drawings locat
of services & details

21.08.23	Completed Working Drawings Re-Issued for TENDER & APPROVALS	АН	PGK
22.05.23	Completed Working Drawings Issued for TENDER & APPROVALS	АН	PGK
DATE	ISSUE / AMENDMENT DETAILS	DRN	СНКІ
	22.05.23	22.05.23 Completed Working Drawings Issued for TENDER & APPROVALS	22.05.23 Completed Working Drawings Issued for TENDER & APPROVALS AH

Wattle Range Council **Service Centre**

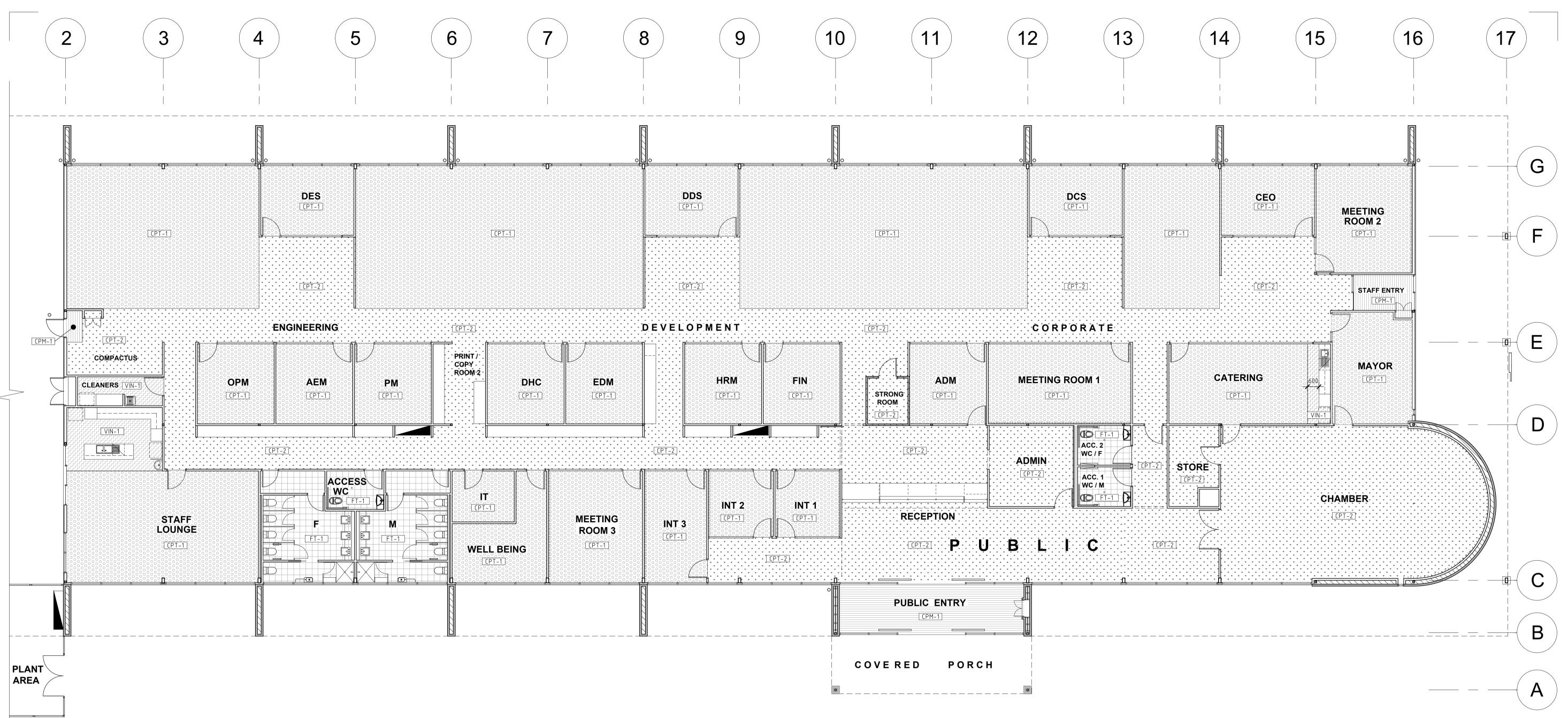
Lot 5, North Terrace Millicent, South Australia

Internal Elevations & Details 3 **VARIES**



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TO BE READ WITH SPECIFICATION NUMBER: SHEET SIZE A19845 A1 ELECTRONIC FILE DRAWN BY A19854-WD.dwg AH 21.08.23 DRAWING NO. A19854-W18 B

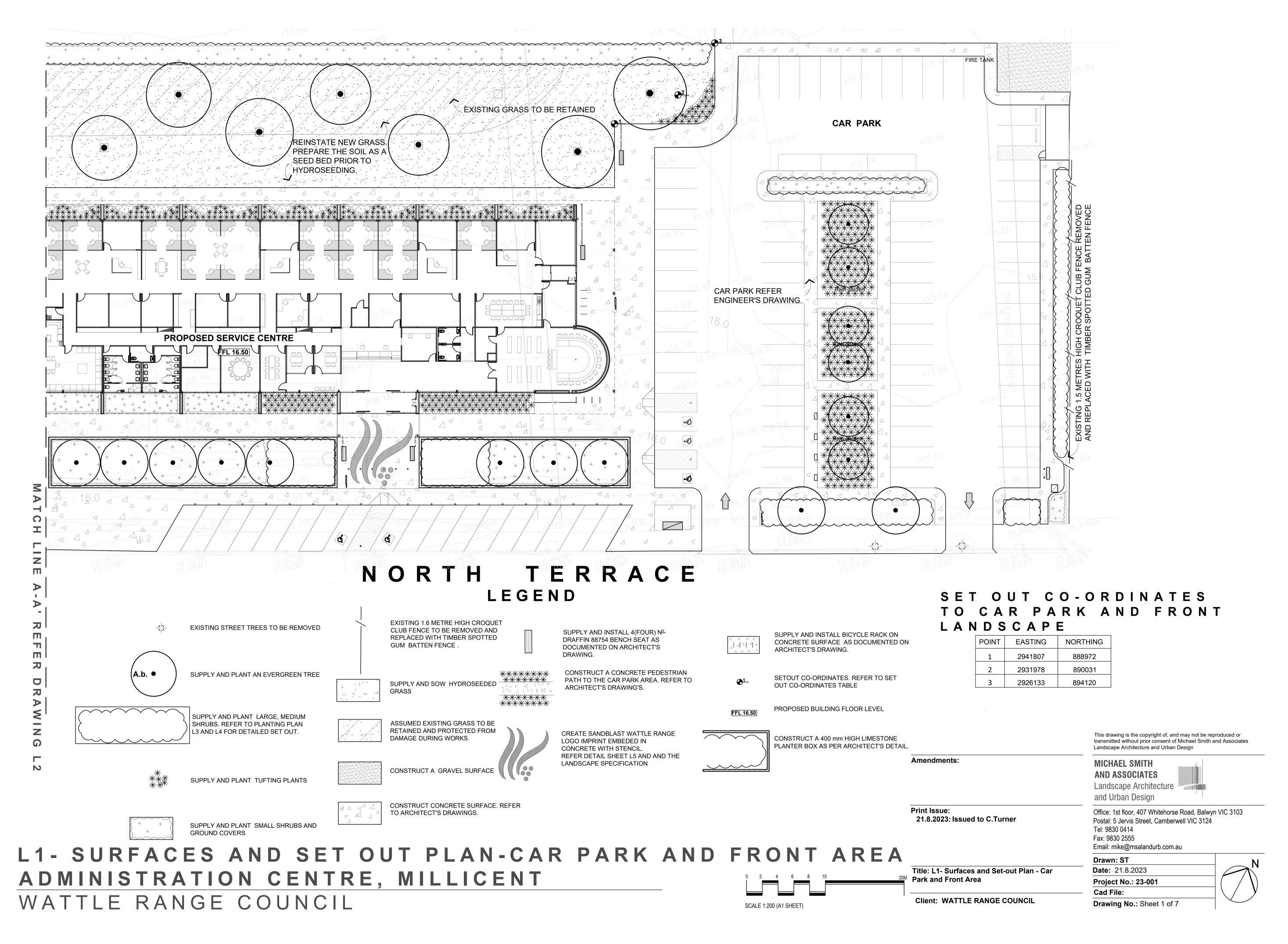


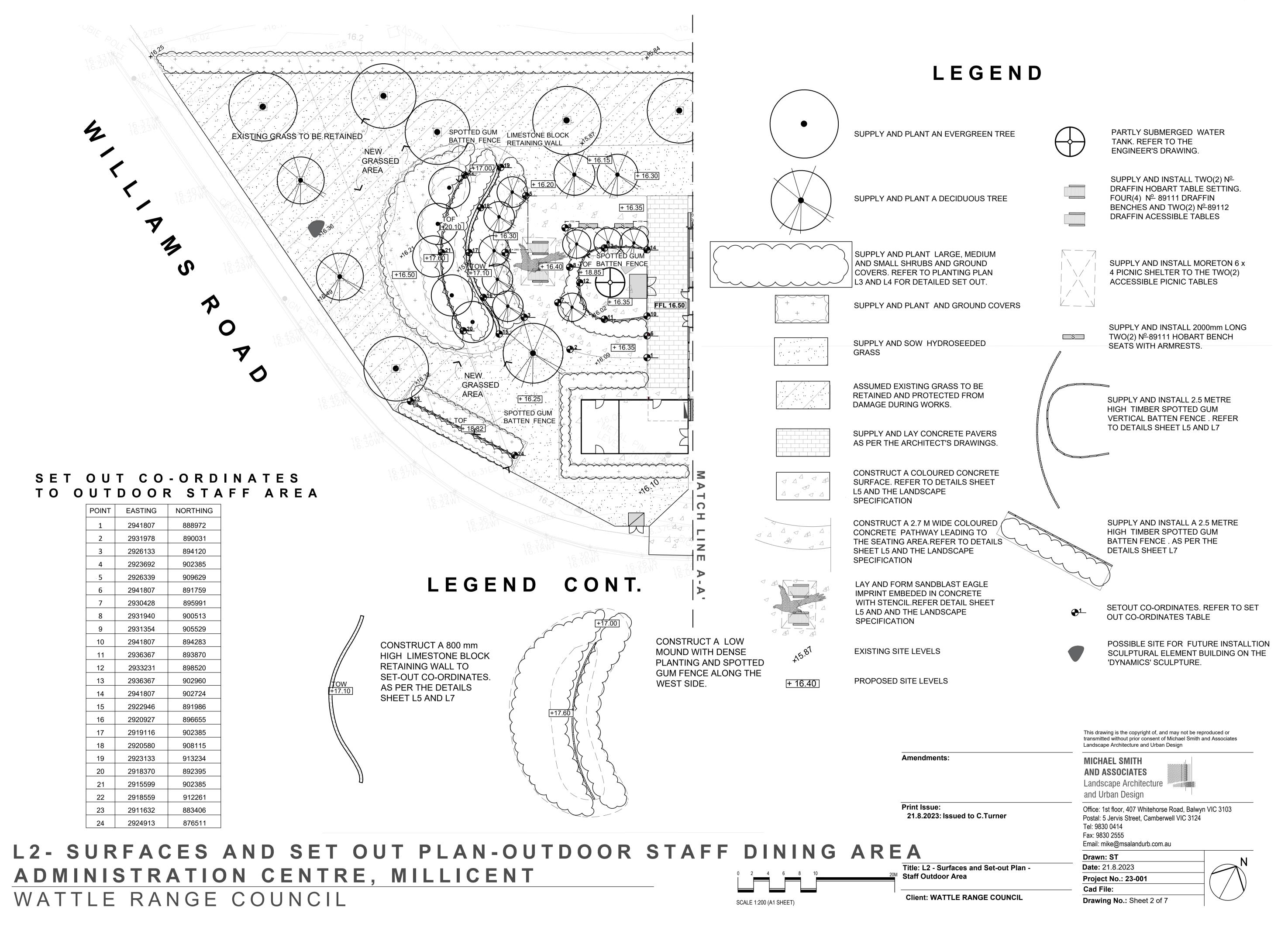
Floor Finishes Plan Scale 1:100

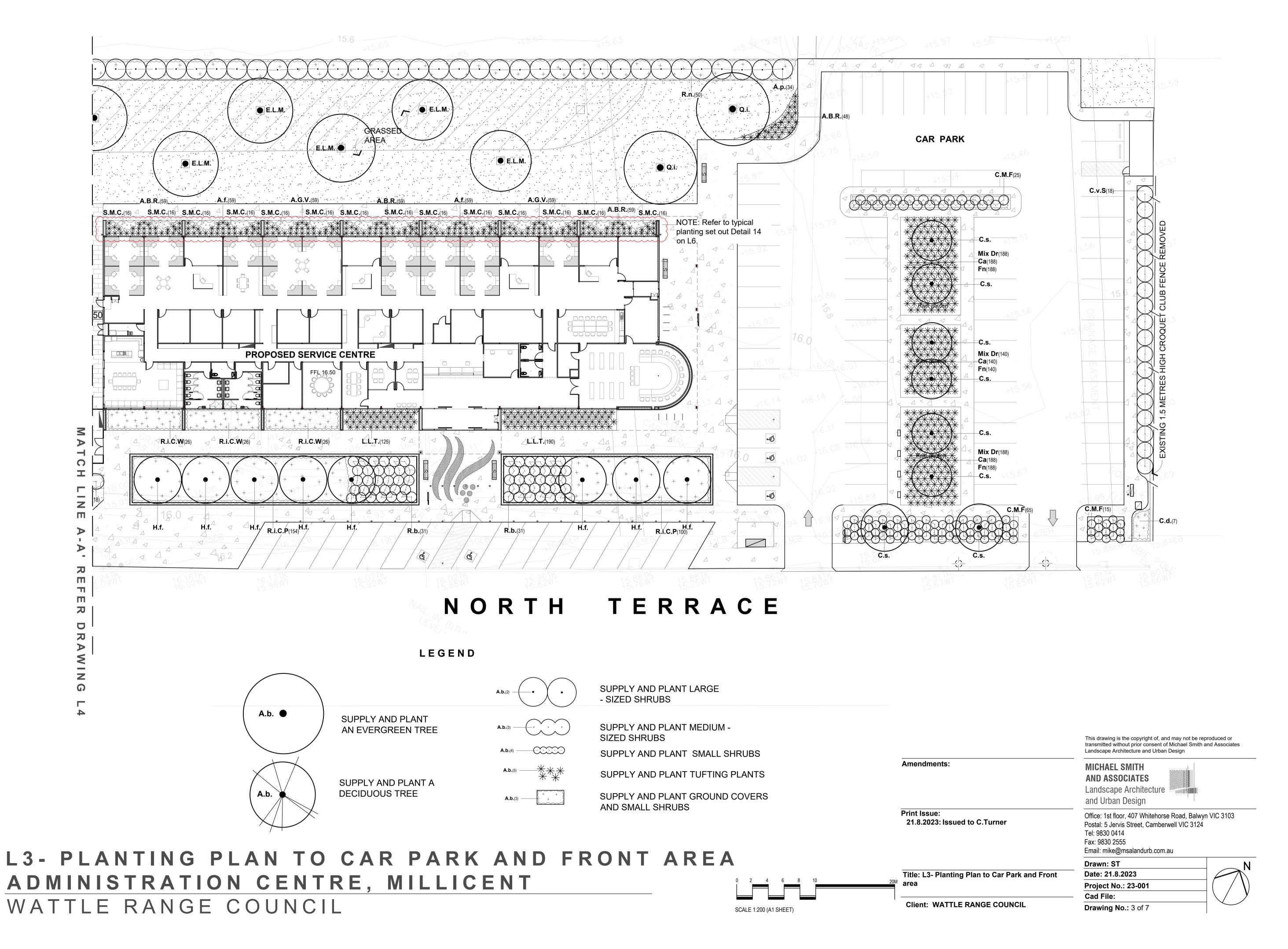


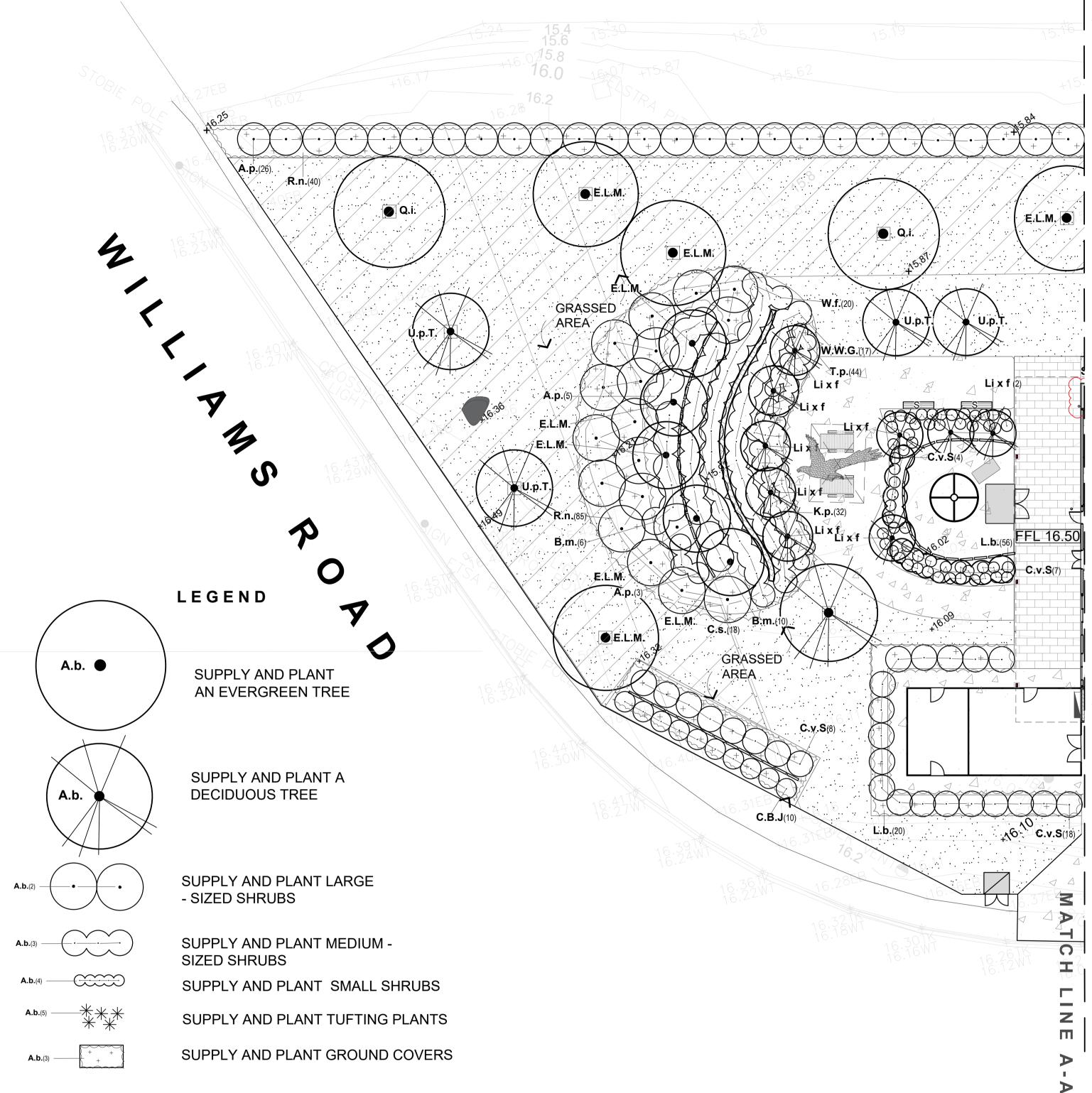
PATTERN	CODE	DESCRIPTION
	CPT-1	Carpet Tile type 1, refer schedule
* * * * * * * * * * * * * * * * * * *	CPT-2	Carpet Tile type 2, refer schedule
	CPM-1	Carpet Mat type 1, refer schedule
	VIN-1	Vinyl Floor Finish type 1, refer schedule
	FT-1	Floor Tile type 1, refer schedule











PLANT SCHEDULE AND QUANTITIES FOR L3 AND L4

HABIT	KEY	BOTANIC NAME	COMMON NAME	QTY	POT SIZE	HT. & SPR.
EVERGREEN TREES						
	C.s.	CALLISTEMON SALIGNUS	BOTTLEBRUSH	26	45 Lt	7X3.5
	E.L.M.	EUCALYPTUS LEUCOXYLON "MEGALOCARPA"	YELLOW GUM	14	45 Lt	12X8
	H.f.	HYMENOSPORUM FLAVUM	NATIVE FRANGIPINI	8	45 Lt	8X4
	Q.i	QUERCUS ILEX	HOLM OAK	4	45 Lt	18X18
DECIDUOS TREES						
	L.i.x f.	LAGERSTROEMIA INDICA X FAUREI	CREPE MYRTLE	9	45 Lt	3X3
	U.p.T.	ULMUS PARVIFOLIA 'TODD'	CHINESE ELM	4	45 Lt	15X10
LARGE SHRUBS						
	A.p.	ACACIA PYCNANTHA	GOLDEN WATTLE	68	300mm	4X2
	B.m.	BANKSIA MARGINATA	SILVER BANKSIA	16	300mm	3X2.5
	C.v.S.	CALLISTEMON VIMINALIS 'SLIM'	SLIM BOTTLEBRUSH	51	300mm	3X2
MEDIUM SHRUBS						
	W.f.	WESTRINGIA FRUTICOSA	COASTAL ROSEMARY	20	300mm	1.3x1.5
	W.W.G.	WESTRINGIA "WYNYABBIE GEM"	WESTRINGIA	17	300mm	1.5X1.5
SMALL SHRUBS						
	C.B.J.	CALLISTEMON "BETTER JOHN"	BOTTLEBRUSH	10	150mm	1.2X1.2
	C.M.F.	CALLISTEMON VIMINALIS "MATTHEW FLINDERS"	DWARF BOTTLEBRUSH	105	150mm	0.7x0.5
	L.b.	LEUCOPHYTA BROWNII	COASTAL CUSHION BUSH	76	150mm	0.6X0.6
	R.b	ROSA BUSH		62	150mm	1X0.8
	R.i.C.P.	RAPHIOLEPSIS INDICA "COSMIC PINK"	INDIAN HAWTHORN	254	150mm	0.6X0.6
	R.i.C.W.	RAPHIOLEPSIS INDICA "COSMIC WHITE"	INDIAN HAWTHORN	81	150mm	0.6X0.65
	T.p.	THRYPTOMENE PAYNEI	PAYNE'S THRYPTOMENE	44	150mm	0.6X0.8
GROUND COVERS						
	C.d.	CORREA DECUMBENS	SPREADING CORREA	7	150mm	0.3x1.5
	K.p.	KENNEDIA PROSTRATA	RUNNING POSTMAN	32	150mm	0.1X1.2
	R.n.	RHAGODIA NUTANS	SALT BUSH	175	150mm	0.7X1.5
	S.M.C.	SCAEVOLA "MAUVE CLUSTERS"	FAN FLOWER	224	150mm	0.1X0.5
TUFTING PLANTS						
	A.B.R.	ANIGOZANTHOS "BIG RED"	KANGAROO PAW	225	150mm	1X0.7
	A.f.	ANIGOZANTHOS FLAVIDUS	KANGAROO PAW	118	150mm	1.2X1
	A.G.V.	ANIGOZANTHOS "GOLD VELVET"	VELVET KANGAROO PAWS	118	150mm	0.5-0.4
	L.L.T.	LOMANDRA LONGIFOLIA "TANIKA"	TANIKA MAT RUSH	315	100mm	0.4X0.4
RAIN GARDEN PLANTS						1/18.1
	C.a.	CAREX APPRESSA	TALL SEDGE	516	150mm	0.4X1
	D.r.	DIANELLA REVOLUTA	FLAX LILY	516	150mm	0.3X0.3
	F.n.	FICINIA NODOSA	NOBBY CLUB RUSH	516	100mm	0.5X0.5

Ht. x Spr. denotes height and spread at maturity in metres

L4- PLANTING PLAN TO OUTDOOR STAFF AREA ADMINISTRATION CENTRE, MILLICENT WATTLE RANGE COUNCIL

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MICHAEL SMITH AND ASSOCIATES

Landscape Architecture and Urban Design

Print Issue:

21.8.2023: Issued to C.Turner

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Tel: 9830 0414

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Email: mike@msalandurb.com.au

Drawn: ST

Date: 21 8 2023

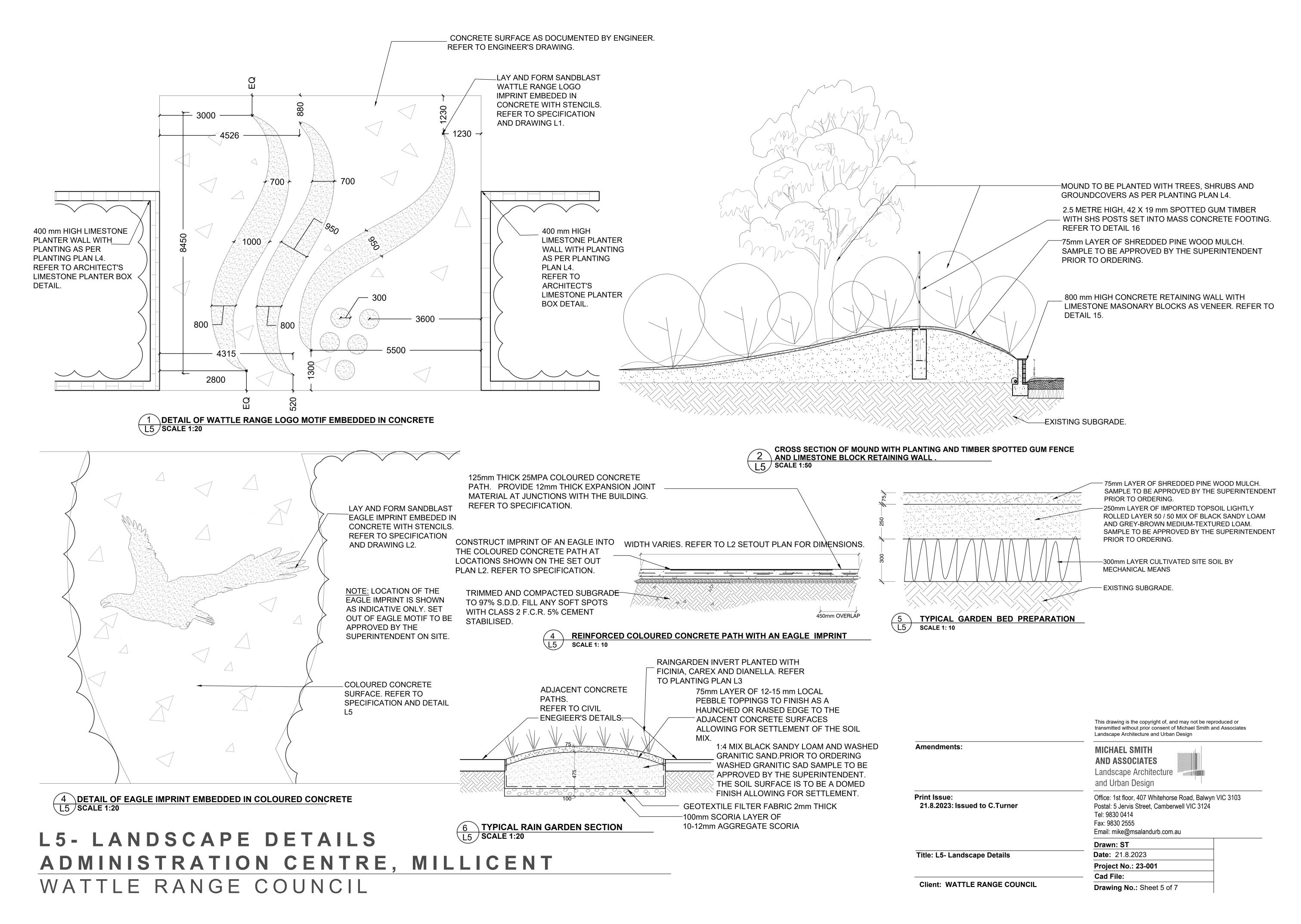
Drawn: ST
Date: 21.8.2023
Project No.: 23-001
Cad File:
Drawing No.: Sheet 4 of 7

Title: L4- Planting Plan to Outdoor Staff area

SCALE 1:200 (A1 SHEET)

Title: L4- Planting Plan to Outdoor Staff area

Client: WATTLE RANGE COUNCIL



Date: 21.8.2023

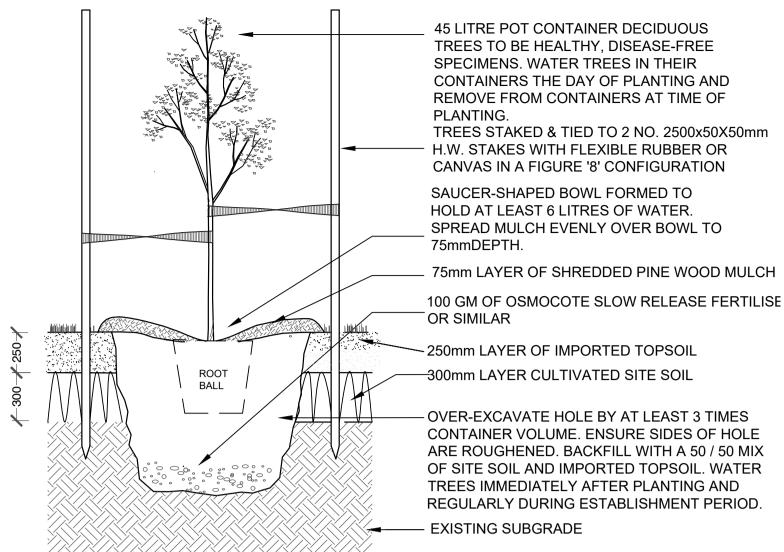
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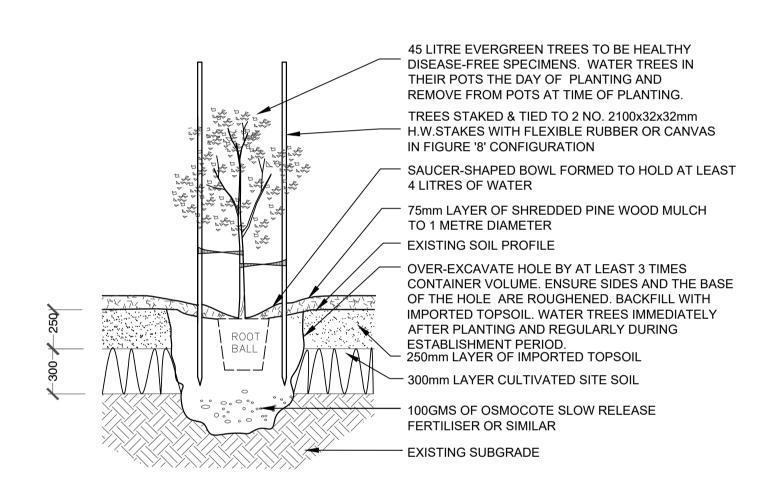
Project No.: 23-001

Drawing No.: Sheet 6 of 7

Title: L6- Landscape Details

Client: WATTLE RANGE COUNCIL



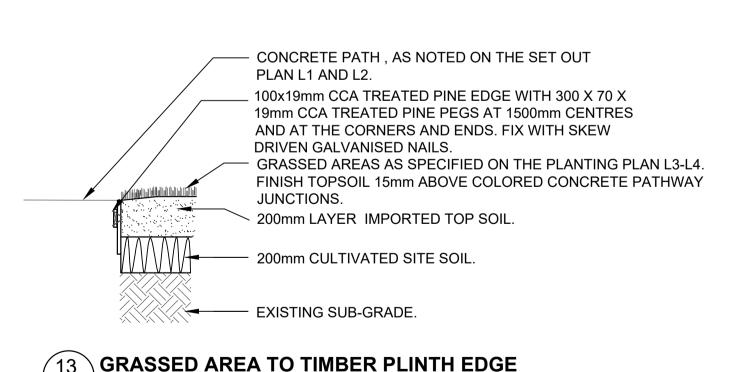


DETAIL OF DECIDUOUS TREE PLANTING

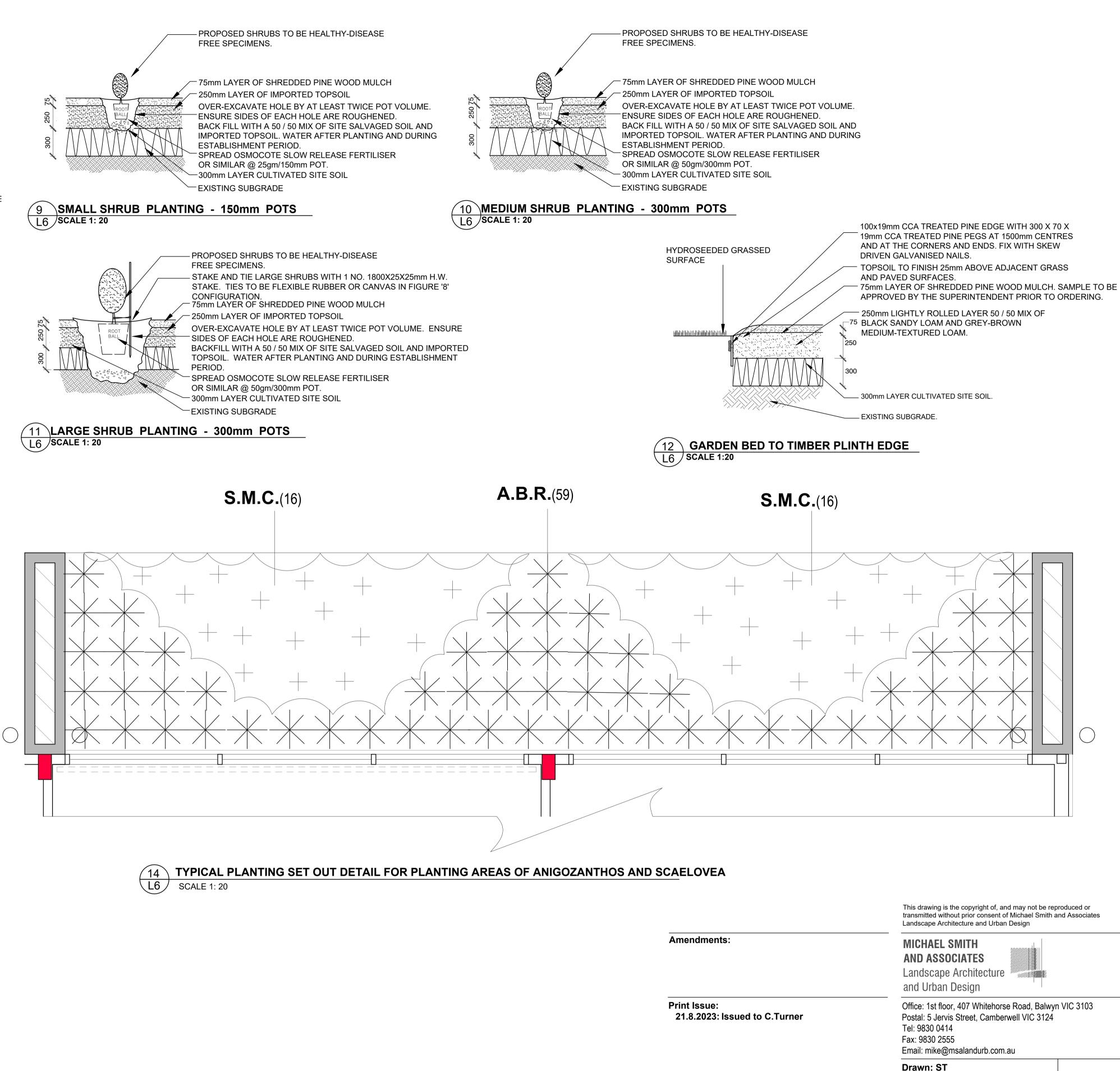
L2 SCALE 1: 20

L6 | SCALE 1: 20

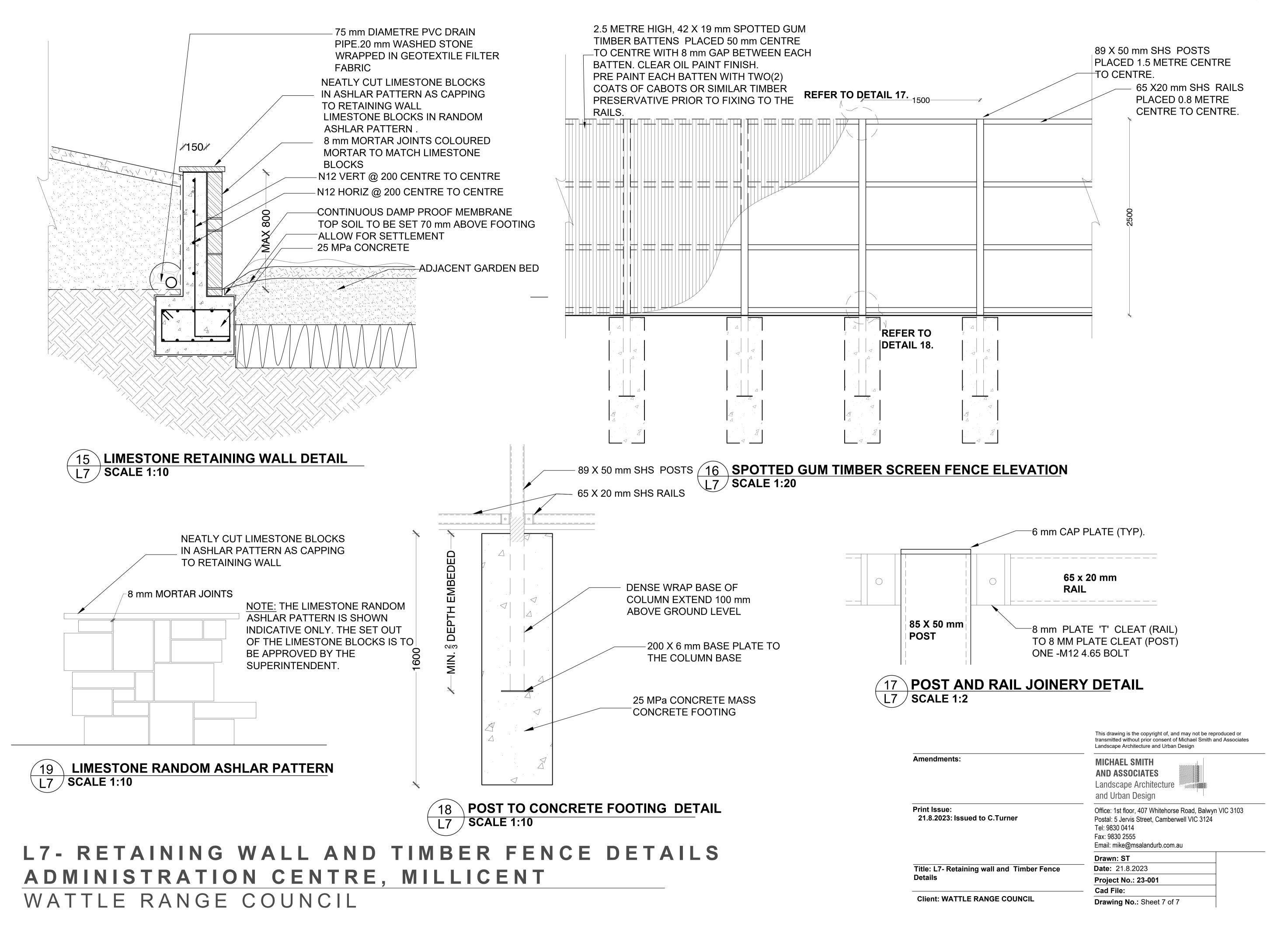
L6 | SCALE 1:20



DETAIL SECTION - EVERGREEN TREE PLANTING



L6- LANDSCAPE DETAILS
ADMINISTRATION CENTRE, MILLICENT
WATTLE RANGE COUNCIL



15.4.4 Plant and Equipment Asset Management Plan for Consultation

Report Type	Officer Report
Department	Engineering Services
Author	Bridget Johnson
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 4.1 Create a sustainable stock of assets, with appropriate long term asset planning and optimal use.
File Reference	GF/7.7.3/1
Attachments	1. WRC Plant and Equipment Asset Management Plan V 0.0 [15.4.4.1 - 4 pages]

Purpose of Report

To endorse the release of the Draft Plant and Equipment Asset Management Plan for public consultation.

Report Details

The Plant and Equipment Asset Management Plan forms part of the Council's greater Asset Management Strategy. The Plan outlines the future path for renewal, replacement and upgrades of Plant and Equipment assets, whilst detailing the future financial implications and whether the strategy is sustainable into the future.

Pursuant to section 122(1a)(b) of the *Local Government Act 1999*, Council must develop and adopt infrastructure and Asset Management Plans, relating to the management and development of infrastructure and major assets by the Council for a period of at least 10 years. The Asset Management Plan must be consistent with Council's Strategic Plan, Longterm Financial Plan and Annual Business Plan.

As part of its Asset Management Strategy, Council has determined that Asset Management Plans are required for each of the major asset categories. Council has Asset Management Plans for Buildings and Structures, Plant and Equipment, Roads, Footways, Kerbs, and CWMS. The current Plant and Equipment Asset Management Plan was adopted in 2016 and is overdue for revision.

Asset management planning is a comprehensive process to ensure delivery of services from infrastructure is provided in a financially sustainable manner. Asset Management Plans examine both the financial and physical attributes of an asset class.

The Plant and Equipment Asset Management Plan has been drafted in accordance with the national framework template issued by the Institute of Public Works Engineering Australasia (IPWEA).

The Plan details the maintenance and capital expenditure required over the life of the Plant and Equipment assets. The Plan includes financial attributes and indicators such as annual depreciation, 10-year works programs for renewal and upgrade, as well as annual expenditure required for operations and maintenance.

The financial information in the Asset Management Plan informs the preparation of Annual Business Plans and Council's Long Term Financial Plan and provides information to Council on the affordability and sustainability of the Plant and Equipment Assets into the future.

It is proposed to release the draft Plant and Equipment Asset Management Plan for public consultation for 21 days, in accordance with Council's Community Engagement Policy. All feedback will be considered as part of the adoption of the final plan.

Financial Considerations

The Asset Management Plan is directly linked to Council's Long-Term Financial Plan and Annual Business Plan. Included in the Asset Management Plan is financial information including capital expenditure new and renewed, depreciation and lifecycle costs for the assets.

Risk Considerations

The risk associated with the recommendation is Low. Public consultation prior to adoption of an Asset Management Plan is a component of the statutory requirements for the adoption process of Asset Management Plans.

Policy Considerations

The recommendation is consistent with Council's Asset Policy and Community Engagement Policy.

Legislative Considerations

The recommendation is consistent with the requirements for Asset Management Plans under section 122 of the *Local Government Act 1999*.

Environmental / Sustainability Considerations

The Plant and Equipment Asset Management Plan will assist Council in minimising future environmental impacts of plant and fleet.

Communication & Consultation Considerations

The recommendation is consistent with Council's Community Engagement Policy. The draft plan will be released for public consultation for a period of 21 days and feedback from the consultation with be considered in the final adoption of the plan.

RECOMMENDATION

That Council:

- 1. Receive and note the report; and
- 2. Release the draft Plant and Equipment Asset Management Plan for public consultation for a period of 21 days.



WATTLE RANGE COUNCIL – PLANT & EQUIPMENT ASSET MANAGEMENT PLAN

Context

Wattle Range Council (WRC) is located on the Limestone Coast and stretches from the Coast to the Victorian Border.

To ensure appropriate infrastructure and services are in place for current and future generations, WRC is required to adopt an Asset Management Plan to guide investment decisions.

The Purpose of the Asset Management Plan

The purpose of the Asset Management Plan is to:

- Demonstrate the responsible management of assets (and services provided from assets),
- Compliance with regulatory requirements, and to
- Communicate the scale of infrastructure investment required to sustainably deliver affordable services for the community in the foreseeable future.

The Plant and Equipment Asset Management Plan provides a summary of the assets, their performance and actions required to achieve the strategic objectives outlined in the Wattle Range Council Strategic Plan 2023-27.

Council's Wattle Range Council Strategic Plan 2023-27, formed following extensive deliberative engagement, identified the community's aspirations for the future of the WRC.

Any trade-offs on performance, cost, and risk will be reviewed as part of ongoing deliberative engagement with the community. Where risks are considered high, due assessment and control measures will be employed to ensure exposure is minimised as much as possible.

The Approach

WRC's goal in managing plant and equipment assets is to meet the required level of service in the most costeffective manner

The Plant and Equipment Asset Management Plan incorporates the asset policy and strategy by incorporating a whole of lifecycle approach to forecast the outlays required to deliver the strategic objectives outlined in the Wattle Range Council Strategic Plan 2023-27.

Future operating, maintenance, and capital renewal outlays are based on sustaining current service levels. Meeting the demands of growth and changing circumstances are managed through the careful consideration of new projects and programs including the adoption of emerging technologies.

The combined forecast lifecycle outlays required are balanced with the funds made available in the 10-year Financial Plan ensuring services are provided at an affordable level.

All dollar values in this document are presented in 'real terms' (i.e. net of inflation) as of 30 June 2022.

The Assets and Service Life

Community values, stakeholder expectations and sustaining services at an affordable level are typically high on the agenda for WRC's ratepayers and members of the community.

WRC plant and equipment assets comprise of assets that are moveable/relocatable and not fixed in place:

- Car Fleet (for example sedans, wagons and utilities, etc)
- Major Plant (for example trucks >4.5 tonne GVM, ride on mowers, crane attachments, hydro vacuum, etc)
- Minor Plant (for example trailers, push mowers, edgers, chainsaws, generators, power tools, workshop equipment etc)

WRC's plant and equipment assets provide a wide range of services to meet community needs, such as:

- Grading of unsealed roads
- Street sweeping
- Mowing
- · Sealed road repair
- Construction of and maintenance to kerb and footpath

All assets are provided with a baseline straight line 'useful life' value, used for the purposes of life cycle cost planning and accounting for asset valuation and depreciation. The service life of plant and equipment assets are based on several criteria:

- Usage high / typical
- Potential business interruption
- Re-sale value
- Maintenance costs complex and expensive to repair or standard maintenance and servicing
- Safety
- Fit-for-purpose able to undertake tasks required
- Condition/Council's image public facing or not public facing

The service life of plant and equipment assets differs from the standard design life and useful life as it also

WATTLE RANGE COUNCIL PLANT & EQUIPMENT ASSET MANAGEMENT PLAN

Page 1



WATTLE RANGE COUNCIL – PLANT & EQUIPMENT ASSET MANAGEMENT PLAN

accounts for the ongoing maintenance and renewal of the asset to maintain a designated technical level of service and also incorporates the most cost efficient point at which to replace the plant and equipment.

Table 1 Service Life – Plant and Equipment by Categories and Types

Plant and Equipment Category	Service Life (Years)	Milage
Light Vehicle – Mayor (Coincide with elections)	4	Not Applicable
Light Vehicle — Petrol / Electric / Hybrid	4	150,000 km
Light Vehicle – Diesel limited private or private use	5	200,000 km
Light Vehicle – Diesel no private use	9	200,000 km
Major Plant – High wear (ride on mowers, street sweepers and Flocon)	5	Not Applicable
Major Plant	10	
Major Plant - Grader	12	9,000 hours
Major Plant – Loader, Backhoe and Trailers	15	6,000 hours
Major Plant – Forklift	20	Not Applicable
Major Plant – Tow behind Rollers	40	Not Applicable
Minor Plant	5	Not Applicable

The Gross Replacement Cost of the depreciable assets supporting these services is estimated at \$11,850,383, depreciating at \$760,000 per year (based on current useful life assessments) resulting in a written down value of \$5,942,243 as at 30 June 2022.

Asset Performance

The plant and equipment assets are overall well maintained and operate at a high standard

The main service challenges anticipated in the short to medium term are:

- Major plant breakdown requiring significant renewal funding
- Theft, vandalism, or accident resulting in replacement of plant or equipment item

The primary focus is to ensure the ongoing provision of safe and fit for purpose assets, timely response to defects and failures ensuring interruptions to services is kept to a minimum.

Future Demand

The main demands for new and/or altered services are created by:

- During the life of this plan it is understood that there will likely be a move to hybrid or electric vehicles for the car fleet. Each replacement will be assessed case-by-case for cost benefits and fit-forpurpose applications. It has been assumed that the higher cost of these vehicles will be offset by the savings on maintenance and fuel therefore the forecast lifecycle outlays have remained unchanged from current replacement costs.
- Increase in costs for fuel and parts.
- Emerging technologies such as GPS tracking and advanced safety technology

These will be managed through a combination of applying non-asset solutions, managing existing assets and acquiring new ones.

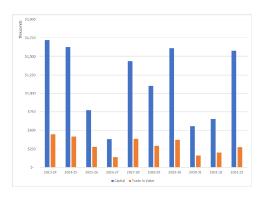
What does it Cost?

The forecast lifecycle outlays required over the next 10-years to deliver on the strategic objectives is estimated to be \$1,142,300 on average in capital outlays per year (in real terms). Considering trade in value the estimated net capital outlay is \$847,000.

WATTLE RANGE COUNCIL PLANT & EQUIPMENT ASSET MANAGEMENT PLAN



WATTLE RANGE COUNCIL – PLANT & EQUIPMENT **ASSET MANAGEMENT PLAN**

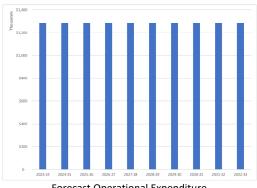


Forecast Capital Expenditure and Trade in Values

Maximising service delivery from our assets is our primary focus. Council does not use condition assessment for its plant and equipment assets, unless the condition renders the vehicle unsafe or unserviceable during an inspection or risk assessment. It is instead uses the acquisition date-based approach where assets are replaced at the end of their service life or when the milage trigger is reached whichever is attained first. However, each item is assessed at end of it's service life to understand it's usage and purpose to establish whether to retain the item i.e. add more service life or whether a replacement is required. It is noted that there are some major plant assets that have been identified as not to be replaced but will be run-to-fail and then disposed.

Minor Plant are currently renewed based on the runto-fail approach and do not have forecast renewal budget allocated. Moving forward Council will investigate and implement an acquisition data-based renewal approach for Minor Plant.

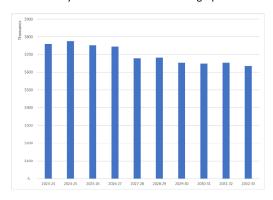
The forecast expenditure required over the next 10years to deliver on the operational work is estimated to be \$1,285,140 on average per year (in real terms).



Forecast Operational Expenditure

Plant hire rates (rates applied to plant to cost works internally) will be reviewed every two years. Plant hire rates are only applied to Light Vehicles and Major Plant. The methodology employed to calculate plant hire rates considers the milage or hours recorded on the item from the date of purchase and fuel and maintenance costs.

The forecast depreciation expenditure required over the next 10-years is shown in the below graph.



Forecast Depreciation Expenditure

What we will do

The available funding of outlays in Council's long-term financial plan (LTFP) for the same period is 100% of the cost to provide the service.

Deliberative engagement with community ensures we focus on providing services in line with community needs and expectations. We will do this by improving efficiency by operating, maintaining, replacing, and upgrading of plant and equipment to meet service levels set in annual budgets.

What we cannot do

Estimated available funding for the 10 year period is expected to be 90-110% of the cost to sustain the current level of service at the lowest lifecycle cost.

Large capital new/upgrade projects identified in this AMP, which are discretionary in nature, will be considered individually each financial year and as such future capital expenditure profile documented in this AMP will change.

Managing the Risks

There are risks associated with providing any service and we have identified the major risks to be the same as the anticipated service challenges.

We will endeavour to manage these risks within available funding limits.

WATTLE RANGE COUNCIL PLANT & EQUIPMENT ASSET MANAGEMENT PLAN

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WATTLE RANGE COUNCIL – PLANT & EQUIPMENT ASSET MANAGEMENT PLAN

Subject to outcomes of the above it may still be necessary to spend more on managing assets to maintain services in future. This will be closely monitored over time and outcomes will be reported in future plan updates.

assets remain at sustainable levels whilst monitoring and responding to demand and growth challenges as they occur.

operations, maintenance and replacement of existing

The Next Steps

The medium to long-term outlook suggests that priorities should remain focused on ensuring

15.4.5 The Three Sisters Cave - Tantanoola

Report Type	Officer Report
Department	Engineering Services
Author	Peter Halton
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 1 - Community Vibrancy & Presentation 1.3 Continue to provide sustainable, vibrant community facilities. Theme 4 - Organisational Excellence 4.3 Increase community input into Council decision making, through adoption of quality Community Engagement principles and practices.
File Reference	GF/16.6.1/2
Attachments	Nil

Purpose of Report

To provided Council with information on The Three Sisters Cave used by cave divers and seek approval to both lease the site to the Cave Divers Association of Australia and to provide traffic management and plant operations to improve the access arrangements and make it safer for the users to access the cave.

Report Details

In the Limestone Coast there are 32 known cave dive sites. Whilst the location of a cave may cover several properties the access point determines who is the owners of the cave and thus who's permission is required to grant access. Wattle Range has been determined as the owner of one of these caves known as The Three Sisters Cave as the entrance to the cave is located on road reserve under the Council Care and Control being Mile Hill Road.

Details of the cave are available on the Cave Divers Association of Australia website <u>The Three Sisters.</u>

Due to this the Council has been issuing permits for use of the cave. A risk assessment completed by the CEO who was authorised to issue the permit determined that Council was exposed to significant risk in this activity due to a lack of governance around the use so advised the Cave Divers Association that access would not be permitted until this matter was resolved.

In addition to the need to establish some structure on the governance to determine who was taking on what risk additional concerns have been identified.

These are summarised below.

Proximity of the cave access to the edge of the road

- Vehicles parking next to the cave on shoulder of the road and across the road with the cave entrance located on a 100km/hr speed limited road with several bends.
- Access requiring the cave diver to navigate a sharp angle from the opening to gain access into the larger cave

In recent discussion with the Cave Divers Association (CDA), they have indicated that they would be happy to take on a lease agreement with the Council associated with the use of the cave. The agreement would define what responsibilities would remain with Council an what the Cave Divers Association would take on as the lessee.

The sport in very closely regulated due to the extreme risk associated with the activity. Divers must be certified to take part in the sport, and have in place specific dive qualifications depending on the classification of the cave. To dive in The Three Sisters Cave you must hold an Advanced Cave Divers qualification.

The permit arrangement that was previously in place until the site was close was via a permit signed by the CEO with a key issued at the Lady Nelson Tourist information centre in Mount Gambier due to access being via a steel trap door installed in the ground at the site. The issue with this was it left Council will a significant amount of the liability due to limited clarification on responsibility.

In recent discussion with the association who currently operate the Tank Cave which is the one of the largest known cave dive locations they would be happy to take on a peppercorn lease with Council with the lease defining the responsibilities for use being taken by the CDA who have systems in place to manage activities including having an access officer in place during dives.

In addition to the concerns around governance staff have discussed the issues around the safety of road users when the site is being used as the entrance is located so close to the edge of the road shoulder. During the initial discussion with the CDA they would park a vehicle on the shoulder of the road and set up a A-frame and ladder to access the cave. Other vehicles would also, either park on or along the shoulder on the opposite side of the road.

Council staff in looking at this felt that they were not only putting themself at risk were also putting other road users at risk. Two questions have been investigated by the CDA. Could user of the cave park behind the vegetation reserve on the forestry track and could the access to the cave be moved any further away from the road edge.

The CDA have confirmed that they would be happy to park and walk to the entrance of the cave along a trail from the forestry track which would need to be established. They have also confirmed that the entrance could be moved 2m further away from the edge of the road.

The CDA are happy to undertake to works in terms of relocating the entrance as volunteers as they do not have insurance to complete works. They have therefore enquired if Council can assist in both provision of traffic control and supervision as well as assist with machinery to support the activity.

To undertake the traffic management and for the use of the small Council excavator for the day including operator be in the order of \$3,000.

Financial Considerations

Budget Allocation \$
Budget Spent to Date \$
Budget Variation Requested \$3,000

Risk Considerations

Lack of appropriate knowledge, governance and risk management around people diving in the cave could lead to considerable exposure to Council around public safety. Current determined as low due to the facility being closed to users.

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. Enter into a lease agreement with Cave Divers Association of Australia for the use of The Three Sisters Cave
- 3. Amend the budget to assist in the improvement works associate with the entrance to the cave to the value of \$3,000 for traffic management and provision of the Council excavator for one day.

16 Correspondence

16.1 Intersection of Southern Ports Highway and Southend Access Road, Southend

Report Type	Correspondence	
Correspondent	Hon T Koutsantonis MP to Mr Tony Pasin MP	
File Reference	GF/10.83.4 EI2023/217824	
Attachments	1. 23 MI T 7902 Response from Minister Koutsantonis E I 2023 217824 10.83.4 [16.1.1 - 1 page]	

RECOMMENDATION

That the correspondence from The Hon Tom Koutsantonis MP to Mr Tony Pasin MP dated 10 August 2023 regarding the intersection of Southern Ports Highway and Southend Access Road, Southend be received and noted.

The Hon Tom Koutsantonis MP



23MIT7902

Mr Tony Pasin MP Federal Member for Barker tony.pasin.mp@aph.gov.au Minister for Infrastructure and Transport

Minister for Energy and Mining

Level 14, 83 Pirie Street Adelaide SA 5000 GPO Box 1533

Adelaide SA 5001 Tel 08 7133 1100

minister.koutsantonis@sa.gov.au

Dear Mr Pasin Jony

Thank you for your further letter dated 29 May 2023, about the intersection of Southern Ports Highway and Southend Access Road, Southend. I apologise for the delay in responding to you.

As you are aware, the National Black Spot Program is coordinated by the Australian Government. While I am supportive of a submission, the location's recent crash history — as outlined in my previous correspondence — may result in it being considered a lower priority when compared with other intersections.

As a former Chair of the Commonwealth Black Spot Panel under the former Turnbull and Morrison Liberal Governments, I am surprised that you did not secure funding for this project during your tenure.

Nevertheless, I have requested the Department for Infrastructure and Transport to undertake further planning work for this intersection.

This will include a road safety audit, which will be required to support a submission for the 2024-2025 National Black Spot Program (noting that applications have closed for the 2023-2024 National Black Spot Program).

Whilst I note that you disagree with the Department's expert costing of the project, costings and reality are unable to be altered by your assertions.

160-

Yours sincerely

Hon Tom Koutsantonis MP

Minister for Infrastructure and Transport

10 1 8 12023

16.2 Limestone Coast Local Government Association Minutes of Meeting 11 August 2023

Report Type	Correspondence	
Correspondent	Limestone Coast Local Government Association	
File Reference	GF/10.14.2/1 El2023/217814	
Attachments	 LCLGA GM Meeting Summary August 2023 EI2023 217814 10 14 2 1 [16.2.1 - 2 pages] LCLGA GM Minutes 110823 - Draft [16.2.2 - 21 pages] 	

RECOMMENDATION

That the Meeting Summary and Minutes from Limestone Coast Local Government Association dated 11 August 2023 be received and noted.



The Limestone Coast Local Government Association (LCLGA) is a regional subsidiary established by the seven Constituent Councils in the Limestone Coast region of South Australia; City of Mount Gambier, District Council of Grant, Kingston District Council, Naracoorte Lucindale Council, District Council of Robe, Tatiara District Council & Wattle Range Council.

MEETING SUMMARY LCLGA General Meeting, 11th of August 2023 hosted by the Naracoorte Lucindale Council

GENERAL MEETING

- 1. The Board received presentations from:
 - a. Ms Kate Napper, Destination Development Manager, Limestone Coast LGA
 - (i) Kate provided an update on the progress of the Destination Development Strategy.
 - (ii) The Strategy was developed to have an end date of 2025, but due to COVID preventing travel and the Manager's position not filled for several months the strategy is pushed out by 2 years.
 - (iii) A Strategy Action Plan has been developed for the 23/24 financial year.
 - (iv) The Destination Development Manager's report to the Board was very detailed and highlighted a variety of actions currently taking place. This report can be found in the Board Agenda (page 25) for the 11th August 2023 meeting which is on the Limestone Coast LGA website.
 - b. Mr Tony Elletson, Connected and Active Communities Officer, Limestone Coast
 - (i) Tony gave an overview of the new program that aims to partner with community to establish and foster relationships that grow localised capacity to build and deliver impactful physical activity initiatives.
 - (ii) The program will look to provide opportunities for those in our community with barriers to participation and maintain support to our club's organisations and associations to ensure sustainability.
 - c. Mr Tony Pasin MP, Member for Barker
 - (i) Provide an overview of his deputation to Canberra with the Mayor and CEO of the District Council of Grant re the offshore windfarm near Port McDonnell.
 - (ii) Provided an update on Road Funding and Telstra Mobile Black Spots Project.
 - d. Mr Nick McBride MP, Member for McKillop
 - (i) Provided the following overview.
 - Now an Independent Member of State Parliament
 - Working on Affordable Housing for the Naracoorte and Tatiara region
 - Additional Funding for the Naracoorte Hospital
 - Telstra Mobile Towers Project
 - Regional Roads
 - Conservation and Water Drainage

- SACCA and Coastal funding allocation
- e. **Ms Jennifer Schilling, PIRSA Regional Manager** spoke to her report that is in the August agenda.
 - (i) Enabling Infrastructure Funding Program to be reviewed in 6 weeks
 - (ii) Bushfire Detection Centres will work together with existing towers
 - (iii) Truck Washing
 - (iv) TAFE Funding
 - (v) Skills SA funding Green Triangle Forestry Hub to fund forestry courses
 - (vi) Biosecurity for the region
- f. Mr Clinton Jury, CEO of LGASA
 - (i) Met Small Business Commissioner re engagement with Small Business
 - (ii) ESCOSA Scheme LGASA believe it is a poor scheme
 - (iii) Annual Community Survey results People want.
 - a. A Safe Environment
 - b. Access to Medical Facilities
 - c. Score of 8/10 value for services provided by Councils.
- 2. The LCLGA Board considered and discussed the following at the meeting:
 - a. The Financial Statements and Audit process is underway.
 - b. The Limestone Coast Local Government Association Business Plan for 2023-24 was approved.
 - c. Limestone Coast Regional Sporting Academy
 - (i) Approval given to explore options to Incorporate the Academy with report to the Board at the October Board meeting.
 - d. South East Water Conservation and Drainage Board (SEWCDB)
 - (i) Mayor Patrick Ross approved as the LCLGA representative to SEWCDB, This appointment still needs Ministerial consent.
 - e. The President provided a report on the work undertaken since the last Board meeting. This report is to be available on the meeting agenda.
 - f. The Executive Officer provided a report on the activities of the LCLGA.

Further information is available by contacting Mr Colin Byles, Interim Executive Officer P:0437 051 305 E: admin@lclga.sa.gov.au. Copy of reports can be found on the LCLGA Website www.lclga.sa.gov.au.



MEETING OF THE LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION

MINUTES

Date: 11th August 2023

Time: 10:00am

Location: Naracoorte Lucindale Council Chamber

1 DeGaris Place, Naracoorte, SA 5271 NARACOORTE LUCINDALE COUNCIL

1. OPENING MEETING

The meeting started at 10:00am.

1.1 President's Welcome

President Martin welcomed everyone to the LCLGA General Meeting in Naracoorte.

1.2 Host Mayor's Welcome & Acknowledgement of Country

Mayor Ross from Naracoorte Lucindale Council welcomed everyone to the Naracoorte Lucindale Region, highlighting its geographic location in the Limestone Coast Region. He spoke about some of the significant works in the regions, particularly agriculture and viticulture.

Mayor Ross also performed the Acknowledgement of Country.

2. PRESENT

Mayors

City of Mount Gambier	Mayor Lynette Martin OAM
Wattle Range Council	Mayor Des Noll OAM
District Council of Grant	Mayor Kylie Boston
Naracoorte Lucindale Council	Mayor Patrick Ross
District Council of Robe	Mayor Lisa Ruffell
Tatiara District Council	Mayor Liz Goossens

CEOs & LCLGA

City of Mount Gambier	Ms. Jane Fetherstonhaugh (General	
	Manager)	
Wattle Range Council	Mr. Ben Gower (CEO)	
District Council of Grant	Mr. Darryl Whicker (CEO)	
Kingston District Council	Ms. Nat Traeger (CEO)	
District Council of Robe	Mr. John Coombe (Acting CEO)	
LCLGA	Mr Colin Byles (interim EO)	
	Mr Tony Elletson (CAC Officer)	
	Ms Kate Napper (DD Manager)	
	Mr Adrian Maywald (LCRSA Officer)	
	Mr. Paul Manfrin (Corporate Service)	

Guests

Member for Barker	Mr. Tony Pasin MP (via Teams)
Member for MacKillop	Mr. Nick McBride MP
LGASA	Mr. Clinton Jury (CEO)
PIRSA	Ms. Jennifer Schilling
Naracoorte Lucindale Council	Deputy Mayor Monique Crossling

3. APOLOGIES

Member for Mount Gambier	Mr. Troy Bell MP
Kingston District Council	Mayor Jeff Pope
City of Mount Gambier	Ms. Sarah Philpott (CEO)
Naracoorte Lucindale Council	Mr. Trevor Smart (CEO)
District Council of Robe	Ms. Deb Brokenshire (CEO)
Tatiara District Council	Ms. Anne Champness (CEO)
LCLGA	Ms. Emma Herring (DD Coordinator)

That the LCLGA Board:

1 Note and accept the apologies.

Moved: District Council of Robe Seconded: Tatiara District Council

CARRIED

4. CONFLICTS OF INTERESTS

NIL

5. GUESTS & SPEAKERS

Mr. Pasin MP, Member for Barker presented to the LCLGA Board via Teams and updated the LCLGA Board on proposed Windfarm constriction in the Limestone Coast Region off Kingston and Pt McDonnell. He also updated the LCLGA on Roads and Telstra Mobile Blackspots project.

Ms Napper, Destination Development Manager and Mr Elletson, Connected & Active Communities Officer updated the LCLGA Board on outcomes and future strategies for their respective Projects.

6. CONFIRMATION OF MINUTES

That the LCLGA Board:

 Accept the Minutes of the LCLGA General Meeting held at the Tatiara District Council on Friday, 16th June 2023.

Moved: Naracoorte Lucindale Council Seconded: Wattle Range Council

CARRIED

7. MATTERS ARISING FROM THE MINUTES - ACTION SHEET

That the LCLGA Board:

1. Note and accept the action sheet.

Moved: District Council of Robe Seconded: Tatiara District Council

CARRIED

Page 3

8. CORRESPONDENCE

That the LCLGA Board:

1. Receive and note the correspondence.

Moved: District Council of Grant Seconded: Tatiara District Council

CARRIED

9. FINANCIAL REPORT

9.1 Financial Audits

The Executive Officer provided a verbal report to the LCLGA Board, noting that the Audit process is still underway and the LCLGA Risk and Audit Committee still needs to meet to confirm the Financial Statements for 2022-23.

That the LCLGA Board;

1. Note the report provided by the LCLGA Executive Officer.

Moved: Naracoorte Lucindale Council Seconded: District Council of Robe

CARRIED

9.2 Financial Statements 2022-2023

This item is withdrawn due to the fact that the LCLGA Risk and Audit Committee has not met yet to finalise the Financial Statement for 2022-23.

10. RECOMMENDATIONS

10.1 Limestone Coast Local Government Association Business Plan 2023-24

- 1. That the Limestone Coast Local Government Association Board approve the Limestone Coast Local Government Association Business Plan for 2023-24.
- 2. The LCLGA Executive Officer to research how the subscription for Councils is calculated and provide the answer at the next LCLGA Board Meeting.

Moved: District Council of Robe Seconded: Naracoorte Lucindale Council

CARRIED

10.2 Corporate Credit Cards

Mayor Noll enquired about the use of Credit Cards by LCLGA Staff. The matter will be addressed by the LCLGA Risk and Audit Committee at their next meeting.

1. That the Limestone Coast Local Government Association (LCLGA) Board approve the changes to the LCLGA Credit Cards as detailed below.

Name	Position	Amount
Vacant	Executive Officer	\$5,000
Kate Napper	Destination Development Manager	\$3,000
Emma Herring	Destination Development Coordinator	\$2,000
Tony Elletson	Connected and Active Communities Officer	\$2,000
Paul Manfrin	Corporate Services Officer	\$1,000
Adrian Maywald	Sports Academy Coordinator	\$2,000
_		
Total		\$15,000

Moved: District Council of Robe Seconded: Tatiara District Council

CARRIED

10.3 Limestone Coast Regional Sporting Academy Investigate Becoming An Incorporated Body

 That the Limestone Coast Local Government Association Board authorise the Limestone Coast Sport Academy Co-ordinator to explore Incorporation options and report back to the Limestone Coast Local Government Association Board with a recommendation by the October 2023 Board Meeting.

Moved: District Council of Robe Seconded: Tatiara District Council

CARRIED

10.4 South Eastern Water Conservation & Drainage Board Limestone Coast Local Government Association Representative

 The South Eastern Water Conversation and Drainage Board be advised that James Holyman is no longer the Limestone Coast Local Government Association representative on the South Eastern Water Conversation and Drainage Board as from the 6th of July 2023.

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Moved: Tatiara District Council Seconded: Wattle Range Council

CARRIED

2. That the Limestone Coast Local Government Association (LCLGA) call for nominations to be the Limestone Coast Local Government Association position representative on the South Eastern Water Conservation and Drainage Board.

Mayor Ross and Mayor Boston nominated to be the representatives to the South Eastern Water Conservation and Drainage Board. Election took place.

3. That the South Eastern Water Conversation and Drainage Board be advised the new Limestone Coast Local Government Association representative on the South Eastern Water Conversation and Drainage Board is Mayor Ross.

Moved: District Council of Robe Seconded: Wattle Range Council

CARRIED

11. LCLGA REPORTS

11.1 LCLGA President's Report

That the LCLGA Board;

1. Note the report provided by the LCLGA President.

Moved: City of Mount Gambier Seconded: Tatiara District Council

CARRIED

11.2 Executive Officer's Report

That the LCLGA Board;

1. Note the report provided by the LCLGA Executive Officer.

Moved: Wattle Range Council Seconded: District Council of Grant

CARRIED

11.2.1 Economic Growth Strategy

That the LCLGA Board;

1. Note the report provided by the LCLGA Executive Officer.

Moved: District Council of Grant Seconded: Naracoorte District Council

CARRIED

11.2.2 Material Recovery Facility (MRF)

That the LCLGA Board;

1. Note the report provided by the LCLGA Executive Officer.

Moved: Naracoorte Lucindale Council Seconded: Tatiara District Council

CARRIED

11.2.3 South Australia Coastal Council Alliance (SACCA)

That the LCLGA Board;

1. Note the report provided by the LCLGA Executive Officer.

2. That the Limestone Coast Local Government Association (LCLGA) Board develop a financial scope on the impact of au spicing SACCA, including timing and cost factors. Report to be provided at the next LCLGA Board meeting in October 2023.

Moved: Wattle Range Council Seconded: District Council of Grant

CARRIED

11.3 Destination Development Report

That the LCLGA Board;

1. Note the report provided by the Destination Development Manager.

Moved: Naracoorte Lucindale Council Seconded: District Council of Robe

CARRIED

11.4 Connected & Active Communities and Regional Sports Academy and Regional Sports Academy

That the LCLGA Board;

1. Note the report provided by the Connected & Active Communities Officer.

Moved: District Council of Robe Seconded: Wattle Range Council

CARRIED

Page 7

12. LCLGA SUB-COMMITTEE MINUTES

12.1 Tourism Management Group

Minutes and Action Plan provided to the LCLGA Board.

13. OUTSIDE ORGANISATIONS

Mr. McBride MP, Member for MacKillop was invited to address the LCLGA Board. He discussed the following:

- Now an Independent Member
- Affordable housing for Naracoorte and Tatiara region
- More funding for Naracoorte hospital
- Telstra Mobile Towers Project
- Regional Roads
- Conservation and Water Drainage
- SACCA and Coastal funding allocation

Ms Schilling from PIRSA was invited to address the LCLGA Board. She discussed the following:

- Enabling infrastructure Funding Program reviewed in six weeks.
- Bushfire Detection Centres will work together with existing towers.
- Truck washes
- TAFE funding
- SkillsSA funding Green Triangle Forestry Hub to fund forestry courses
- Biosecurity for region

Mr. Jury, CEO of LGASA was invited to address the LCLGA Board. He discussed the following:

- Small Business Commissioner regarding engagement with Small Business
- ESCOSA Scheme LGASA believe it is a poor scheme.
- Annual Community Survey results. People want:
 - Safe environment
 - Access to medical facilities
- 8/10 value services provided by Councils.

SACCA 2023-24 Business Plan

Business Plan provided to the LCLGA Board at the meeting as a late paper. The Business Plan is attached to the end of the Minutes. It is requested that the LCLGA Board review the Business Plan and provide feedback to the LCLGA Executive Officer in the coming weeks.

14. OTHER BUSINESS

NIL

15. CALENDAR KEY DATES & NOTICE OF MEETINGS

Date	Meeting	Location
21st Sep 2023	SAROC and LGA Board of Directors Meeting	LGA House, Adelaide
13th Oct 2023	LCLGA GM	Kingston District Council
08 th Dec 2023	LCLGA GM	City of Mount Gambier
09 th Feb 2024	LCLGA AGM & GM	Wattle Range Council

16. NEXT MEETING

The next LCLGA General Meeting is scheduled to take place in Kingston District Council on the $13^{\text{th of}}$ October 2023

Acceptances and apologies to admin@lclga.sa.gov.au or Phone 8723 7310.

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1	7.	Сı	LOSE I	MEETIN	G

The meeting ended at 1:11pm.	
President's Signature	Date



COORDINATION • COLLABORATION • ADVOCACY

4 August 2023

To: Regional Local Government Associations CEO's (via email)

Dear members of the SA Regional Local Government Associations

RE: SA Coastal Councils Alliance Draft Strategic and Business Plan 2023-25

Since the election of the 2023 SA Coastal Councils Alliance Committee (SACCA) confirmed in Feb/March 2023 the Committee has been undertaking a review of the existing 2020-25 SACCA Strategic and Business Plan.

This review process has involved facilitated discussion at several SACCA committee meetings and planning sessions that have been informed by coastal Council members input via our on-line survey and from presentations at your Regional LGA meetings over the last few months.

The review process has proved extremely valuable and at its most recent meeting the SACCA Committee requested that the Draft SACCA Strategic and Business Plan 2023-25 be distributed to the Regional LGAs for consideration prior to the SACCA Committee finalising the plan.

In particular please note that the review process identified four (4) priority areas for the SACCA Committee to focus on, and in no particular order these issues are as follows;

- Reforms in coastal funding arrangements, models and funding amounts.
- For all SA coastal Councils to have prepared coastal climate adaptation plans.
- Sustainable funding, investment and asset management arrangements for the States jetties.
- Statewide and strategic coastal access arrangements that maximise the social and economic benefits and mitigate environmental harm.

It is also worth mentioning that the SACCA committee is still seeking dialogue with the new Adelaide Coastal Councils Network (ACCN), to resolve future engagement arrangements and SACCA membership of metropolitan coastal Councils however at this stage this is still unresolved. This is reflected in the red text within the Draft plan.

Please find attached a Draft copy of the SACCA Strategic and Business Plan 2023-25 for the consideration of your upcoming Regional Association Board meetings. SACCA would greatly appreciate your consideration of this Plan and any feedback for the Committee to consider before it is finalised. Feedback would be appreciated before Friday 15 September 2023.

If you require any further information, please don't hesitate to contact me at adam@grayconsulting.com.au or on 0409 908 191.

Yours Sincerely

Adam Gray

Executive Officer - South Australian Coastal Councils Alliance



COORDINATION • COLLABORATION • ADVOCACY



'We are a strong and committed advocate for all our members'.

STRATEGIC ASPIRATIONS & BUSINESS PLAN 2023 – 2025

www.sacoastalcouncils.com.au

INTRODUCTION

Half of South Australia's sixty-eight local Councils are coastal.

Eight are located along the metropolitan Adelaide coastline, with the remaining twenty-six spread around the vast regional coastline, from Eyre Peninsula, Spencer Gulf, Yorke Peninsula, Fleurieu Peninsula & Kangaroo Island and Limestone Coast.

All Councils are under increasing pressure to do more, with less. Coastal Councils have an additional responsibility to provide, manage and maintain a wide range of coastal assets that not only benefit residents and ratepayers, but a much wider visiting and tourist population.

Regardless of size and location, or whether they are metropolitan or rural, coastal Councils are facing the same issues and resourcing pressures including; accelerated cliff and dune erosion; inundation; managing coastal access; maintenance and replacement cost of recreational infrastructure like jetties and boat ramps; planning and development anomalies in coastal areas; sand and beach management; illegal dumping; dredging; managing coastal biodiversity; and construction and maintenance of protection infrastructure including levees, seawalls and groynes.

Every day Local Government is dealing first-hand with these issues and the impact on their communities. To address these challenges Councils consistently identify several barriers, but also the remedies and opportunities to deliver better coastal management outcomes, including;

- New funding and investment strategies are needed to meet the growing demand for infrastructure and mitigate risk from coastal hazards.
- Better coordination between levels of government is needed to maximise resources and enhance efficiencies.
- The desire to develop local expertise in coastal planning and decision making to reduce the risk from coastal hazards; and
- To build Local Government resources and capacity, particularly in small and non-metropolitan Councils to undertake the range of required coastal management works, maintenance, data capture and monitoring.

Over the last ten years expenditure by Local Government on coast protection, management and infrastructure has nearly doubled, however the level of funding from other tiers of government to support this has remained relatively static.

Over the next ten years, the cost of managing the coast is forecast to grow exponentially, with Councils in SA conservatively identifying capital works and operating expenses in excess of \$210 million.

Based on the mounting challenges facing coastal Councils and strong demand from the sector for a more collective approach, the 'South Australia Coastal Councils Alliance' was formally launched in October 2019 with the initial objectives of providing;

- 1. An informed, coordinated advocacy voice: and,
- 2. a forum for information sharing and networking on coastal management issues facing Councils across SA

This Plan identifies the strategic objectives of the South Australia Coastal Councils Alliance (SACCA) and its annual activities.

LEADERSHIP





Photo depicts representatives from South Australian coastal Councils at the launch of the Alliance in 2019 including Mayor Sam Telfer (LGASA President), Mayor Keith Parkes (Inaugural SACCA Chairperson) and Mayor Richard Sage (Inaugural SACCA Vice Chairperson). The 'SA coastal snapshot' was presented at the launch. Photo Courtesy of Ms Anita Crisp.

MEMBER COUNCILS

Adelaide Plains Council

Alexandrina Council

Barunga West Council

District Council of Ceduna

City of Charles Sturt (metro)

District Council of Cleve

Coorong District Council

Copper Coast Council

District Council of Elliston

District Council of Franklin Harbour

District Council of Grant

City of Holdfast Bay (metro)

Kangaroo Island Council

Kingston District Council

District Council of Lower Eyre Peninsula

City of Marion (metro)

District Council of Mount Remarkable

City of Onkaparinga (metro)

City of Playford (metro)

City of Port Adelaide Enfield (metro)

Port Augusta City Council

City of Port Lincoln

Port Pirie Regional Council

District Council of Robe

City of Salisbury (metro)

District Council of Streaky Bay

District Council of Tumby Bay

City of Victor Harbor

Wakefield Regional Council

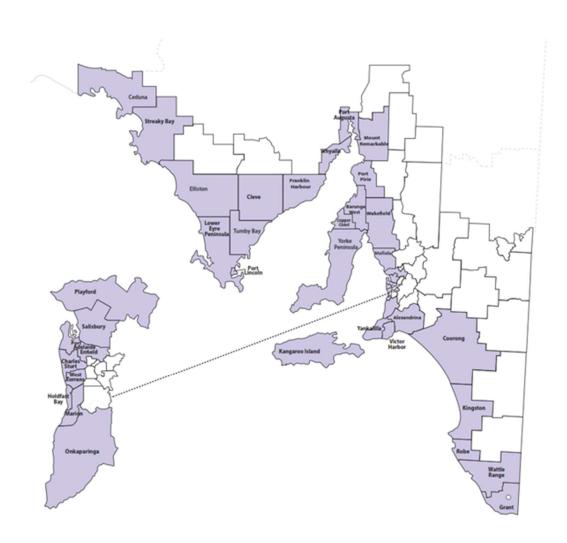
Wattle Range Council

City of West Torrens (metro)

City of Whyalla

District Council of Yankalilla

Yorke Peninsula Council



South Australia Coastal Councils Alliance – Strategic Objectives and Business Plan 2023 - 2025

GOVERNANCE

The SA Coastal Councils Alliance is governed by an Executive Committee. Committee members and proxy members are nominated by their respective Regional Local Government Associations from the Councils within each of the following coastal zones for a 2-year term;

Southern Region 2 Delegates 2 Proxies	Central/Metropolitan Adelaide 2 Delegates 2 Proxies	Northern Zone 2 Delegates 2 Proxies	Western Zone 2 Delegates 2 Proxies		
(S&HLGA and		(Upper Spencer Gulf and	(EPLGA)		
LCLGA)	(ACCN)	Legatus LGAs)			
Grant, Wattle Range,	Onkaparinga, Marion,	Adelaide Plains, Wakefield,	Franklin Harbor, Cleve,		
Robe, Kingston,	Holdfast Bay, West	Yorke Peninsula, Copper	Tumby Bay, Port Lincoln,		
Coorong, Alexandrina,	Torrens, Charles Sturt,	Coast, Barunga West, Port	Lower Eyre, Elliston,		
Victor Harbor,	Port Adelaide Enfield,	Pirie, Mount Remarkable,	Streaky Bay, Ceduna		
Kangaroo Island, Yankalilla	Salisbury, Playford	Port Augusta, Whyalla			

^{*} The President of the LGA shall be an ex-officio member of the SA Coastal Councils Alliance.

Chairperson

- One Chair and one Deputy Chair shall be selected from and by the Executive Committee members for two years.
- The Chair of the Executive Committee shall be the primary spokesperson of the SA Coastal Councils Alliance.

Meeting Frequency

- The Executive Committee will meet at least quarterly, or on an as needs basis.
- The SA Coastal Councils Alliance will meet annually in October/November, as part of the annual SACCA Coastal Forum.

Resources

- Executive support for the SA Coastal Councils Alliance and Executive Committee shall be provided by an Executive Officer.
- Core funding for SACCA shall be sought from annual membership subscriptions from Councils via Regional Local Government Associations.
- Additional project or specialist support shall be funded by stakeholder grants, Councils or other external assistance as relevant.

Delegated Authority

 Nil – The SA Coastal Councils Alliance is an informal representative network of the States thirty-four coastal Councils. The Alliance Executive Committee is chaired by a Council elected member. The Alliance reports against its strategic objectives regularly to its members.

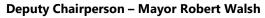
Review

• The SACCA Strategic Objectives and Business Plan 2023-25 will be reviewed annually.

SACCA EXECUTIVE COMMITTEE 2023-25

The 2023-25 SA Coastal Councils Alliance Executive Committee consists of the following elected members.

Chairperson – Mayor Keith Parkes







Metropolitan Zone (Central Zone)				
TBA				
Southern and Hills LGA (Southern Zone)				
Mayor Keith Parkes – Alexandrina Council (delegate)				
Cr David Kemp – City of Victor Harbour (proxy)				
Cr Sharon Bland - Coorong Council (proxy)				
Limestone Coast LGA (Southern Zone)				
Mayor Des Noll – Wattle Range Council (delegate)				
Mayor Kylie Boston – District Council of Grant (proxy)				
Legatus Group (Northern Zone)				
Mayor Darren Braund – Yorke Peninsula Council (delegate)				
Mayor Mark Wasley – Adelaide Plains Council (proxy)				
Upper Spencer Gulf (Northern Zone)				
Mayor Phill Stone - City of Whyalla (delegate)				
CEO John Banks – City of Port Augusta (proxy)				
Eyre Peninsula LGA (Western Zone)				
Mayor Robert Walsh – District Council of Franklin Harbour (delegate)				
Mayor Geoff Churchett – District Council of Tumby Bay (delegate)				
Mayor Jo-Anne Quigley – District Council of Lower Eyre Peninsula (proxy)				
Mayor Dianna Mislov – Port Lincoln City Council (proxy)				
LGA President				
Mayor Dean Johnston – District Council of Kimba (ex-officia member)				

MISSION & ASPIRATIONAL OBJECTIVES

The Mission of the South Australia Coastal Councils Alliance is;

To provide strong leadership, support and advocacy for the benefit of all South Australian coastal Councils and their communities.

The activities of SACCA are guided by its Strategic Objectives and Business Plan and the four key strategic objectives identified below;

1. Coordination

- Support coastal Councils by coordinating state-wide strategic coastal activities.
- > Act as a central point of contact for key stakeholders to engage with SA coastal Councils.

2. Collaboration

- > Partner with other key stakeholders to advance the interests of SA coastal Councils.
- > Support member Councils in partnering with other stakeholders to advance the interests of SA coastal Councils.

3. Capacity building

- > Develop and deliver information, services or projects to build expertise and knowledge within the SA coastal Councils community.
- > Build the capacity of the SACCA to deliver its strategic objectives.

4. Advocacy

- Represent the interests of SA coastal Councils to key stakeholders, including research institutions, industry bodies and State and Commonwealth Governments.
- Work with key stakeholders to deliver strategic objectives established by the SACCA.

STRATEGIC ASPIRATIONS AND BUSINESS PLAN

The 2023-25 SACCA business plan is the second for the Alliance and represents both the short and medium targets established by the SACCA Executive Committee based on feedback from all members. As a new organisation for the Local Government sector in South Australia the Alliance is building its foundation while delivering a program of work to benefit its member Councils and their communities. The SACCA Business Plan will be revised annually.

The following objectives are included in the 2023-25 business plan and have been identified as **priority actions** by members;

- · Reforms in coastal funding arrangements, models and funding amounts.
- For all SA coastal Councils to have prepared coastal climate adaptation plans.
- Sustainable funding, investment and asset management arrangements for the States jetties.
- Statewide and strategic coastal access arrangements that maximise the social and economic benefits and mitigate environmental harm.

Objective	SACCA role	SACCA Actions
Support coastal Councils by coordinating state-wide strategic coastal activities.	Coordination	Build awareness of all coastal stakeholders and their activities and create linkages with relevant Councils.
Act as a central point of contact for key stakeholders to engage with SA coastal Councils.	Coordination	Promote the role of the SACCA and its capacity to engage with all coastal Councils across the state. Support education, awareness and information dissemination between key stakeholders and relevant Councils. Maintain effective and valued communication with coastal Councils

Objective	SACCA role	SACCA Actions
Partner with other key stakeholders to advance the interests of SA coastal Councils	Collaboration	Work with the SA Department for Environment and Water (DEW) Coast Protection Unit to support and deliver relevant coastal projects, programs and services. Work with the Local Government Association of SA to deliver projects and develop informed policy and strategy initiatives including the Climate Ready Coasts project. Collaborate with the Adelaide Coastal Councils Network to create linkages between metropolitan and regional coastal Councils to share expertise and resources. Work with interested parties to influence coastal R&D at local, state and national level.

		Engage with National stakeholders (incl. the Australian Coastal Councils Association, local government coastal alliances, state LGA bodies) to represent interests of SA Councils, learn from experience and collaborate where mutually beneficial.
		Seek out opportunities to partner with the State & Federal Government on solutions to prevent plastic entering the marine environment, particularly via stormwater.
Support member Councils in partnering with other stakeholders to advance the interests of SA coastal Councils.	Collaboration	Facilitate information exchange and provide support in creating partnerships between Councils and key stakeholders incl. the LGA SA & other Councils, State and Federal Government, Australian Coastal Councils Alliance and research institutions.

Objective	SACCA role	SACCA Actions
Develop and deliver information, services or projects to build expertise and knowledge within the SA coastal Councils community.	Capacity Building	Provide support (either financial or in-kind) where appropriate to encourage coastal zone management capacity building and R&D, this includes working with the LGA SA to deliver the Climate Ready Coasts (CRC) project
Build the capacity of the SACCA to deliver its strategic objectives.	Capacity building	Establish and periodically review strategic and business planning frameworks for SACCA. Resolve long term sustainable funding arrangements for SACCA Continuously improve SACCA governance arrangements. Develop an advocacy plan including a relationship matrix.

Objective	SACCA role	SACCA Actions
Represent the interests of SA coastal Councils to key stakeholders, including research institutions, industry bodies and State and Federal Governments.	Advocacy	Actively promote the principles identified in the SACCA 'Funding the Futures' R&D project and engage all relevant stakeholders to consider reforms in both coastal zone management roles and responsibilities as well as shared investment models. Seek out opportunities to represent the activities of SACCA at various forums and promote the strategic objectives of SACCA.
Work with key stakeholders to deliver strategic objectives established by the Alliance.	Advocacy	Identify opportunities for a statewide and strategic approach to coastal access management including coordinated tools/resources and resourcing SACCA will actively support the objective for all SA Councils to have coastal adaptation plans based on a statewide consistent framework (consistent with the objectives of the CRC project). SACCA will actively encourage and engage in reforms aimed at resolving a state strategic plan, tenure agreements and service level plans with sustainable funding for jetties & marine infrastructure

Work with the State & Federal government to identify agreed methods for dredging, as well as a strategic approach to address sand erosion and replenishment.

Seek clarification from the State on how scientific data informs and is integrated into State policy and planning frameworks. Specifically
Transparency of assumptions included in the policies.

Integrity of data used to inform policy settings.

Clarity of included risk positions/tolerances.

The risks and opportunities associated with introducing relative sea level rise methodologies.

Promote the value of 'equity in investment' by State and Federal Governments in our coasts via an increased awareness of SACCA, its role and future opportunities.



FUNDING & BUDGETS

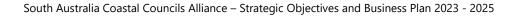
Income for the South Australia Coastal Councils is derived from two main sources:

- 1. Subscriptions and Project Fees from SA Coastal Councils
- 2. Project funding through partnerships with external organisations.

Annual expenditure is divided between two main areas:

- 1. Operating expenditure required to employ an Executive Officer, and general costs for administration, subscriptions/memberships, travel and other general organisational expenses, and
- 2. Projects expenditure required to deliver specific projects.

SACCA BUDGET AND P/L 2023-24													
INCOME	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	TOTAL
Members contributions	\$57,590.00												\$57,590.00
Grants (contributions)													\$0.00
Grants (projects)													\$0.00
Total	\$57,590.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$57,590.00
EXPENSES	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	TOTAL
Consultancy	\$5,062.00	\$5,062.00	\$5,062.00	\$5,062.00	\$5,062.00	\$5,062.00	\$5,062.00	\$5,062.00	\$5,062.00	\$5,062.00	\$5,062.00	\$5,062.00	\$60,744.00
Projects													\$0.00
Travel and Accommodation	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$6,000.00
Memberships													\$0.00
Communications	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$2,400.00
Admin and overheads	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$2,400.00
IT	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$1,200.00
Total	\$6,062.00	\$6,062.00	\$6,062.00	\$6,062.00	\$6,062.00	\$6,062.00	\$6,062.00	\$6,062.00	\$6,062.00	\$6,062.00	\$6,062.00	\$6,062.00	\$72,744.00
P&L	\$114,806.21	-\$6,062.00	-\$6,062.00	-\$6,062.00	-\$6,062.00	-\$6,062.00	-\$6,062.00	-\$6,062.00	-\$6,062.00	-\$6,062.00	-\$6,062.00	-\$6,062.00	-\$15,154.00
Cashflow	\$114,806.21	\$108,744.21	\$102,682.21	\$96,620.21	\$90,558.21	\$84,496.21	\$78,434.21	\$72,372.21	\$66,310.21	\$60,248.21	\$54,186.21	\$48,124.21	



16.3 Royal Flight Doctor Service - Billboard Project

Report Type	Correspondence
Correspondent	Royal Flying Doctor Service
File Reference	GF/7.11.3 EI2023/217811
Attachments	 LETTER TO LIMESTONE COAST COUNCILS 002 [16.3.1 - 1 page] Bilboard art 1 [16.3.2 - 1 page]

RECOMMENDATION

That the correspondence from the Royal Flying Doctor Service dated 21 August 2023 regarding installation of a large Billboard in Kingston be received and noted.



KINGSTON SE & DISTRICT RFDS SUPPORT GROUP

PO Box 404 KINGSTON SE SA 5275 PRESIDENT: Cheryl Fuss 0447 988 658 SECRETARY: Jenny Artz 0438 534 095 TREASURER: Phil Quinn 0439 472 751

TO: LIMESTONE COAST COUNCILS

TOPIC: RFDS BILLBOARD- 21ST. AUGUST 2023

THE RFDS SUPPORT GROUP IN KINGSTON IS PLANNING TO INSTALL A LARGE BILLBOARD (4.9M X 2.5M) ON THE OUTSKIRTS OF KINGSTON (ADELAIDE SIDE). THE PURPOSE OF THE BILLBOARD IS TO INFORM PEOPLE OF THE IMPORTANCE OF THE FLYING DOCTOR TO THE LIMESTONE COAST REGION. THE BILLBOARD WILL LIST THE NUMBER OF LANDINGS IN THE REGION. FOR EXAMPLE, FROM 2021-22 THERE WERE 883 LANDINGS RECORDED. THIS FIGURE WILL BE UPDATED EACH MONTH.

THE OVERALL COST OF THE PROJECT SHOULD COME IN UNDER \$10000, AND WE ARE SEEKING SOME FINANCIAL SUPPORT FROM COUNCILS IN THE LIMESTONE COAST REGION. ALL CONTRIBUTIONS \$500 AND OVER WILL BE RECOGNISED WITH A SMALL PLAQUE ATTACHED BELOW THE SIGN. ANY CONTRIBUTION WILL BE APPRECIATED.

I AM ENCLOSING PLANS AND DIMENSIONS OF THE PROPOSED BILLBOARD THAT HAVE BEEN APPROVED BY THE RFDS CENTRAL OFFICE AND ALSO BY THE KINGSTON DISTRICT COUNCIL.

PLEASE CONTACT US IF YOU ARE ABLE TO HELP SUPPORT THIS PROJECT, OR IF YOU NEED FURTHER DETAILS.

KIND REGARDS.

PHIL QUINN- 0439472751 (psq385@yahoo.com)

TREASURER - RFDS KINGSTON SUPPORT GROUP (BILLBOARD COMMITTEE).



16.4 Kalangadoo Police Station and Residence

Report Type	Correspondence
Correspondent	Campbell Hill – Superintendent – Officer in Charge – Limestone Coast LSA
File Reference	GF/17.85.1/18 EI2023/218162
Attachments	 20230830 Mayor Noll reply [16.4.1 - 1 page] coulet mayor Kalangadoo Police Station and Residence 300623 [16.4.2 - 2 pages]

RECOMMENDATION

That the correspondence from Campbell Hill dated 30 August 2023 regarding Kalangadoo Police Station and Residence be received and noted.





OFFICIAL

Your Ref GF/17.85.1/18
Our Ref ESS23/651
Enquiries Supt Hill
Telephone 87351010
Facsimile

August 2023

Mayor Des Noll OAM Wattle Range Council

Dear Mayor Noll,

I write in acknowledgment of your letter to Commissioner Stevens APM LEM dated 30 June 2023 regarding the Kalangadoo Police Station and Residence.

I acknowledge the content of your letter and the information you have provided about the ongoing assessment of the Kalangadoo Police Station. The interest of the Wattle Range Council and the broader Kalangadoo community is understood.

Regrettably a definitive answer as to the future of Kalangadoo Police Station cannot be provided at this time whilst South Australia Police await the outcomes of the Premier's Taskforce which will influence regional policing decisions.

When further information is known I look forward to speaking further. For any further enquiries I can be contacted via email campbell.hill@police.sa.gov.au.

Kind regards

Campbell Hill Superintendent

OFFICER IN CHARGE LIMESTONE COAST LSA



Service Integrity Leadership Collaboration Courage Respect South Australia Police, GPO Box 1539, Adelaide SA 5001 ABN 93 799 021 552 www.police.sa.gov.au



Office of the Mayor

Our Ref:

GF/17.85.1/18

coulet mayor Kalangadoo Police Station and Residence 300623

Wattle Range

PO Box 27, Millicent SA 5280 www.wattlerange.sa.gov.au

30 June 2023

Mr Grant Stevens Commissioner of Police South Australia Police GPO Box 1539 ADELAIDE SA 5001

Email: SAPOLEnquiries@police.sa.gov.au;

Dear Grant

Kalangadoo Police Station and Residence

I seek your support to definitively answer the question that has been repeatedly asked by our local community, myself, Wattle Range Council and two local members over the last four years.

The unofficial closing of the Kalangadoo Police Station and residence is of concern to the local community. I constantly receive negative feedback from the Kalangadoo community in relation to both the Police Station and residence remaining empty for such a long period of time.

Having a non-operational Police Station is of great concern to the surrounding community who feel they have not been consulted and that they have been left out of any decision-making process. As you would be aware, operational police stations play a significant role within any community and its value cannot be underestimated.

This issue has been ongoing for well over four years without the community receiving any confirmation as to its ongoing status, being either permanently open or closed.

A definitive answer as to the Police Station's future would be welcome by the Wattle Range Council and the community it serves.

Wattle Range - a great place to live and work

Office of the Mayor

I look forward to receiving a response regarding the future of the Kalangadoo Police Station and residence at your earliest convenience.

Yours sincerely

Des Noll OAM MAYOR

Telephone:

(08) 8733 0900

Email:

mayor@wattlerange.sa.gov.au

cc | anefethers@me.com - Jane Fetherstonhaugh - Local Resident Kalangadoo

MinisterSzakacs@sa.gov.au - Hon Joe Szakacs MP - Minister for Police, Emergency Services and

Correctional Services

mackillop@parliament.sa.gov.au - Nick McBride MP - Member for MacKillop

Wattle Range - a great place to live and work

16.5 Burrandies Aboriginal Corporation

Report Type	Correspondence
Correspondent	Directors and Staff of Burrandies Aboriginal Corporation
File Reference	GF/17.85.1/7 EI2023/217797
Attachments	1. Community letter Robyn Campbell El2023 217797 GF 17 85 1 7 [16.5.1 - 1 page]

RECOMMENDATION

That the correspondence from Burrandies Aboriginal Corporation regarding the passing of Aunty Robyn Campbell CEO be received and noted.



Your Cultural Connection

PO Box 2500 Mount Gambier SA 5290



Dear Community organisations and members,

It is with great sadness that we relay the passing of Aunty Robyn Campbell, CEO of Burrandies Aboriginal Corporation.

This letter is written on behalf of Burrandies Aboriginal Corporation, as well as the larger Indigenous community and those non-Indigenous people who worked closely with Robyn.

At this time Sorry Business is occurring. This is a time when we come together and support each other as we move through the grieving process as a Community. We will be connecting with our cultural values and practices and need to ensure that we have the capacity to support the family, those close to Robyn, and each other. This means that we need time and space to grieve and process what has happened.

This may mean that some of the business that Burrandies Aboriginal Corporation and other organisations cover may be slowed down or stopped completely until further notice. We ask for your patience and understanding at this time.

Until further notice, please email Burrandies rather than phoning. Once Sorry Business is completed, any enquiries will be followed up.

Many thanks,

The Directors and staff of Burrandies Aboriginal Corporation

16.6 2023-24 Coast Protection Board Grant Programs

Report Type	Correspondence
Correspondent	Hon Susan Close MP
	Deputy Premier
	Minister for Climate, Environment and Water
File Reference	GF/16.85.1/7 EI2023/217593
Attachments	DEW - 2023-24 Coast Protection Board Grant Programs - E I 2023 217593 GF 16.85.1 7 [16.6.1 - 1 page]

RECOMMENDATION

That the correspondence from Hon Susan Close MP dated 15 August 2023 regarding the 2023-24 Coast Protection Board Grant Programs be received and noted.

OFFICIAL



Reference: CLM23/00933

Mayor Des Noll Wattle Range Council PO Box 27 Millicent SA 5280

Email: council@wattlerange.sa.gov.au

The Hon Susan Close MP
Deputy Premier
Minister for Climate, Environment and Water
Minister for Industry, Innovation and Science
Minister for Defence and Space Industries
Level 13, State Administration Centre
200 Victoria Square, Adelaide SA 5000
Tel (08) 8226 8520
Email: OfficeoftheDeputyPremier@sa.gov.au

Dear Mayor Noll

Re: 2023-24 Coast Protection Board Grant Programs

The Government is committed to working with coastal councils and their communities to better manage and protect South Australia's valuable coastal assets.

I am pleased to announce that the Coast Protection Board's **2023-24 Coast Protection Grant Program** and **2023-24 Community Participation Grant Program** are open for application from 25 August 2023 – 25 October 2023.

The **2023-24 Coast Protection Grant Program** provides funding for coastal councils to help repair, restore and sustain the state's coastlines. High priorities for funding include works and studies that address erosion or flooding hazards along the coast.

The **2023-24 Community Participation Grant Program** supports volunteer groups and environmental non-government organisations (eNGOs) to partner with local government to undertake small-scale coastal management or educational initiatives.

On behalf of the Coast Protection Board, the Department for Environment and Water (the department) will provide Chief Executive Officers with information on how to apply via email on 25 August 2023.

For further information, contact the department on (08) 8124 4928 or via email at DEWCoasts@sa.gov.au.

I commend the Wattle Range Council's commitment to best practice coastal management and wish you the best of luck in applying for a Coast Protection Board grant.

Yours sincerely

Hon Susan Close MP Deputy Premier

Minister for Climate, Environment and Water

15/08/ 2023



16.7 2023 Science and Engineering Challenge - 16 August 2023

Report Type	Correspondence
Correspondent	Jim O'Hehir
	Lakes Rotary Mount Gambier
File Reference	GF/7.31.3 EO2023/113680
Attachments	1. E O 2023 113680 - 7 31 3 - 2023 Science and Engineering Challenge - 16 August Redacted [16.7.1 - 2 pages]

RECOMMENDATION

That the correspondence from Lakes Rotary Mount Gambier dated 21 August 2023 regarding Wattle Range Council's sponsorship be received and noted.



From:

Sent: Thursday, August 17, 2023 8:36 PM

To: Catherine Allen < cpa@wattlerange.sa.gov.au>

Cc:

Subject: 2023 Science and Engineering Challenge - 16 August

Hi Catherine

Please pass onto Council our thanks for the sponsorship of the Science and Engineering Challenge.

189 students participated from 7 Limestone Coast Schools and it was obvious they really enjoyed the experience, which means considering STEM careers.

The final results were:
Grant HS
Naracoorte HS
Millicent HS
St Martins Lutheran College
Mount Gambier HS
Tenison Woods College
Penola HS

Photos taken during the challenge can be seen on Lakes Rotary Facebook page at: https://www.facebook.com/LakesRotaryMtG

Regards

Jim

Jim O'Hehir Lakes Rotary Mount Gambier Science and Engineering Challenge Coordinator

Our sponsors are:
University of South Australia,
Rotary Club of Adelaide,
City of Mount Gambier,
Kimberly-Clark Australia,
Timberlink Australia,
Inspiring South Australia,

Tonkin Consulting,
District Council of Grant,
Beach Energy,
District Council of Naracoorte Lucindale,
Wattle Range Council

16.8 Cardboard and Paper Export Bans

Report Type	Correspondence
Correspondent	Adam Gray
	Waste and Recycling Industry Association (SA)
	Rick Ralph
	National Waste and Recycling Industry Council
File Reference	GF/7.41.1/37 EO 2023/113806
	GF/5.3.2/8 I/218134
Attachments	WRISA letter re paper and cardboard regulations 290823
	E O 2023 113806 7.41.1 37 [16.8.1 - 2 pages]
	2. I 218134 [16.8.2 - 1 page]

RECOMMENDATION

That the correspondence from Adam Gray dated 29 August 2023 and Rick Ralph dated 22 August 2023 regarding the cost impact on Council from Federal Governments cardboard and paper export bans be received and noted.

Attachment 16.8.1

29 August 2023

By email.

Dear Council Mayor & CEO

Re: Cost impact on Council from Federal Governments cardboard and paper export bans

I am writing to you regarding the Federal Governments proposed regulatory arrangements for the export of paper and cardboard, and the impact for Council kerbside services.

In July 2024, the final regulatory arrangements underpinning the Waste and Recycling Act will be enacted. This final piece of regulation is arguably the most important to the recycling industry as it impacts all mixed paper and cardboard commodities. Mixed paper and cardboard volumes currently account for greater than 48% of all kerbside recycling bin contents used by more than 80% of Australian households, all commercial and industrial businesses, including government institutions, hospitals, and aged care facilities.

The Federal Governments paper export ban coming into effect in 2024, will introduce a range of measures that will create a hostile commodity market environment and as a result the recycling industry will be forced to increase rates for our Council customers.

The paper and cardboard export market has successfully traded and self-regulated for decades. The introduction of this overbearing regulatory regime has no demonstrated social, economic, or environmental benefits. Instead, it will increase costs, reduce recycling, and will fail to build Australia's local processing capacity.

As Australia is both a net importer and exporter of these products, and has done so for more than 100 years, our industry is faced with having to make important business decisions to comply with these unnecessary new government regulations if it wishes to continue trading internationally. Changes to all current operating recycling infrastructure will be required to meet the new specifications.

For recycling companies that export and trade recyclable commodities the Federal Government is also proposing to introduce a **new recycling tax** from July 1, 2024, of \$3.98 per tonne. This recycling tax will also have to be passed on to Councils and their ratepayers.

The exposure draft of the regulations https://consult.dcceew.gov.au/recycling-and-waste-reduction-export-paper-and-cardboard-rules-2023 are currently open for consultation and I strongly encourage your Council and any Local Government waste management regional subsidiary to consider making a submission. Consultation of the regulation closes on September 11.



WRISA is a strong advocate for South Australia to contribute to the targets established under the National Waste Action Plan and transition to a circular economy, however the proposed Federal Government regulatory regime for recycling commodity exports is a backwards step.

If you have any queries please feel free to contact me at adam@wrisa.com.au .

Yours Sincerely

Adam Gray

Waste and Recycling Industry Association (SA)

22 August 2022

Wattle Range Council Attn: Mayor Des Noll PO Box 27 Millicent SA 5280



Dear Mayor Noll

Re: Mixed Cardboard and Paper Export Bans to have significant cost impacts for Councils

With the federal government's paper export ban coming into effect in 2024, the local recycling sector will face a hostile future market environment and be forced to increase rates for our customers. We wanted to alert you to the potential impacts this will have on Councils across Australia and share that we reject the Mixed Paper and Cardboard Rules in their current form.

In 2020 the Commonwealth Government of Australia imposed upon the Australian Waste and Recycling Industry its export regulations for secondary recycling commodities.

In July 2024, the final regulatory arrangements underpinning the Waste and Recycling Act will be enacted. This final piece of regulation is arguably the most important as it impacts all mixed paper and cardboard commodities. Mixed Paper and Cardboard volumes currently account for greater than 48% of all yellow top recycling bin contents used by more than 80% of all Australian households, all commercial and industrial businesses, including government institutions, hospitals, and aged care facilities.

The exposure draft of the regulations https://consult.dcceew.gov.au/recycling-and-waste-reduction-export-paper-and-cardboard-rules-2023 propose a maximum 5% (from July 2024) contamination limit and a further reduction to 3% from July 1 2026 for all mixed paper and cardboard products. Consultation of the regulation closes on September 11.

Our Position

The paper and cardboard export market has successfully traded and self-regulated for decades. The introduction of this legislation has no demonstrated social, economic, or environmental benefits. Instead, it will increase costs, reduce recycling, and will fail to build Australia's local processing capacity.

As Australia is both a net importer and exporter of these products, and has done so for more than 100 years, our industry is faced with having to make important business decisions to comply with these unnecessary new government regulations if it wishes to continue trading internationally. Changes to all current operating recycling infrastructure will be required to meet the new specifications.

As a result of individual business decisions and with all companies that export and trade recyclable commodities having to also pay after July 1, 2024, the proposed federal government's \$3.98 per tonne Recycling Tax, those additional business costs must also be passed through to all generators of mixed paper and cardboard and all other commodities impacted by the export regulations.

Our Council is taking the unprecedented action of writing to advise that all generators of mixed paper and cardboard and other commodities impacted, will need to adjust their future budgets to allow for these additional new business costs our industry will incur, to meet with its compliance to this unnecessary government regulatory change.

We trust our concerns resonate and encourage your Council to make its own submission on the proposed regulatory instrument by challenging the Commonwealth Government of Australia, which is supported by all State and Territory Governments that have agreed to this legislation.

Yours sincerely

Rick Ralph

Chief Executive Officer

National Waste and Recycling Industry Council



National Waste, Recycling Industry Council ABN 22 617 891 899

A Level 1, The Realm, 18 National Circuit, Barton, Canberra, Australia T +61 407 125 680 E ceo@nwric.com.au

16.9 2023 Governor's Multicultural Awards

Report Type	Correspondence
Correspondent	Her Excellency the Honourable Frances Adamson AC
·	Governor of South Australia
File Reference	GF/17.3.2/9 I/218135
Attachments	1. I 218135 [16.9.1 - 1 page]

RECOMMENDATION

That the correspondence from the Governor of South Australia dated 23 August 2023 regarding nominations for the 2023 Governor's Multicultural Awards being open be received and noted.



Wednesday, 23 August 2023

Dear Mayor Noll



I am writing to let you know that nominations for the 2023 Governor's Multicultural Awards are now open.

These important awards recognise and celebrate outstanding South Australians who promote multiculturalism and increase the understanding of the benefits of cultural diversity in our community.

The award categories include Outstanding Individual Achievement, Arts and Culture, Community Sector, Media, Private Sector, Public Sector, Senior Volunteer, Volunteer, and Youth.

I seek your support in not only promoting these awards within your Council and across your networks but to also consider nominating an individual, team or organisation that is passionate about making a positive contribution to multiculturalism and intercultural understanding and promoting our culturally diverse state.

For further information about the awards, including access to the digital media pack, or to submit a nomination, I invite you to visit the website www.multicultural.sa.gov.au/gma. Alternatively, you are welcome to contact the Multicultural Affairs Events Team by phoning 0459 851 341 or emailing multiculturalevents@sa.gov.au. Nominations close on Friday, 22 September 2023.

Thank you for supporting these awards and multiculturalism in South Australia.

Yours sincerely

Her Excellency the Honourable Frances Adamson AC

Governor of South Australia

Mayor Des Noll Wattle Range Council PO Box 27 MILLICENT SA 5280

GOVERNMENT HOUSE ADELAIDE

16.10 Bike SA - 2023 Annual Tour - Limestone Coast - Saturday 14 October to Sunday 22 October 2023

Report Type	Correspondence
Correspondent	Russell Miatke
-	Event Manager
	Bicycle SA – Bike SA
File Reference	GF/4.36.1/8
Attachments	Bike SA Annual Tour proposal Wattle Range [16.10.1 - 4 pages]

RECOMMENDATION

That the correspondence from Bike SA regarding the proposal for Council to partner with Bike SA to host the 2023 Annual Tour be received and noted.

Wattle Range Council

Invitation proposal to support a national event



2023 Annual Tour Limestone Coast

Discover Food & Wine on Two Wheels
Saturday 14 October to Sunday 22 October

Bicycle SA - Bike SA

Bicycle SA is an independent not-for-profit membership association, since 1982 the state's peak body for recreation and commuter cycling. Run by experienced staff with the support of dedicated volunteers, Bike SA delivers a programme of cycling activities throughout South Australia. Over 70,000 cyclists have ridden with Bike SA this year, injecting hundreds of thousands of dollars directly into metropolitan and regional communities. Our mission is to see more South Australians cycling in safer, healthier communities.

The event

- Bike SA's Annual Tour is a boutique 9-day adventure on two wheels, traversing different South Australian regions https://bikesa.asn.au/annual-tour
- Each day we ride to different locations, set up camp and explore the town
- Typically we ride 60km to 80km on bitumen, occasionally offering B-routes on unsealed roads
- The itinerary includes a rest day plus daily extracurricular activities and excursions
- Typically we base ourselves at a sports ground, where participants overnight in tents. For many we erect Deluxe Camping for them. Others will buy into hotel/motel accommodation in town
- We engage the local community and businesses to provide services, such as catering, accommodation and tourism activities
- In recent years, Bike SA has run sold out tours in
 - o Barossa, Clare, Adelaide Hills and McLaren Vale
 - Kangaroo Island
 - o Coorong & Fleurieu
 - o Flinders Ranges
 - o Murraylands & Riverland

For 2023 the plan is to tour the <u>Limestone Coast</u> and journey through spectacular landscapes and indulge in regional food and wine



The market

- Capped at 200 riders, the Annual Tour attracts a high percentage of repeat participants from all over Australia
- 80% interstate visitors
- Participant age ranges 18 to 88 years; average age is 55 years
- 50:50 male female split
- The group is made up of individuals, couples, families and friends
- We cap the number at 200 (plus 30-40 support personnel), as this is a manageable size for most regional communities and tourism businesses



The opportunity

The opportunity is for Council to work with Bike SA and Tourism to showcase the very best of the region, providing a memorable cycling experience and encouraging participants to spread the word and make return, independent visits. The greatest benefits come from all stakeholders working to a common purpose, delivering unique experiences to visitors who may never before have been to this part of the world. Bike SA's Annual Tour participants want to —

- Ride through beautiful countryside, traversing changing landscapes
- Eat lots of local produce, from buns at the bakery to lamb roast on the BBQ
- Drink regional wines and micro-brews
- Delve into local indigenous and colonial history
- Hang out with the locals and maybe even ride with them
- Experience special tourist attractions, from scenic flights and river cruises to cave tours and interpretive walks

These are the special elements that make each region stand out; they are the essence of the stories our riders take back home with them and share with friends and family.

The proposal

Council is invited to partner with Bike SA to host the 2023 Annual Tour

The Annual Tour itinerary will start with 2 nights in Mount Gambier on Sat 14 and Sun 15 October, followed by overnight stops in Beachport on Mon 16 October and Kingston SE on Tues 17 October. Then 2 nights with a rest/activity day in Naracoorte on Wed 18 and Thurs 19 October, followed by 1 night in Penola on Fri 20 October and a final night back in Mt Gambier on Sat 21 October.

The benefits

- Tourism figures show that visitors on bikes at the premium end of the market spend on average over \$340 per day
- Bike SA anticipates that the 2023 Annual Tour will inject over \$500,000 directly into the regional economy, not factoring in any additional multiplier benefits.
- In 2022 Bike SA invested \$150,000 directly into the regional economy with the purchase of catering, accommodation and other services.
- Additionally, last year participants spent over \$200,000 extra in local businesses, paying for supplementary food, drink and accommodation (much of it on cellar door take-aways)
- Bike SA also generates positive media coverage, typically through radio and press.
- Council will be recognised with logos in the event collateral, promotions and media releases.
- Council will also be recognised in digital and social media campaigns, including those targeting the interstate audience

The investment

- A modest hosting fee from Council ensures the community receives the greatest benefits. \$2,000 plus GST is proposed for each individual overnight stay. Or \$5,000 for overnight stays of 2 nights duration including a rest/activity day. Lesser amounts may be negotiated for locations where significant time is spent but not an overnight stay.
- Additional in-kind support is requested where possible, such as access to sports ovals and clubrooms as overnight accommodation. Other sites can be used, such as schools, winery grounds, etc.
- Providing limited time for a Council contact to work with Bike SA and regional tourism to develop the most advantageous itinerary; facilitating local business and community engagement
- As important is Council's commitment to support cycle tourism as a dynamic niche market. The time
 and energy that Council commits to the 2023 Annual Tour ultimately will be reflected in the
 community benefit.

The next steps

Bike SA is available to discuss options further with Council. Meetings can be arranged in Adelaide or in the Limestone Coast region, as appropriate.

At least one additional Bike SA reconnaissance trip is planned for late July / early August 2023, during which Bike SA's Events Manager will meet with Council representatives, as well as local business and community leaders.

Contact:

Russell Miatke Event Manager 0427 771 821

russellm@bikesa.asn.au

17 Motions On Notice

no motions on notice have been presented at the point of publishing the Agenda.		

18 Urgent Motions Without Notice

Urgent Motions without Notice may be raised at this point of the Meeting.

20 Meeting Closure

Meeting Closure.