CITY OF ONKAPARINGA

| | |
|---|---|
| Contact for apologies: | Sue Hammond<br>8384 0747 or sue.hammond@onkaparinga.sa.gov.au |
| Contact number for meeting venue: | 8384 0614 |

12 May 2022

# NOTICE OF MEETING

NOTICE IS HEREBY GIVEN in accordance with Section 83 of the *Local Government Act 1999* that an **Ordinary meeting of Council** of the City of Onkaparinga will be held on **Tuesday 17 May 2022** at **6.30pm** at the Council Chamber at the Civic Centre, Ramsay Place, Noarlunga Centre for the purpose of considering the items included on the attached agenda.

A recording of this public meeting will be conducted and published to council's website. Vision of persons present in the gallery will be captured in the recording.

We recognise that the land on which we meet has considerable natural and cultural heritage, including thousands of years of traditional ownership by Kaurna.



Julia Grant
Chief Executive Officer (Acting)

Disclaimer: Please note that the contents of the Council Agendas have 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.


**City of Onkaparinga**
PO Box 1
Noarlunga Centre
South Australia 5168

www.onkaparingacity.com

**Noarlunga office**
Ramsay Place
Noarlunga Centre
5168
Ph: 8384 0666

**Aberfoyle Park office**
The Hub
Aberfoyle Park 5159
Ph: 8384 0666

**Aldinga office**
11 Central Way
Aldinga Beach
5173
Ph: 8384 0666

**Willunga office**
St Peters
Terrace
Willunga 5172
Ph: 8384 0666

**Woodcroft office**
175 Bains Road
Morphett Vale
5162
Ph: 8384 0666

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CITY OF ONKAPARINGA

# AGENDA

## Council meeting 17 May 2022

| | |
|---|---|
| VENUE: | Council Chamber<br>Civic Centre, Ramsay Place, Noarlunga Centre |
| TIME: | 6.30pm |
| APOLOGIES: | |
| LEAVE OF ABSENCE: | Nil |

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### PLEDGE

We recognise this City's considerable natural and cultural heritage, including thousands of years of traditional ownership by Kaurna, and the more recent contribution from people either born here or who have migrated here. As we meet together, we build on this heritage by respecting and listening to each other, thinking clearly, being receptive to new ideas, speaking honestly, and deciding wisely for the current and future well-being of those we serve.

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## 1. Opening of meeting

## 2. Confirmation of minutes

**That the minutes of the proceedings of the:**

- **Council meeting held on 12 April 2022**
- **Special Council meeting held on 26 April 2022**

**be received and confirmed as an accurate record of those proceedings.**

## 3. Adjourned business

Nil.

## 4. Leave of absence

Nil.

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# 5. Mayor's Communication

## 5.1 ACTING MAYOR'S REPORT – 17 MAY 2022

**Flood protection for Onkaparinga communities**

The federal government is investing more than $9.5 million for a safety upgrade to the Mount Bold Dam, preparing and preventing Onkaparinga communities from future devastating flood events.

The announcement on Monday followed years of advocacy from the local community and City of Onkaparinga.

We're thrilled with the funding through the National Flood Mitigation Infrastructure Program because the upgrade will help protect the lives and properties of the Old Noarlunga community.

Securing additional flood protection has been a key focus of council since the funding shortfall was identified in 2019, and it has been the number one priority in our Advocacy Plan, so it's fantastic our hard work and funding commitment has come to fruition.

This decision recognises the community needs to be future proofed from the impacts on the increased risk of flooding caused by climate change, minimising the risk of another devastating flood event in Old Noarlunga.

A huge thank you to the federal government and Senator McLachlan, who has been instrumental in achieving this outcome. Thanks also to the state government for joining forces with us in the funding application and co-contribution.

Finally, thank you to the community for making your voices heard, particularly the Old Noarlunga Community Residents Association, which also advocated tirelessly.

The $325 million Mount Bold Dam Safety Project is part of SA Water's upgrade of the Mount Bold reservoir dam, which was to provide protection for a one-in-18-year Annual Exceedance Probability (AEP) flood event if the reservoir was full.

We advocated to the state government to apply for federal funding in February, and this included a council and state co-contribution of $1.5875 million.

The federal funding means a superior flood option can now be built, offering protection for a one-in-100-year AEP flood event if the reservoir is full.

The project will now provide a level of security for Old Noarlunga residents, alleviating social stress and fear of floods, increasing house prices and reducing insurance premiums.

Our downstream infrastructure will now be protected, meaning mitigation options can be removed, saving time and money, and the impact on council staff and resources during major rain events will be reduced.

We'll look to spread its financial commitment over several years to minimise the impact on ratepayers, with the payment to be considered as part of its annual budget and Long Term Financial Plan update process.

Detailed design is currently taking place, with construction currently expected to start in 2023, and take approximately three-and-a-half years.

Find out more by visiting www.onkaparinganow.com

## ANZAC Day 2022

This year, we were able to once again gather on ANZAC Day to commemorate and reflect on the service of our veterans and servicemen at events across the city.

It was an honour to attend services, vigils, ceremonies and events including:

- McLaren Vale RSL luncheon
- Morphett Vale Sunday Commemorative Service
- ANZAC Youth Vigil in the South
- Aldinga Beach ANZAC Dawn Service
- Morphett Vale ANZAC Dawn Service
- Gunfire Breakfast at Morphett Vale RSL
- Clarendon ANZAC Service
- Port Noarlunga Christies Beach RSL auction and two up

Thank you to Councillors who attended events across the city, as well as the following representatives who laid a wreath for the City of Onkaparinga:

- Coromandel Gardens ANZAC Service – Deputy Mayor, Cr Marion Themeliotis
- Clarendon ANZAC Service – Cr Geoff Eaton
- McLaren Vale ANZAC Dawn service – Cr Wayne Olsen
- Port Noarlunga Christies Beach ANZAC Dawn Service – Cr Bill Jamieson
- Kangarilla ANZAC Dawn Service – Community Representative

I am proud to have moved and passed a motion that protects the grave and internment rights for our returned service men and women in our six Council owned historical cemeteries indefinitely.

Families of WWI, WWII, Malaya, Korea, Vietnam, Afghanistan or any foreign war, conflict or peacekeeping operation will have their returned service men and women's resting place protected free of charge forever.

It's a small token and a huge step forward to how we treat our returned service men and women.

Lest we forget.

## New Aboriginal flags

Next time you're driving through Seaford or Flagstaff Hill, keep an eye out for the new Aboriginal flags flying high.

Their installation, at the roundabouts on Black Road and Flagstaff Hill Road, Flagstaff Hill, and Griffiths Drive and Grand Boulevard, Seaford, were the idea of Aberfoyle Park eight-year-old Summer, who wrote to her local councillor Marion Themeliotis late last year.

Summer explained that at her school, they fly the Australian flag side-by-side the Aboriginal one, and that we should do the same at the Flagstaff Hill roundabout, which her family drives past all the time.

Council thought this was a fantastic idea, and just before ANZAC Day last month we installed flagpoles at these two roundabouts, to bring them in line with other council locations across our city where we already fly both flags side-by-side.

I was lucky enough to meet with Summer last week at the roundabout, where the chairperson of council's First Nations People Advisory Group, Karl Telfer, presented Summer with her own Aboriginal and Torres Strait Islander flags, thanking her for her vision of inclusivity.

You can read more about this heart-warming story at onkaparinganow.com

## Hit the trail

The Willunga Basin Trail, a 130-kilometre volunteer-built bush walking trail, is now open for the community to enjoy.

The three-year building project was officially completed last month by volunteer-based Willunga Basin Trail Inc, an incorporated body that partnered with us to create a sustainable and world-class walking trail over varied terrain that showcases the Willunga Basin.

The new trail is a low-impact trail that winds its way around and across the Willunga Basin—which is bounded by the Southern Mount Lofty Ranges to the east and south, the Onkaparinga River to the north, and the Gulf St Vincent to the west.

The trail showcases a diverse landscape of bushland, forests, vineyards, almond groves, parks and beaches and covers varied terrain. It consists of 11 sections of varying length and difficulty. These sections are graded as either moderate hike (Grade 3) or hard hike (Grade 4). Sections can be walked in two to 5.5 hours and the whole trail can be walked in five to six days.

Except for a few kilometres, the trail uses publicly owned land. State and council land such as national/recreation parks, existing trails/shared-paths (i.e.; Coast to Vines Trail and Coast Park), road verges and unmade road reserves provide walking links throughout the region.

It traverses the townships of McLaren Vale, McLaren Flat, Kangarilla, and Willunga as well as the coastal suburbs of Aldinga, Port Willunga, Maslin Beach and Moana. There are several camping parks along the trail and plenty of overnight accommodation, some very close to the trail, though you must book your own accommodation.

Like the Heysen Trail, the Willunga Basin Trail uses trail markers to guide users along the natural ground surface.

Implementation was supported by the City of Onkaparinga as well as a major grant from the state government's Office of Recreation, Sport and Racing, and sponsorship from Bendigo Bank, which enabled teams of volunteers to commence working three half-day work sessions per week from 2019.

Willunga Basin Trail Inc also received funds from the Hills and Fleurieu Landscape Board to develop and implement an ongoing maintenance program

Head to willungabasintrail.org.au for more information and to download trail section maps.

Meanwhile, construction on the 3.6-kilometre Flat to Vale Trail, which will link the iconic townships of McLaren Vale and McLaren Flat for pedestrians and cyclists is nearing completion, which is also very exciting.

## South Australia's History Festival

South Australia's History Festival is in full swing and there are plenty of events happening in the City of Onkaparinga.

You can experience talks, tours, workshops and exhibitions in person and online until 31 May—most of them free—covering diverse topics such as shipwrecks, finding lost graves, Willunga slate, family history, and aprons.

You'll find exhibitions at our Port Noarlunga arts institution, Sauerbier House; author talks at our libraries; a bus tour exploring Willunga's slate history; workshops by the Fleurieu Peninsula Family History Group to help you explore your roots; and more.

While most events are free, some do require a booking—and quite a few have either sold out or are filling up fast. You can read a story summarising all the events at onkaparinganow.com, or find them in the events directory at council's website onkaparingacity.com.

### Give composting a go

It was recently International Composting Awareness Week (1-7 May) and there has never been a better time to start composting, with council launching a series of new DIY videos and guides to help you give it a go.

In a nutshell, composting is the breaking down of organic matter (things that were once living), and you can make compost at home by recycling your food and garden waste.

There are a range of benefits to composting, not just in diverting waste from landfill (reducing greenhouse gas emissions), but in saving you money and greatly improving the soil and plants in your garden.

If you've ever thought of composting, but have never gotten around to it, now is the time with council's new handy videos and guides readily available on the City of Onkaparinga website onkaparingacity.com/waste.

Why is it better to compost? The most recent audit of council's kerbside bins showed that an average of 31 per cent of our household waste (red) bin content is food waste that could've instead been composted. That's around 3.5kg per household per week.

With about 74,000 households in the City of Onkaparinga, that's a lot of food waste sent to a big hole in the ground where it just rots away!

When huge amounts of organically active material are buried anaerobically (without air) in landfill, this is a big driver of greenhouse gas emissions through the production of methane gas. By instead recycling this organic material, carbon is greatly increased in the soil, reducing the effects of climate change.

It's easy to start capturing food scraps at home, using anything from an ice cream container to buying a 'kitchen caddy', and you can even get swanky ones with a charcoal filter to reduce odours!

Council subsidises 50 per cent off the purchase of a selection of composting systems including compost bins, worm farms and bokashi buckets. Head to onkaparingacity.com/waste for more information.

### Hub Gymnastics receives $1 million

Fantastic news for Hub Gymnastics last month, with the federal government announcing a $1 million funding boost to help them expand their facilities and support its growing membership.

Hub Gymnastics is a southern success story, and its rapid growth is testament to the fantastic opportunities it has provided the region's budding gymnastic stars for decades.

This investment into council's Paul Murray Recreation Centre opens a new chapter for the club, helping to deliver on its transformational vision and ensure more of our communities are active and healthy.

A big thank you to Senator Andrew McLachlan and the federal government for this significant funding contribution, and to the Hub Gymnastics family for its determination and passion for this project.

We at council remain committed to working with the club and funding partners to grow gymnastics in the south and deliver this much-needed facility for the community.

With expanded facilities the club has the potential to grow to around 1000 members and the planned facility upgrade can be scaled or delivered in stages depending on how much funding becomes available. The new State Labor Government also committed $3 million in the lead-up to the recent South Australian election.

Council recently finalised a Federal Election Advocacy plan that seeks a further $2.3 million to realise the club's full vision for transformation of the facility. The federal government has now committed $1 million.

Read more at onkaparinganow.com.

### Have your say

As always, there are plenty of live engagements at our Your Say Onkaparinga website if you're looking to get more involved in your community.

Your Say Onkaparinga is our online platform designed to give you the opportunity to provide your feedback on important issues.

Right now you can:

- Provide feedback on upgrade plans for Clarendon Recreation Ground, and the future use of Coromandel Valley's Frank Smith Park
- Have your say on a proposed mural project at Reynella Neighbourhood Centre
- Comment on road improvements at Oleander Road, Maslin Beach, a road reconstruction at Sandow Crescent, Coromandel Valley, and road and footpath improvements at Regency Road, Happy Valley
- Have your say on proposals to reduce speed limits in parts of Christies Beach, Port Noarlunga, Onkaparinga Hills and Christie Downs
- Learn about what "Peace Pole" is and provide feedback on a proposal to install one at McLaren Vale
- And vote for your preferred name for a Seaford Park, between Poplar Walk and Birch Avenue.

There are plenty more engagements planned over the coming weeks and months.

You can register now at onkaparingacity.com/yoursay to join the conversation and add your ideas and feedback where and when it suits you.

### Message from LGA President, Angela Evans: OGM wrap up

At the OGM the sector supported a number of motions that will become priority projects for the Secretariat.

A combined item of business from Norwood, Payneham and St Peters and Gawler noted a loss of community voices and local knowledge in decision-making under the new planning system, and called for an independent review of the Planning, Development and Infrastructure Act 2016 and Planning and Design Code. It was pleasing to hear new Planning Minister Nick Champion on ABC Radio last week confirming that a review is coming.

An item of business from Barunga West calling for action to address regional housing shortages through a re-think of the role of stamp duty was vigorously debated and ultimately supported. Similarly, a motion from Gawler to ensure local government participation in advocacy on homelessness was also supported.

An item originating from the LGA Secretariat to seek a review of the Local Government Disaster Recovery Assistance Arrangements will become another important priority to progress with the new State Government.

Thank you once again for you work to elevate issues of strategic importance for your councils - our general meetings are one of the key ways our sector works together as a whole for the benefit of our communities.

### Message from LGA President, Angela Evans: 2022 Annual General Meeting

No sooner are we through our Ordinary General Meeting than it's time to start thinking about our Annual General Meeting (AGM), which will this year be held on Friday 28 October 2022.

The LGA is now calling for proposed items of business to be considered for inclusion on the agenda of the AGM, with items due by Friday 12 August 2022.

To be included on the agenda for a General Meeting, all proposed items of business should comply with the LGA's Guidelines, which are available on the LGA AGM and OGM page on the LGA website. All proposed items of business are considered by SAROC, GAROC or the LGA Board before proceeding to a General Meeting.

For further information or to discuss a possible item of business, please contact Acting Executive Director Public Affairs Lea Bacon.

### Message from LGA President, Angela Evans: Have your say: LGA policy on climate change

The LGA's Policy Manual provides guidance on how we can progress local government issues on behalf of our members.

We want to hear your opinions on our proposed changes regarding the commitment of local government to tackling climate change. This proposed change includes a call to back the State Government's commitment to net zero emissions by 2050.

More information about the review of LGA's policy on climate change is on the our website. Feedback is due by Monday 27 June 2022 and can be submitted as an endorsed motion from the council and through council officers.

### Message from LGA President, Angela Evans: Free disability inclusion training

Disability inclusion training is available to elected members, council staff and council volunteers to help build greater understanding of how to incorporate inclusive practices at work. This free session covers attitudes and unconscious bias, language and communication and collaborating and working with community.

This training is appropriate for those who have minimal prior knowledge of disability, as well as offering a fresh perspective to those who have significant experience in the sector.

Register or find out more about disability inclusion training.

## Elected Member Representation

Thank you to Deputy Mayor Cr Marion Themeliotis for representing me at:

- Coromandel Community ANZAC Dawn Service

Thank you to Cr Wayne Olsen for representing me at:

- Willunga Golf Club Mayor's Trophy Event
- McLaren Vale RSL ANZAC Dawn Service

Thank you to Cr Geoff Eaton for representing me at:

- City of Port Adelaide Enfield Mayoral invitation to Port Adelaide v South Adelaide
- Iftaar Dinner with Ahmadiyya Muslim Association Noor Mosque Morphett Vale
- Clarendon ANZAC Dawn Service

Thank you to Cr Bill Jamieson for representing me at:

- Port Noarlunga & Christies Beach RSL ANZAC Dawn Service

**This month the following invitations received an apology:**

- Kangarilla ANZAC Dawn Service
- City of Prospect Mayoral invitation to North Adelaide v South Adelaide
- City of Norwood Payneham and St Peters Mayoral invitation to Norwood v South Adelaide
- LG Reconciliation Action Network Group meeting

**Acting Mayor's calendar**

The Acting Mayor and Deputy Mayor's activities between 9 April and 13 May are reflected below:

Acting Mayor McMahon's calendar 9 April to 13 May

| April | |
|---|---|
| 9 | Visit Hub Gymnastics |
| 9 | Open Fancy Pants Installation at the Thalassa Park Storybook Walk |
| 9 | Christies Beach Sailing Club Season Closing Day |
| 10 | Community Open Rounds grants 'pitch' event |
| 11 | Met with Seaford Lions Club |
| 11 | Visit Noarlunga United Soccer Club |
| 12 | Council Meeting |
| 13 | Visit The Smith Family at Morphett Vale Primary School |
| 13 | McLaren Vale Township Planning Review Project Steering Group |
| 13 | Radio Interview: ABC 89.1 |
| 13 | Stoneyhill Park upgrade public consultation |
| 13 | SUNA Court Celebration |
| 14 | Radio Interview: CoastFM |
| 19 | Visit Christies Beach Football Club |
| 20 | Visit McLaren Vale RSL |
| 20 | Met with OnkaStompa |
| 20 | First Nation Peoples Advisory Group meeting |
| 21 | Met with Catherine Hutchesson MP, Member for Waite |

| | |
|---|---|
| 22 | McLaren Vale Township Planning Review Project Steering Group |
| 22 | Christie Downs Community House Twilight Fair |
| 22 | Southern Districts Baseball Club Annual Senior Presentations |
| 22 | St Andrews Greek Orthodox Parish Good Friday Walk |
| 23 | Open Wirtgen Group Centrals Junior Tour of SA – McLaren Vale |
| 24 | Morphett Vale & Districts RSL ANZAC Sunday Service |
| 24 | Open 20th Youth Vigil in the South |
| 25 | Aldinga ANZAC Unknown Soldier Dawn Service |
| 25 | Morphett Vale & Districts RSL ANZAC Dawn Service |
| 25 | Clarendon ANZAC Dawn Service |
| 25 | Visit Port Noarlunga & Christies Beach RSL |
| 26 | Special Council meeting |
| 26 | Elected Member session |
| 27 | Can:Do South site visit |
| 28 | Met with Helen Oxenham from Spirit of Woman |
| 28 | Launch of ACT by Zonta Club of Noarlunga Southern Vales |
| 28 | Bolton Court and Developers meeting |
| 29 | Met with volunteers for Birdlife Australia's Beach-nesting Birds Program |
| 29 | Raising of Aboriginal Flag at Flagstaff Hill |
| 29 | Flagstaff Community Centre visit |
| 30 | Willunga Recreation Park Jigsaw Mania event |

| May | |
|---|---|
| 2 | Met with Mayor Kris Hanna, City of Marion |
| 2 | Attend LGA GAROC committee meeting |
| 2 | Met with Minister for Education, the Hon Blair Boyer MP |
| 3 | Met with resident |
| 3 | Strategic Directions Committee |
| 4 | Met with Liberal Candidate for Mayo, Allison Bluck |
| 4 | Met with Friends of Moana Sands Conservation Park |
| 4 | Domestic & Family Violence Vigil |

| | |
|---|---|
| 5 | Met with Senator Andrew McLachlan CSC and Kathleen Bourne, Liberal Candidate for Kingston |
| 6 | Radio Interview – TribeFM |
| 6 | Tour of Hopgood Theatre |
| 6 | Met with Amanda Rishworth MP, Federal Member for Kingston |
| 6 | Farewell for Scott Ashby and Erin Thompson |
| 7 | Healthy Cities Onkaparinga Community Forum: Water Security, Environment and Health |
| 9 | Mount Bold Dam upgrades announcement |
| 9 | Audit and Risk Committee meeting |
| 10 | Met with Hub Gymnastics |
| 10 | Elected Member Session |
| 11 | Met with Port Noarlunga & Christies Beach RSL |
| 11 | Met with resident |
| 11 | Affordable Onkaparinga Forum |
| 12 | Radio Interview – CoastFM |
| 12 | Met with resident |
| 12 | Clarendon Recreation Ground upgrade community consultation |
| 13 | Thalassa Park Trust meeting |

## Deputy Mayor Themeliotis' calendar 9 April to 13 May

| April | |
|---|---|
| 12 | Council Meeting |
| 25 | Coromandel Community ANZAC Dawn Service |
| 26 | Special Council meeting |
| 26 | Elected Member session |
| 27 | Flagstaff Community Centre meeting |
| 28 | Met with Helen Oxenham from Spirit of Woman |
| 28 | Launch of ACT by Zonta Club of Noarlunga Southern Vales |
| 28 | Bolton Court and Developers meeting |
| 29 | Raising of the Indigenous Flag at Flagstaff Hill |
| 29 | Flagstaff Community Centre visit |

| May | |
|---|---|
| 3 | YWCA Encore Program |
| 3 | Strategic Directions Committee |
| 9 | Onkaparinga Northern Community Forum Kingston Meet the Candidates |
| 10 | Met with Hub Gymnastics |
| 10 | Elected Member Session |
| 11 | Coromandel Community Centre meeting |
| 12 | Clarendon Masterplan workshop |

Thank you.



**Simon McMahon**
**Acting Mayor**

Recommendation

**That Council note the 17 May 2022 Acting Mayor's report.**

# 6. Presentations

## 6.1 PRESENTATION OF 2021-22 LGA WORK HEALTH AND SAFETY BEST PRACTICE AWARD

Presentation of award for 'The Smart Plate'.

# 7. Deputations

## 7.1 DEPUTATION – EMMA MURRAY – REFURBISHMENT OF THE PAUL MURRAY RECREATION CENTRE

Request form shown below.

**Request for Deputation**

*(If a deputation is approved this form will be published in the relevant Council or Committee agenda)*

**I hereby request to be heard at the Council meeting on 17 May 2022**

**OR the** *Choose an item.* **Committee meeting on** *Click or tap to enter a date.*

Name: *Emma Murray*

I will be speaking on my own behalf: ☐

**OR**

I will be speaking as the spokesperson of a group of persons: ☒
If so, please advise name of group and name of person authorising on behalf of the group:

*Hub Gymnastics Club*

*Marie Moran – President*

| |
|---|
| **The topic or issue I wish to speak about is:** *(please give sufficient details of the matter to enable consideration of your request for a deputation)*<br>*Extension and refurbishment of the Paul Murray Recreation Centre. Deputation goes alongside a motion being raised.* |
| **The relevance to Council in relation to the subject matter is:**<br>*Council support / funding sought* |
| **What expectations do you have of Council as a result of this deputation?**<br>*Funding sought* |
| **What benefit will be delivered to the general community as a result of this deputation?**<br>*Increased membership / participation in venue, additional employment opportunities down south and ability to host events and bring people to the southern suburbs.* |

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# 8. Presentation by Committee chairpersons and reports to Council by Council Committees

## 8.1 STRATEGIC DIRECTIONS COMMITTEE MEETING MINUTES OF 3 MAY 2022

| Report contact | Meeting |
|---|---|
| Sue Hammond, Council and Committee Meeting Coordinator<br>8384 0747 | Council |
| **Approving officer** | **Date** |
| David Stobbe, Director Corporate | 12 April 2022 |

### 1. Purpose

A meeting of the Strategic Directions Committee meeting was held on 3 May 2022.

The agenda for this meeting is available on the website here

Item 11.1 is a confidential item and will be considered at item 14.4 of this agenda.

There are no items that require a resolution of Council. This report is for noting only.

### 2. Recommendations

**That Council note the minutes of the Strategic Directions Committee meeting held on 3 May 2022 as attached to the agenda report.**

### 3. Attachments

Attachment 1 – Minutes of the Strategic Directions Committee meeting of 3 May 2022 (6 pages)

- END OF REPORT –

CITY OF ONKAPARINGA

# MINUTES

## Strategic Directions Committee meeting 3 May 2022

| | |
|---|---|
| VENUE: | Council Chamber<br>Civic Centre, Ramsay Place, Noarlunga Centre |
| MEETING COMMENCED: | 6.30pm |
| PRESENT: | Cr Themeliotis (Chair)<br>Cr Bray<br>Cr Brown (electronically 7.05pm, left 8.54pm)<br>Cr de Graaf<br>Cr Eaton<br>Cr Greaves<br>Acting Mayor McMahon<br>Cr O'Brien<br>Cr Olsen<br>Cr Peat (electronically, left 9.06pm)<br>Cr Tonkin |
| APOLOGIES: | Cr Jamieson |
| LEAVE OF ABSENCE: | Nil |
| ABSENT: | Nil |

## 1. Opening of meeting

Cr Themeliotis officially declared the meeting open at 6.30pm.

## 2. Confirmation of minutes

*MOVED Acting Mayor McMahon.*

*That the minutes of the proceedings of the Strategic Directions Committee meeting held on 5 April 2022 be received and confirmed as an accurate record of those proceedings.*

*Seconded by Cr O'Brien.*

*CARRIED*

## 3. Adjourned business

Nil.

## 4. Chairperson's Report

Nil.

## 5. Presentations

### 5.1 FLEURIEU CONNECTIONS UPDATE – PROJECT ALLIANCE AND DEPARTMENT FOR INFRASTRUCTURE AND TRANSPORT

Wayne Buckerfield, Matt Hogan, Mark Latham and Stephanie Hensgen gave a presentation and answered questions from elected members in relation to the Fleurieu Connections project.

Cr Brown entered the meeting electronically at 6.35pm.

Cr Olsen left his seat in the Chamber at 7.09pm.

Cr Olsen resumed his seat in the Chamber at 7.10pm.

## 6. Deputations

### 6.1 DEPUTATION – MARIA BUCHANAN – PROPOSED UPGRADE OF STURT LANE HACKHAM

Maria Buchanan gave a deputation and answered questions from elected members in relation to the proposed upgrade of Sturt Lane Hackham.

## 7. Reports of officers

### 7.1 ONKAPARINGA BUSINESS GRANTS REVIEW 2021-22

*MOVED Cr Eaton.*

*That the Strategic Directions Committee notes outcomes of the Onkaparinga Business Grants review.*

*Seconded by Cr O'Brien.*

*Cr Bray MOVED an AMENDMENT.*

1. *That the Strategic Directions Committee notes outcomes of the Onkaparinga Business Grants review.*
2. *That the grant pool be halved for the next round and then the funding terminated.*

Cr de Graaf left her seat in the Chamber at 7.37pm.

Cr de Graaf resumed her seat in the Chamber at 7.39pm.

*LAPSED for want of a seconder*

Cr Olsen left his seat in the Chamber at 7.51pm.

Cr Greaves left her seat in the Chamber at 8pm.

Cr Greaves resumed her seat in the Chamber at 8.02pm.

*The original MOTION was PUT and CARRIED.*

### 7.2 2021-22 ONKAPARINGA GRANTS – ROUND TWO FUNDING RECOMMENDATIONS

*MOVED Cr Eaton.*

*That the Strategic Directions Committee approves the allocation of $87,490 in cash for the Round Two of the 2021-22 Onkaparinga Grants program as summarised in this report and detailed in attachments 1 and 2 to the agenda report:*

- *Community Grants – Small Equipment Purchases $37,284*
- *Community Grants – Community Land and Facility Improvements $50,206*

Cr de Graaf declared a perceived conflict of interest as a volunteer on some of the community groups in this matter. Cr de Graaf stated she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering and voting on the matter and chose to remain in the meeting.

*Seconded by Cr Brown.*

Cr Olsen resumed his seat in the Chamber at 8.07pm.

*Cr Olsen MOVED an AMENDMENT.*

*That the Strategic Directions Committee approves the allocation of $87,490 in cash for the Round Two of the 2021-22 Onkaparinga Grants program as summarised in this report and detailed in attachments 1 and 2 to the agenda report:*

- *Community Grants – Small Equipment Purchases $37,284*
- *Community Grants – Community Land and Facility Improvements $50,206*
- *That the Church of Christ SA & NT be funded $1200 for their defibrillator as per other grants for defibrillators.*

*Seconded by Cr Tonkin.*

*The AMENDMENT was PUT and CARRIED.*

Cr de Graaf voted for the amendment.

*The MOTION, thus AMENDED, was PUT and CARRIED.*

Cr de Graaf voted for the motion.

Cr O'Brien left his seat in the Chamber at 8.24pm.

## 7.3 CHANGES TO THE ONKAPARINGA GRANTS PROGRAM

Acting Mayor McMahon left his seat in the Chamber at 8.25pm.

*MOVED Cr Eaton.*

*That the Strategic Directions Committee approves:*

1. *Changes to the Grants Policy as detailed in attachment 1 to the agenda report*
2. *Changes to the following grant guidelines:*
    a) *Community Grants – Community Land and Facility Improvements as detailed in attachment 2 to the agenda report*
    b) *Community Grants – Small Equipment Purchases as detailed in attachment 3 to the agenda report*
    c) *Community Grants – Community Events as detailed in attachment 4 to the agenda report*
    d) *Community Grants – Community Open Round as detailed in attachment 5 to the agenda report*
    e) *Major Festivals and Events grants as detailed in attachment 6 to the agenda report*
    f) *Onkaparinga Business Grants as detailed in attachment 7 to the agenda report.*

Acting Mayor McMahon resumed his seat in the Chamber at 8.27pm.

Cr O'Brien resumed his seat in the Chamber at 8.27pm.

*Seconded by Cr Greaves.*

*CARRIED*

## 7.4 TOWARDS ZERO CORPORATE EMISSIONS TARGET AND ROADMAP

*MOVED Cr Greaves.*

*That the Strategic Directions Committee:*

1. *Approve the Towards Zero Corporate Emissions Roadmap in attachment 1 to the agenda report that includes the target: To reduce our corporate emissions by 80 per cent by 2030 based on 2010-11 levels, noting that we have already reduced our emissions by 47 per cent.*
2. *Approve the guidelines in attachment 4 to the agenda report for the operation of the Revolving Resources Fund.*

*Seconded by Cr Eaton.*

Cr Brown left the meeting at 8.39pm.

Cr Brown returned to the meeting 8.42pm.

Cr Brown left the meeting at 8.42pm.

Cr Brown returned to the meeting at 8.54pm.

Cr Brown disconnected from the meeting at 8.54pm.

*CARRIED*

At 8.59pm Cr Themeliotis sought and was granted leave of the meeting to continue the meeting with no break.

### 7.5 COUNCIL AND COMMITTEE REPORTING SCHEDULE

*MOVED Cr Eaton.*

*That the Strategic Directions Committee notes the agenda report and Reporting Schedules (attachments 1 and 2 to the agenda report).*

*Seconded by Cr de Graaf.*

*CARRIED*

## 8. Questions on notice

Nil.

## 9. Motions on notice

Nil.

## 10. Petitions

Nil.

## 11. Urgent business

### 11.1 URGENT BUSINESS – CONFIDENTIAL UPDATE – CORPORATE MATTER

*1. Exclusion of the public*

*MOVED Cr Eaton.*

*That:*

*a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*

*b. the Strategic Directions Committee (the Committee) is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Committee to consider the matter at the meeting on the following grounds:*

*Section 90(3)(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.*

*c. accordingly, on this basis the principle that meetings of the Committee should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

*Seconded by Cr Greaves.*

*CARRIED*

2. *Confidential resolution*

Cr Peat disconnected from the meeting at 9.06pm.

3. *Period of confidentiality and delegations*

*MOVED Cr Greaves.*

a. *That the matter of Urgent Business – Confidential Update – Corporate Matter having been considered by the Committee in confidence under sections 90(2) and 90(3)(e) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the discussion and minutes of the Committee relating to the subject matter be kept confidential.*

b. *That, pursuant to section 91(9)(a) of the Local Government Act 1999, the Committee delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.*

c. *That, pursuant to section 91(9)(c) of the Local Government Act 1999, the Committee delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.*

*Seconded by Acting Mayor McMahon.*

*CARRIED*

## 12. Confidential items

Nil.

Cr Themeliotis reopened the meeting to the public at 9.19pm.

## 13. Closure

Cr Themeliotis officially declared the meeting closed at 9.19pm.

*Certified Correct .....Chair*

/ /2022

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## 8.2 AUDIT AND RISK COMMITTEE MEETING MINUTES OF 9 MAY 2022

| Report contact | Meeting |
|---|---|
| Sue Hammond, Council and Committee Meeting Coordinator | Council |
| 8384 0747 | |
| **Approving officer** | **Date** |
| David Stobbe, Director Corporate | 17 May 2022 |

### 1. Purpose

A meeting of the Audit and Risk Committee meeting was held on 9 May 2022.

The agenda for this meeting is available on the website here

Item 12.3 is a confidential item and will be considered at item 14.5 of this agenda.

The below items require a resolution of Council.

### 2. Recommendations

1. **Re item 7.3 Accounting Policy: Employee Leave Provisions**

   **That Council approve:**

   - **That the Audit and Risk Committee review the Accounting Policy: Employee leave provisions, as shown in attachment 1 to the agenda report,**
   - **That the period of review be annually and consider the previous five years' leave usage.**

2. **Re item 7.4 Quarterly Financial update including Budget Review 3**

   **That Council approve:**

   - **that all future budget reviews will show the actual and variance against the latest approved budget review.**

3. **That Council note the minutes of the Audit and Risk Committee meeting held on 9 May 2022 as attached to the agenda report.**

### 3. Attachments

Attachment 1 – Minutes of the Audit and Risk Committee meeting of 9 May 2022 (19 pages)

- END OF REPORT –

CITY OF ONKAPARINGA

# MINUTES

## Audit and Risk Committee meeting 9 May 2022

| | |
|---|---|
| VENUE: | Council Chamber<br>Civic Centre, Ramsay Place, Noarlunga Centre |
| MEETING COMMENCED: | 3pm |
| PRESENT: | Emma Hinchey (Chair)<br>Corinne Garrett (electronically) (left 6.02pm)<br>Peter Brass (electronically)<br>Cr Eaton<br>Acting Mayor McMahon |
| APOLOGIES: | Nil |
| LEAVE OF ABSENCE: | Nil |
| ABSENT: | Nil |

## 1. Opening of meeting

Emma Hinchey officially declared the meeting open at 3pm.

## 2. Confirmation of minutes

*MOVED Acting Mayor McMahon.*

*That the minutes of the proceedings of the Audit and Risk Committee meeting held on 14 February 2022 be received and confirmed as an accurate record of those proceedings.*

*Seconded by Corinne Garrett.*

*CARRIED*

## 3. Adjourned business

Nil.

## 4. Chairperson's Report

Nil.

## 5. Presentations

Nil.

## 6. Deputations

Nil.

## 7. Reports of officers

### 7.1 EXTERNAL AUDIT PLAN 2021-22

David Papa and Kathy Prus from Bentleys were in attendance for this item.

*MOVED Peter Brass.*

*That the Audit and Risk Committee note the 2021-22 external audit plan received from Bentleys as presented in attachment 1 to the agenda report.*

*Seconded by Corinne Garrett.*

*CARRIED*

### 7.2 END OF FINANCIAL YEAR REPORTING TIMETABLE 2021-22

David Papa and Kathy Prus from Bentleys were in attendance for this item.

*MOVED Cr Eaton.*

*That the Audit and Risk Committee note the contents of the draft end of year timetable for the year ending 30 June 2022, as shown at attachment 1 to the agenda report.*

*Seconded by Acting Mayor McMahon.*

*CARRIED*

## 7.3 ACCOUNTING POLICY: EMPLOYEE LEAVE PROVISIONS

David Papa and Kathy Prus from Bentleys were in attendance for this item.

*MOVED Peter Brass.*

*That the Audit and Risk Committee recommend to Council:*

- *That the Audit and Risk Committee review the Accounting Policy: Employee leave provisions, as shown in attachment 1 to the agenda report,*
- *That the period of review be annually and consider the previous five years' leave usage.*

*Seconded by Acting Mayor McMahon.*

*CARRIED*

## 7.4 QUARTERLY FINANCIAL UPDATE INCLUDING BUDGET REVIEW 3

*MOVED Corinne Garrett.*

- *That the Audit and Risk Committee note the financial update for the period to 31 March 2022 provided in the agenda report and in the Quarterly Financial Update as at 31 March 2022 (Attachment 1 to the agenda report) and the Forecast Financial Statements (Attachment 2 to the agenda report) and the Summary of Operating and Capital Forecasts – All Budget Reviews (Attachment 3 to the agenda report).*
- *That the Audit and Risk Committee recommend to Council that all future budget reviews will show the actual and variance against the latest approved budget review.*

*Seconded by Cr Eaton.*

*CARRIED*

## 7.5 AUDIT AND RISK COMMITTEE ACTIONS ARISING

*MOVED Acting Mayor McMahon.*

*That the Audit and Risk Committee note the status of actions arising from the last meeting contained in Attachment 1 to the agenda report.*

*Seconded by Corinne Garrett.*

*CARRIED*

## 7.6 INTERNAL AUDIT QUARTERLY UPDATE

Acting Mayor McMahon left his seat in the Chamber at 4.04pm.

Acting Mayor McMahon resumed his seat in the Chamber at 4.06pm.

Eric Beere and Heather Martins from KPMG were in attendance for this item.

*MOVED Cr Eaton.*

*That the Audit and Risk Committee:*

1. *Receives and notes the Internal Audit Quarterly Update report, including:*
    - *the Internal Audit Charter and Plan 2021-24 as contained in Attachment 1 to the agenda report;*
    - *the status of actions from Internal Audits attached as Attachment 2 to the agenda report.*

- *the status of the Internal Audit progress update from KPMG attached as Attachment 3 to the agenda report;*

2. *Receives and notes the draft Strategic Asset Management Internal Audit Scope as contained in Attachment 4 to the agenda report, providing the following feedback/comments:*

   *[to be inserted at the meeting]*

*Seconded by Corinne Garrett.*

*CARRIED*

Emma Hinchey sought and was granted leave of the meeting to bring forward confidential item 12.1 at this point.

## 12.1 INTERNAL AUDIT REPORT - PROCUREMENT

1. *Exclusion of the public*

*MOVED Cr Eaton.*

*That:*

a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*

b. *the Audit and Risk Committee (the Committee) is satisfied that it is necessary that the public, with the exception of staff on duty and Heather Martens and Eric Beere of KPMG, be excluded to enable the Committee to consider the report at the meeting on the following grounds:*

   *Section 90(3)(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.*

   *The information contained within this report contains confidential information relating to procurement processes that have been audited and the disclosure of which could prejudice the Council's position.*

c. *accordingly, on this basis the principle that meetings of the Committee should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

*Seconded by Acting Mayor McMahon.*

*CARRIED*

Eric Beere and Heather Martins from KPMG were in attendance for this item.

2. *Confidential resolution*

*MOVED Acting Mayor McMahon.*

1. *That the Audit and Risk Committee receive and note the Procurement Internal Audit report provided as Attachment 1 to the agenda report.*

2. *That the implementation of the agreed audit actions will be monitored and reported to the Audit and Risk Committee on a quarterly basis through the Internal Audit Quarterly Update report.*

*Seconded by Cr Eaton.*

*CARRIED*

*3. Period of confidentiality and delegations*

*MOVED Cr Eaton.*

*a. That the matter of Internal Audit Report - Procurement having been considered by the Committee in confidence under sections 90(2) and 90(3)(e) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the agenda report, related attachments, discussion and minutes of the Committee relating to the subject matter be kept confidential until 31 December 2022, pending a report coming back to the Audit and Risk Committee to ensure the process is secure.*

*b. That, pursuant to section 91(9)(a) of the Local Government Act 1999, the Committee delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub delegate.*

*c. That, pursuant to section 91(9)(c) of the Local Government Act 1999, the Committee delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub delegate.*

*Seconded by Acting Mayor McMahon.*

*LOST*

*MOVED Corinne Garrett.*

*a. That the matter of Internal Audit Report - Procurement having been considered by the Committee in confidence under sections 90(2) and 90(3)(e) of the Local Government Act 1999 that the agenda report, related attachments and minutes of the Committee relating to the subject matter be released.*

*b. That the matter of Internal Audit Report - Procurement having been considered by the Committee in confidence under sections 90(2) and 90(3)(e) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the discussion of the Committee relating to the subject matter be kept confidential until 31 December 2022.*

*Seconded by Peter Brass.*

*CARRIED*

*MOVED Corinne Garrett.*

*c. That, pursuant to section 91(9)(a) of the Local Government Act 1999, the Committee delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub delegate.*

*D. That, pursuant to section 91(9)(c) of the Local Government Act 1999, the Committee delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub delegate.*

*Seconded by Peter Brass.*

*CARRIED*

Emma Hinchey sought and was granted leave of the meeting to bring forward item 7.9 at this point.

## 7.9 STRATEGIC RISK REVIEW

*MOVED Peter Brass.*

1. *That the Audit and Risk Committee receive and note the Strategic Risk Report provided at Attachment 1 to the agenda report.*
2. *That the Audit and Risk Committee notes that that the strategic risks identified in the report will be monitored and reported to the Audit and Risk Committee as per the Audit and Risk Committee's Workplan.*

*Seconded by Acting Mayor McMahon.*

*CARRIED*

Emma Hinchey sought and was granted leave of the meeting to bring forward item 7.10 at this point.

## 7.10 2021-22 AUDIT AND RISK COMMITTEE ANNUAL PERFORMANCE REVIEW SURVEY RESULTS

*MOVED Corinne Garrett.*

1. *That the Audit and Risk Committee receive and note the 2021 22 Audit and Risk Committee Annual Performance Review Survey Results Report and the survey results (Attachment 1 to the agenda report).*
2. *That the Audit and Risk Committee, in relation to the 2021-22 Annual Performance Review Survey Results (Attachment 1 to the agenda report), provides the following feedback for consideration:*
   - 
3. *That the 2021-22 Audit Risk Committee Annual Performance Review Survey Results Report and its attachment be presented to Council.*

*Seconded by Peter Brass.*

*CARRIED*

## 7.7 AUDIT AND RISK COMMITTEE WORKPLAN UPDATE

*MOVED Acting Mayor McMahon.*

*That the Audit and Risk Committee receive and note the revised Workplan included as Attachment 1 to the agenda report.*

*Seconded by Cr Eaton.*

*CARRIED*

## 7.8 CORPORATE GOVERNANCE QUARTERLY UPDATE

*MOVED Cr Eaton.*

*That the Audit and Risk Committee receive and note the agenda report.*

*Seconded by Corinne Garrett.*

*CARRIED*

## 8. Questions on notice

Nil.

## 9. Motions on notice

Nil.

## 10. Petitions

Nil.

## 11. Urgent business

Nil.

## 12. Confidential items

### 12.2 2021-22 INTERNAL FINANCIAL CONTROLS SELF ASSESSMENT

Corinne Garrett left the meeting at 6.02pm.

1. *Exclusion of the public*

*MOVED Acting Mayor McMahon.*

*That:*

a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*

b. *the Audit and Risk Committee (the Committee) is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Committee to consider the report at the meeting on the following grounds:*

   *Section 90(3)(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.*

   *The information contained within this report contains confidential information relating to payroll and debtor controls that have been assessed and the disclosure of which could prejudice the Council's position.*

c. *accordingly, on this basis the principle that meetings of the Committee should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

*Seconded by Peter Brass.*

*CARRIED*

2. *Confidential resolution*

*MOVED Acting Mayor McMahon.*

a. *That the Audit and Risk Committee receive and note the 2021-22 Internal Financial Control Self-Assessment Report and Action Plans provided as Attachment 1 to the agenda report.*

b. *That the Audit and Risk Committee note that progress on the implementation of the agreed action plans will be monitored and reported to the Committee on a quarterly basis through the Internal Audit Quarterly update report.*

*Seconded by Cr Eaton.*

*CARRIED*

*3. Period of confidentiality and delegations*

*MOVED Cr Eaton.*

a. *That the matter of the 2021-22 Internal Financial Controls Self Assessment having been considered by the Committee in confidence under sections 90(2) and 90(3)(e) of the Local Government Act 1999 that the agenda report, related attachments, discussion and minutes of the Committee relating to the subject matter be released.*

b. *That, pursuant to section 91(9)(a) of the Local Government Act 1999, the Committee delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub delegate.*

c. *That, pursuant to section 91(9)(c) of the Local Government Act 1999, the Committee delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub delegate.*

*Seconded by Peter Brass.*

*CARRIED*

## 12.3 INTERNAL AUDIT ACTION ITEMS

*1. Exclusion of the public*

*MOVED Cr Eaton.*

*That:*

a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*

b. *the Audit and Risk Committee (the Committee) is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Committee to consider the report at the meeting on the following grounds:*

   *Section 90(3)(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.*

   *The reason for confidentiality is due to the nature of the action items resulting from the internal audit.*

c. *accordingly, on this basis the principle that meetings of the Committee should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

*Seconded by Acting Mayor McMahon.*

*CARRIED*

2. *Confidential resolution*

3. *Period of confidentiality and delegations*

*MOVED Acting Mayor McMahon.*

a. *That the matter of Internal Audit Action Items having been considered by the Committee in confidence under sections 90(2) and 90(3)(e) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the agenda report, related attachments, discussion and minutes of the Committee relating to the subject matter be kept confidential until 30 June 2023.*

b. *That, pursuant to section 91(9)(a) of the Local Government Act 1999, the Committee delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub delegate.*

c. *That, pursuant to section 91(9)(c) of the Local Government Act 1999, the Committee delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub delegate.*

*Seconded by Cr Eaton.*

*CARRIED*

Emma Hinchey reopened the meeting to the public at 6.14pm.

## 13. Closure

Emma Hinchey officially declared the meeting closed at 6.14pm.

*Certified Correct .....Chair*

/ /2022

CITY OF ONKAPARINGA

# 2021/22 Audit and Risk Committee

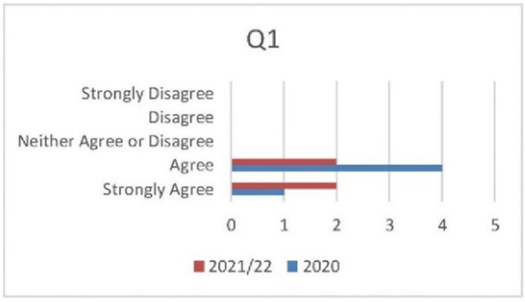
## Annual Performance Review Survey results

**Number of respondents: 4** (out of a possible 5)

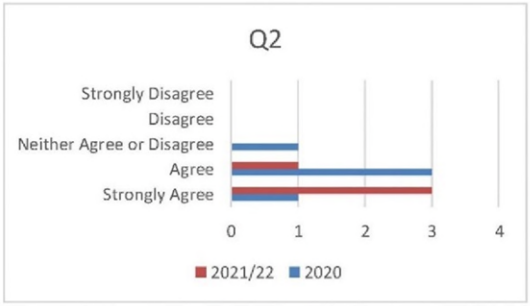
2020 results – These are shown in blue from 5 respondents where relevant (comments not included).

**Establishment of the Committee**

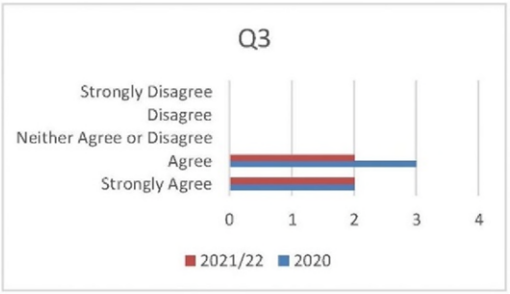
1. The Terms of Reference (ToR) of the Audit and Risk Committee (the Committee) provide clear direction on the role, function and powers of the Committee and its oversight responsibilities on behalf of Council.




2. The process for the review of the Committee's ToR includes: an opportunity for the Committee to review the ToR and recommend amendments to Council and review and adoption of the ToR by Council (usually at the end of each year). In addition, the Committee may, at any other time, make recommendations to Council to amend the ToR if it is of the opinion that the amendments are necessary to improve the operation of the Committee. The current process for the review of the ToR is adequate and appropriate.




3. The Committee, as a whole, is adequately qualified and appropriate to discharge its responsibilities on behalf of Council. (e.g. financial literacy and skills, risk management expertise, understanding of the issues affecting the City of Onkaparinga and local government as an industry).

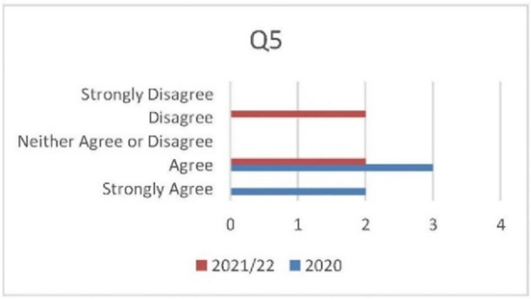



4. Please use the box below to provide below any comments or feedback that you may have in relation to the Committee's ToR or membership.

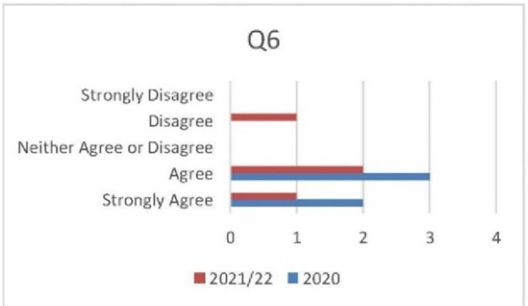
| # | RESPONSES |
|---|---|
| 1 | There has been much improvement in the work program and information provided. |
| 2 | ToR are appropriate and members are well experienced and highly skilled. |
| 3 | I do not have any issues with the current terms of reference. I would like the committee to have a more pro-active role in that they seek random audits be undertaken on topical issues. |

**Meetings and Agendas**

5. The arrangements for Committee meetings are adequate and appropriate. (i.e. frequency, time of day, duration, venue, format, administrative support, etc.).

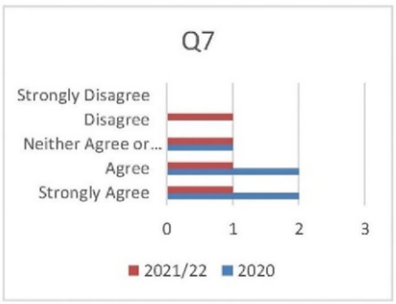



6. The appropriate internal and external stakeholders attend meetings as necessary and add value to the Committee's discussions. (eg CEO, Directors, managers, external and internal audit representatives, other staff responsible for reports).

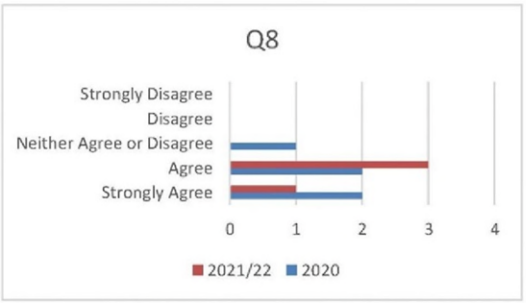



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7. The papers provided to the Committee are appropriate and sufficient to enable informed discussion and decision making at meetings. (eg meeting agendas, reports and supporting documentation).




8. The Work plan is appropriate and comprehensive enough to ensure the Committee executes its responsibilities in accordance with the ToR.

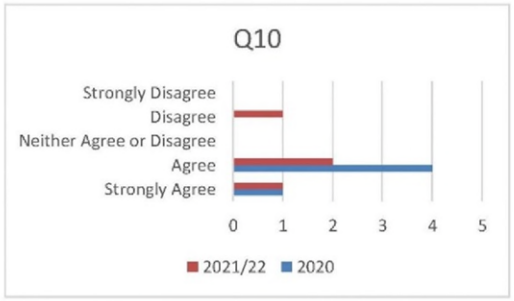



9. Please use the box below to provide below any comments or feedback that you may have in relation to the arrangements for Committee meetings and the annual work plan?

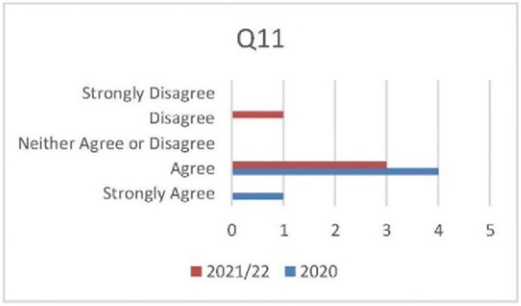
| # | RESPONSES |
|---|---|
| 1 | The work plan has improved. I believe the CEO and the Mayor should attend each meeting to provide a better link back to council. |
| 2 | Consideration be given to move start time of meetings to allow face-to-face participation. |
| 3 | On occasion, the contents of the papers have been lacking. E.g. reports not provided, information provided minutes before the meeting, inadequately completed frameworks, etc. |
| 4 | No issue to raise in this area. We could though consider a later starting time as future members may not be available earlier due to work commitments. |

**Financial reporting**

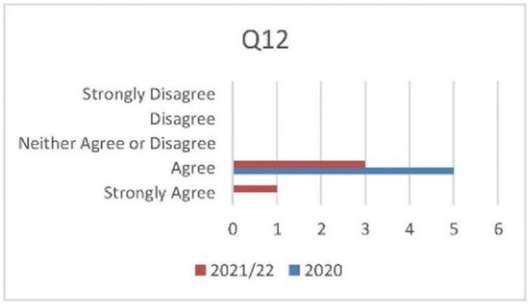
10. The Committee has adequate opportunity to review the annual Financial Statements to ensure that they present fairly the state of affairs of the council and are in accordance with relevant accounting standards.




11. The Quarterly Financial Update report provides the Committee with adequate opportunity to review and provide comment on the actual financial performance information provided to Council, its compliance with financial management regulations and its implications for longer-term financial planning and sustainability and the appropriateness of Council's strategic financial decision making models and processes.




12. The Committee has achieved its objectives, as set out in the ToR, in regard to financial reporting.

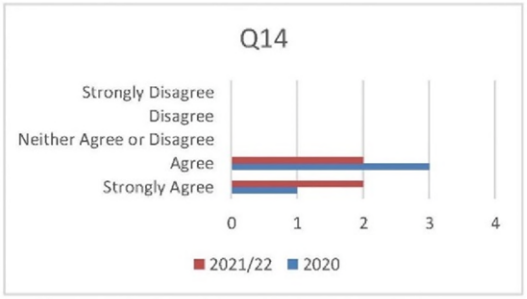



13. Please use the box below to provide below any comments or feedback that you may have in relation to the Committee's consideration of matters related to financial reporting and sustainability

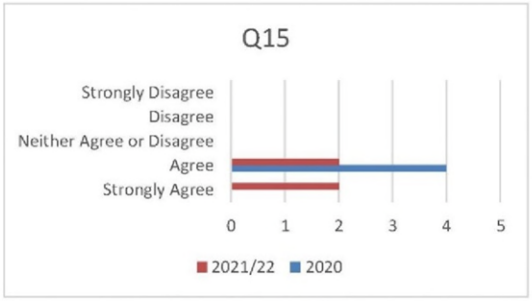
| # | RESPONSES |
|---|---|
| 1 | Concerned about conflict between finance staff and expectations of external auditor. |
| 2 | Improvement in Budget Review reporting has assisted decision making of the Committee. |
| 3 | The ABP was only reviewed on time last year as a very late addition and required a special meeting as it was not included in the scheduled meeting agenda. The format and content of the quarterly budget reviews is not in line with general practice of other SA councils. |

**Risk management and internal controls**

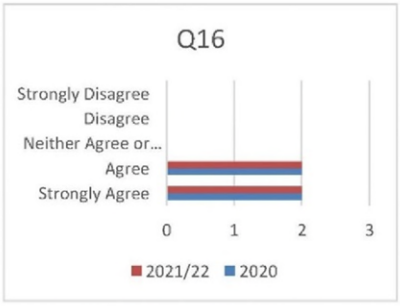
14. The Committee has reviewed Council's risk profile and the processes implemented to monitor and manage risk exposures.




15. The internal financial control self-assessment process and the external auditor's internal control audit provide sufficient assurance that the financial controls are adequate and operating as intended. [NB - 1 respondent did not reply in 2020].




16. The Committee has achieved its objectives, as set out in the ToR, in regard to internal control and risk management systems including review and evaluate the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis. [NB - 1 respondent did not reply in 2020].



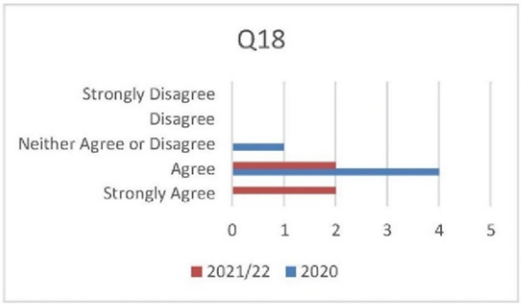

17. Please use the box below to provide below any comments or feedback that you may have in relation to the Committee's consideration of matters related to internal controls and risk management.

| # | RESPONSES |
|---|---|
| 1 | Risk management plan has significantly improved. |
| 2 | Maturity of risk management is continuing and will assist in decision making. |
| 3 | Risk management is still immature at Onkaparinga. |

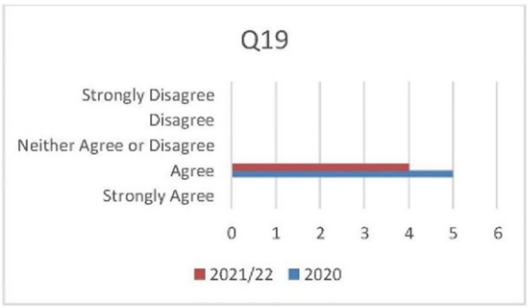
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**Internal audit**

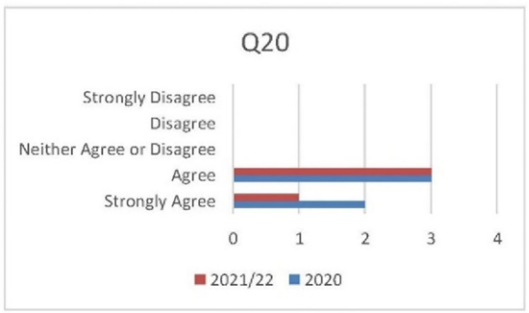
18. The Internal Audit Charter and Plan 2021 - 2024 provides clear and appropriate guidance on the role of the internal audit function and its relationship with the organisation and the Committee.



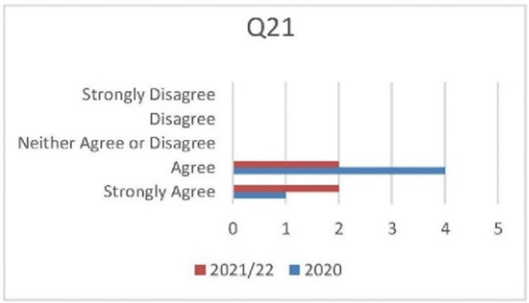

19. The activities in the internal audit work plan adequately address areas of risk and provide assurance to the Committee and Council.



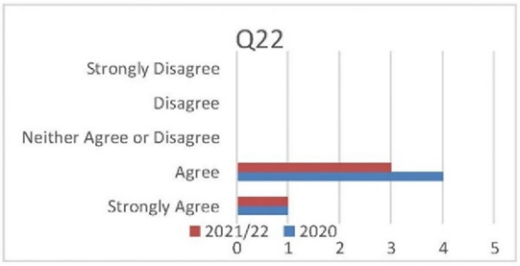

20. The Committee has had adequate opportunity to contribute directly to the development of the internal audit work plan.




21. The level of reporting regarding internal audit activities, the outcomes of internal audits and the implementation of actions is appropriate and allows the Committee to review and comment on internal audit reports.




22. The Committee has achieved its objectives, as set out in the ToR, in regard to internal audit.

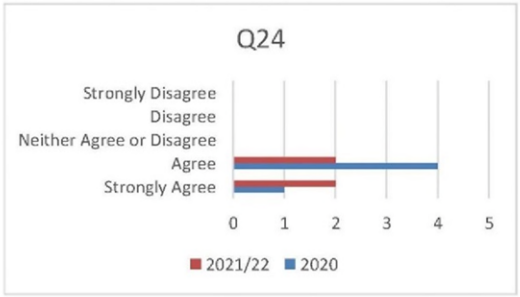



23. Please use the box below to provide below any comments or feedback that you may have in relation to the Committee's consideration of matters related to the internal audit function

| # | RESPONSES |
|---|---|
| 1 | Internal audit reporting has improved. |
| 2 | As indicated earlier I am in favour of random audits without much notice. Many people have been been caught through random unannounced audits. |

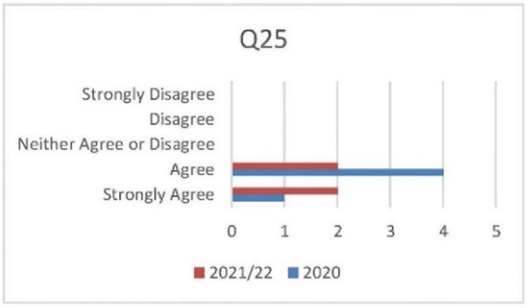
**External audit**

24. The Committee reviews external audit reports on findings from financial and internal controls audits and monitors the implementation of actions being undertaken to address recommendations.

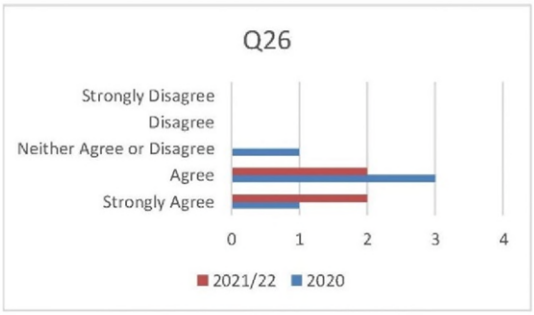



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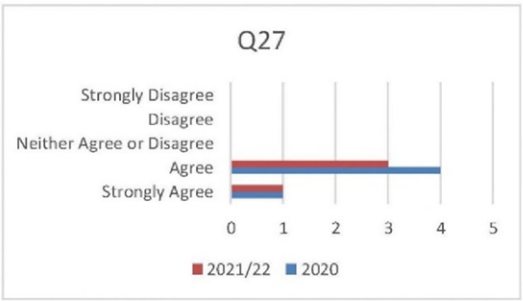
25. The Committee discusses significant findings from the financial and internal controls audits with the external auditor.




26. The Committee has effectively overseen Council's relationship with the external auditor, including: overall performance; appointment, reappointment and removal; approval of remuneration; terms of engagement; independence and objectivity; legislative compliance; qualifications, expertise and resources.




27. The Committee has achieved its objectives, as set out in the ToR, in regard to external audit.



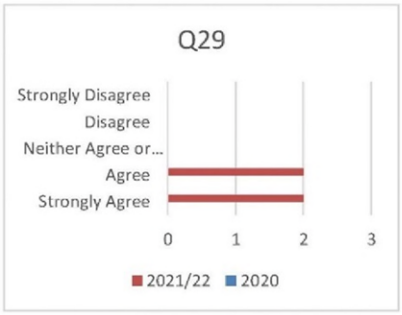

28. Please use the box below to provide below any comments or feedback that you may have in relation to the Committee's consideration of matters related to external audit and the relationship with the external auditor.

| # | RESPONSES |
|---|---|
| 1 | Need for formal performance review of external audit by management and results presented to the Committee. |
| 2 | My observations of this current committee demonstrate are more questioning approach to the previous on. Had the former committee in 2014 and early 18 adopted the more questioning approach that the current committee has then perhaps the issues that occurred at that time may have been prevented or identified earlier. |

8

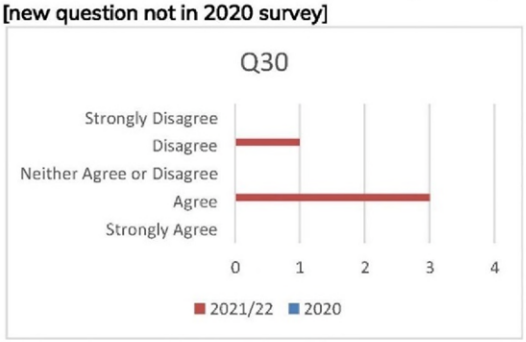
**Prudential reports**

29. The ToR requires the Committee to review any Prudential Report (under section 48(1) Local Government Act). The current reporting allows the Committee to achieve this function. **[new question not in 2020 survey]**



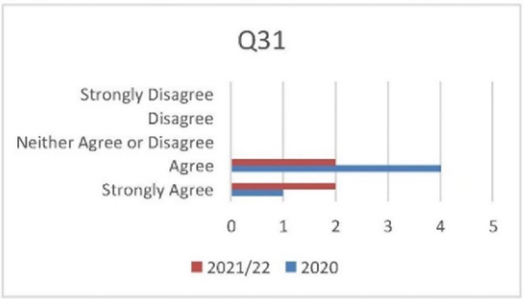

**Strategic Management Plans and Annual Business Plan**

30. The Committee has achieved its objectives, as set out in the ToR in relation to providing information relevant to a review of the Council's strategic management plans and the annual business plan where necessary. **[new question not in 2020 survey]**



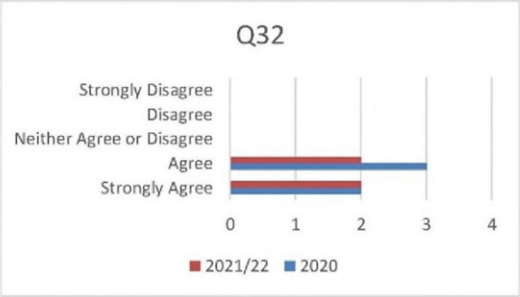

**Annual Performance Review**

31. The Committee's annual performance review survey process is effective and worthwhile.




32. I am satisfied with the overall performance of the Committee over the preceding 12 months.

9




**General Comments on Committee's Performance**

33. Please provide any other comments or feedback that you would like to make in relation to the performance of the Committee, its achievement of the objectives of the Terms of Reference and compliance with the *Local Government Act 1999*.

| # | RESPONSES |
|---|---|
| 1 | There are not enough meetings to ensure that there is adequate time to review the Annual Business Plan prior to it going out to consultation. |
| 2 | Committee is functioning professionally and adding value to the governance of Council. |
| 3 | The current committee (particularly the independent members and chair) are more questioning in their approach. There is good dialogue prior to meetings. |
| 4 | Currently Elected Members have access to the LGA Members Website. They have access due to having a 'council@' email. Audit Committees do not have this same access as they do not have a 'council@' email address. The LGA and they have said they will provide access to the LGA Website only if someone has a 'council@' email address.<br><br>The LGA Members website is a valuable resource of guidance papers and is of particular importance to Audit Committee members for the section on Financial Sustainability. The website also provides updated information on any matters that are currently subject to change. At this point, local government legislation reform area has constant updates. The website also holds the 'Model Financial Statements' which are updated each year and also the 'Better Practice Model' which is the framework for internal financial controls. These documents are very relevant to the role of Audit Committees.<br><br>I feel that it is vital that audit committee members have access to the LGA website to undertake their role appropriately. The LGA has said that they are considering this and councils can provide their audit committee members with information as needed. However the point of independent members is to be able to independently assess a raft of information and reports provided to them. I don't believe they can do this adequately or with independence if they have to wait for staff or reliant on them, to provide the information that is within the LGA Website.<br>I believe there may be some concern by the LGA as many independent Audit Committee members are Council auditors and consultants. I believe all members of Audit Committees would be happy to sign an annual declaration stating that they would treat the IP of information they have access to appropriately and not divulge that information to any councils that are not members of the LGA or any other bodies outside of local government in SA.<br><br>I feel this is an important area for council to consider. If members had a 'council@' address, comments from and between members would also then be captured as official records, which they should be. |

## 8.3 SOUTHERN REGION WASTE RESOURCE AUTHORITY – CONSTITUENT COUNCIL INFORMATION REPORT – BOARD MEETING 4 APRIL 2022

| Report contact | Meeting |
|---|---|
| Kirk Richardson, Director City Operations | Council |
| **Approving officer** | **Date** |
| Julia Grant, Director Strategy and Engagement | 17 May 2022 |

### 1. Purpose

The purpose of this report is to provide Council with the Constituent Council Information Report - Public from the Southern Region Waste Resource Authority (SRWRA) for the Board Meeting held 4 April 2022.

### 2. Recommendations

**That Council notes the Southern Region Waste Resource Authority Constituent Council Information Reports – Public (attachment 1 to the agenda report).**

### 3. Executive summary

The Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary under the Local Government Act 1999 (SA) and is co-managed by its constituent councils, namely the City of Onkaparinga, the City of Marion and the City of Holdfast Bay.

In accordance with the SRWRA Charter there shall be at least six ordinary meetings of the Board held in each financial year. Prior to the conclusion of each meeting of the Board, the Board will identify which agenda items considered by the Board at that meeting will be the subject of an information report to the Constituent Councils.

In accordance with the above, identified agenda items from the Board Meeting held on 4 April 2022 are attached for Members information (Attachment 1).

### 4. Background

| | |
|---|---|
| Community Plan 2030 | **performance:** accountable, efficient, inclusive, sustainable<br>To be open, accountable and transparent in the conduct of our business with outside parties. |
| Policy and/or relevant legislation | Section 2.5.2 of the SRWRA Charter – 2015. |

### 5. Discussion

N/A this report is for information.

## 6. Financial implications

There are no financial considerations as a result of this information report.

## 7. Risk and opportunity management

There are no risks identified for noting this information report.

## 8. Timelines and deadlines

There are no timelines or deadlines for this information report.

## 9. Next steps

Next scheduled SRWRA meeting will be held on 4 April 2022.

## 10. Attachments

Attachment 1 – Public – Constituent Council Information Report 4 April March 2022 (2 pages)

- END OF REPORT –

SRWRA
Southern Region Waste Resource Authority

# Constituent Council Information Report

- PUBLIC -

**Board Meeting Date:** 4 April 2022

**Report By:** Chief Executive Officer

## Report

In accordance with Section 2.5.22 of the *Southern Region Waste Resource Authority Regional Subsidiary Charter - 2015*, the SRWRA Board identified the following Agenda Items to be the subject of a Public Information Report to the Constituent Councils:

| Report Name | Report Summary |
|---|---|
| **Chief Executive Officers Information Report** | **Summary –**<br>Southern Materials Recovery Facility<br>Greg Connor has commenced his 2-year term as Chairperson.<br>The Stage 1 glass plant is commissioned and operational with the glass sand being stockpiled whilst commercial agreements for offtakers are finalised.<br>Stage 2 glass cullet plant is on hold pending the outcome of the CDS review currently being undertaken by the EPA.<br>Business development activities are continuing to attract new customers.<br>Main South Road Compulsorily Acquired Land Valuation Update<br>SRWRA commissioned a land valuation for comparison with the DIT valuation with the valuations being markedly different. A Valuers conference is being arranged to discuss the difference in valuation and reach agreement.<br>IT Improvements<br>Weighbridge software is being reviewed. A cloud-based system is being sought to enable Joint Venture Partners access to their relative data bases for reporting purposes.<br>BoardPro (cloud-based Board reporting software) is being rolled out with its first use being the meeting on 4 April 2022.<br>Website updates are rolling out with improvements to document libraries, menus and content.<br>The SRWRA Board Strategic Workshop has been postponed until mid-2022. |
| **Risk Management Report** | **Summary –**<br>HSE<br>Incidents - SRWRA recorded 22 incidents from 01 July 2021 to 28 February 2022 with all incidents addressed and closed out. A total of 34 incidents occurred in the same period last year. Incident figures include contractor and stakeholders on site such as sideliner installers, SMRF construction labour, mechanical issues with plant |

and 3 fires involving the landfill, SMRF receivals hall and a truck escorted to site by the Fire Brigade.

Hazards - 50 identified hazards were recorded with 31 addressed through a "Fixed in Field" protocol and 10 identified as Environmental in nature due to weather conditions (wind, dust and rain), isolated work and workplace terrain. The hazard that remains open involves movement of pedestrians around the entranceway which is currently being addressed.

People Management

Training – Internal Return to Work and Fire and Emergency Response Training has been completed by SRWRA staff.

Covid 19 – current restrictions are monitored continuously with employees able to work from home. R.A.T are performed regularly with access to administration office and weighbridge restricted.

Workcover – no claims in progress.

Public Interest Disclosure – none to report.

Complaint Register

EPA Licence Related Register shows 13 complaints received between 1 July 2021 and 28 February 2022. One complaint was noise related, 11 were odour related, one was security light related. No litter complaints have been received since February 2020. All have been investigated and addressed by Management.

# 9. Reports of officers

## 9.1 DRAFT 2022-23 OPERATING BUDGET – RATE INCREASES

| Report contact | Meeting |
|---|---|
| Jade Bird, Manager Financial Services | Council |
| 8384 0580 | |
| **Approving officer** | **Date** |
| David Stobbe, Director Corporate | 17 May 2022 |

### 1. Purpose

In preparation for the presentation of the draft 2022-23 budget and Annual Business Plan to Council for approval for community consultation on 31 May 2022, this report discusses the rate revenue increase to be applied to the draft operating budget and presents options for Council to endorse.

Following Council's endorsement of one of the presented options, this will be applied to the draft budget and Annual Business Plan.

### 2. Recommendations

1. **That Council approves the following rate revenue increase to be applied to the draft 2022-23 operating budget:**
   a. **a general rate revenue increase in line with the annual Consumer Price Index (CPI) for March 2022 of 4.7%, plus a growth component in line with new rateable property forecasts (currently at 0.6%), as per the Long Term Financial Plan principles;**

   **OR**

   b. **a general rate revenue increase of CPI minus 1% (3.7%), plus a growth component in line with new rateable property forecasts (currently at 0.6%), which will require an additional $1,365,835 reduction in operating expenditure or an increased deficit position;**

   **OR**

   c. **a general rate revenue increase of 2.9%, plus a growth component in line with new rateable property forecasts (currently at 0.6%), which will require an additional $2,458,504 reduction in operating expenditure or an increased deficit position**
2. **That Council notes that the full draft 2022-23 operating and capital budgets will be presented at a Special Council meeting on 31 May for approval for community engagement with the draft 2022-23 Annual Business Plan.**

### 3. Executive summary

In line with the adopted Long Term Financial Plan (LTFP), the draft operating 2022-23 budget has been developed based on key principles that underpin the LTFP and a path towards

financial sustainability. This includes rate revenue increases in line with CPI plus revenue from new properties (growth), recognising that council's cost of service delivery increases.

While cost of living pressures remains an important consideration, this report explores alternative rate revenue increase options and the impacts of these options on council's budget, long term financial plan, and provision of services.

The rate revenue option endorsed by Council, will be applied to the draft 2022-23 budget, with the final draft to be presented at a Special Council meeting on 31 May for approval for public consultation with the draft 2022-23 Annual Business Plan.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **performance:** accountable, efficient, inclusive, sustainable<br>The budget is a financial representation of how we will direct our resources for the coming year in order to progress achievement of the Community Plan 2030 outcomes. |
| Policy and/or relevant legislation | Under section 123 of the *Local Government Act 1999* (the Act), a Council must have an Annual Business Plan and budget for each financial year which includes a summary of the council's long-term objectives, an outline of the objectives, activities and performance measures for the financial year, assessment of financial requirements of the council for both the financial year and long-term plan, and the rates structure and policies.<br>The Act also specifies the public consultation requirements that must occur prior to adoption.<br>The Annual Business Plan and budget must be adopted by council before 15 August of each year. |
| Who did we talk to/who will we be talking to | The draft 2022-23 budget has been developed in consultation with all budget holders, managers and Directors across the organisation, as well as engagement with Elected Members and the Audit & Risk Committee for feedback on budget assumptions.<br>Community engagement on the draft budget and Annual Business Plan (in accordance with section 123 of the Act), will be conducted in May/June 2022 which will also be considered prior to adoption of the budget in late June. |

## 5. Discussion

In line with the adopted Long Term Financial Plan (LTFP), the draft 2022-23 budget has been developed based on the key principles that underpin the LTFP and path towards financial sustainability:

- Transitioning to a balanced budget by 2024-25 (break-even or surplus operating position)
- Maintaining existing services and asset maintenance in an efficient manner
- Recognising that costs may increase in line with CPI to maintain existing services, which would initiate a rate revenue increase also in line with CPI to cover these costs

- Including asset renewal and upgrade expenditure as per the requirements outlined in the Strategic Asset Management Plan (SAMP)
- Capitalising on stimulus funding with a focus on projects related to existing infrastructure
- Implementing a debt reduction strategy over the life of the LTFP.

On 26 April, an Elected Member workshop was held to present the initial draft 2022-23 budget, which included costs and rate revenue increases indexed in line with CPI of 3.3% (CPI for the 12 months to December 2021 for Adelaide), plus additional rate revenue from new properties (referred to as growth) which in the LTFP is forecast at 0.9% annually. Elected Members have been advised throughout the budget process that the CPI figure used would be updated based on the March index, released at the end of April. The annual CPI at March 2022 has been announced at 4.7% for Adelaide.

The draft 2022-23 operating budget has been developed based on a "top down" and "bottom up" approach: a top down approach to advise divisions of the total amount of expenditure they could incur in their budgets, based on rates and other revenue, and then a bottom-up approach in consultation with all budget holders to identify the costs and revenue required to deliver their services. This approach takes into consideration the trajectory towards a break-even budget by 2024-25 and the savings and efficiencies that are required to be found across the organisation to meet this target. As such, $1.5m of savings have already been identified and removed from the 2022-23 budget (in addition to the $1.5m removed from the budget the previous year as part of the budget process).

$1.3m of budgeted salary savings has also been applied to the draft 2022-23 operating budget, noting that staff turnover will occur and there will be short-term vacancies throughout the year that will generate savings.

The current 2022-23 budgeted deficit position of $3.983m is based on a $3m 'structural' deficit position as per the trajectory to break-even by 2024-25, plus $983k one-off expenditure relating to the Local Government elections, which are held once every four years. 95% of this cost is payable to the Electoral Commission of South Australia.

As per the LTFP, annual rate revenue increases are currently based on CPI, plus growth. As at early May, information from the Office of the Valuer-General is indicating that growth may not reach the forecast 0.9% (approximately 750 new properties), and therefore for budget purposes, growth has been reduced to 0.6%. The rate revenue increase included in the below figures is therefore assumed as 4.7% general rates and 0.6% growth.

### Proposed Draft 2022-23 operating budget

The table below compares the proposed budget based on recent changes to underlying assumptions and the original 2021-22 adopted budget.

| | Proposed Draft 2022-23 Budget | Original 2021-22 Budget | Movement | Movement % |
|---|---|---|---|---|
| **Income** | | | | |
| Rates revenue | 152,275,127 | 144,724,565 | 7,550,562 | 5.22% |
| Statutory charges | 4,149,000 | 3,892,005 | 256,995 | 6.60% |
| User charges | 8,968,001 | 8,640,868 | 327,133 | 3.79% |
| Grants, subsidies and contributions | 21,899,772 | 18,874,810 | 3,024,962 | 16.03% |

| | Proposed Draft 2022-23 Budget | Original 2021-22 Budget | Movement | Movement % |
|---|---|---|---|---|
| Investment income | 12,000 | 12,200 | (200) | -1.64% |
| Reimbursements | 506,136 | 1,715,095 | (1,208,959) | -70.49% |
| Other income | 2,130,591 | 1,019,285 | 1,111,306 | 109.03% |
| **Total Income** | **189,940,627** | **178,878,828** | **11,061,799** | **6.18%** |
| **Expenditure** | | | | |
| Employee costs | 79,187,104 | 74,272,347 | (4,914,758) | -6.62% |
| Contracts | 46,402,629 | 45,470,526 | (932,104) | -2.05% |
| Materials | 12,857,693 | 12,030,445 | (827,248) | -6.88% |
| Other expenses | 14,473,077 | 13,218,027 | (1,255,050) | -9.49% |
| Depreciation and amortisation | 37,047,566 | 35,434,051 | (1,613,515) | -4.55% |
| Finance costs | 3,955,607 | 2,991,096 | (964,511) | -32.25% |
| **Total Expenditure** | **193,923,677** | **183,416,491** | **(10,507,185)** | **-5.73%** |
| **Operating surplus/(deficit)** | **(3,983,050)** | **(4,537,663)** | **(554,614)** | **12.22%** |

The following table provides an analysis of the key budget movements, in comparison to the originally adopted 2021-22 budget:

| Description | Movement Fav / (Unfav) | Movement % | Comment |
|---|---|---|---|
| Rates revenue | 7,550,562 | 5.22% | Increase based on 4.7% CPI plus 0.6% growth. This also includes the Regional Landscape Levy (which is collected on behalf of the State Government) and CWMS charges. |
| Statutory charges | 256,995 | 6.6% | Increased budgeted revenue in Development Services due to the new Planning and Design code (the impact on budget was not known when setting the 2021-22 budget), plus increased animal registration income |
| User charges | 327,133 | 3.79% | Increased revenue generally due to CPI increases for a range of services |
| Grants, subsidies and contributions | 3,024,962 | 16.03% | Increased revenue due to:<br>• $1.732m revenue for Local Roads and Community Infrastructure (LRCI) Round 3 renewal projects (expenditure to be recognised as capital)<br>• $846k grant for Bushfire Preparedness (total of $3.57m to be received over 3 years)<br>• $651k revenue for renewal projects committed to by the Labor party through the State Government election (expenditure to be recognised as capital) |
| Reimbursements | (1,208,959) | (70.49%) | Reduced revenue due to reclassification of Workers Compensation rebate ($1.282m) from Reimbursements to Other Income in line with Australian Accounting Standards. |

| Description | Movement Fav / (Unfav) | Movement % | Comment |
|---|---|---|---|
| Other income | 1,111,306 | 109.03% | Increased revenue to reclassification of Workers Compensation rebate ($1.28m) from Reimbursements as above. |
| Employee costs | (4,914,758) | (6.62%) | Increased expenditure due to:<br>• Reclassification of $3.682m agency contractors from Contracts to Employee costs. As these contractors perform work in place of a permanent employee (particularly at recreation centres and tourist parks) or are used to backfill employee vacancies, showing these costs against employee costs more accurately reflects the labour costs of the organisation<br>• Salary increases which are linked to CPI as per EB agreements ($1.988m)<br>• 0.5% superannuation guarantee increase ($315k)<br>• 3 additional FTE being funded through the Bushfire Preparedness grant ($300k)<br>The above increases were partially offset by the recognition of $800k internal overhead recoveries (related to job costing for capital projects). Overhead recoveries were previously captured under Other Expenses however due to the way OneCouncil will process job costing and overhead recoveries (when costing staff to operating and capital projects) following Project 2 go-live, this budget has moved to Employee costs. |
| Contracts | (932,104) | (2.05%) | Increased expenditure due to:<br>• Removal of $2m savings target included in the original 2021-22 budget. Savings have been identified upfront for 2022-23 and this budget now includes reduced expenditure to meet the target deficit position.<br>• $933k for Local Government election costs (payment to ESCA) in November 2023<br>• $500k contract expenditure relating to the Bushfire Preparedness grant (offset by grant revenue)<br>• $450k increased ICT software costs relating to TechnologyOne operational costs following Project 2 go-live and cyber-security costs not included in the original 2021-22 budget<br>• CPI increases on existing contracts where relevant<br>These increases have largely been offset by the reclassification of $3.682m agency contractors from Contracts to Employee costs as per the above. |

| Description | Movement Fav / (Unfav) | Movement % | Comment |
|---|---|---|---|
| Materials | (827,248) | (6.88%) | Increase predominantly due to increased fuel prices ($700k) |
| Other expenses | (1,255,050) | (9.49%) | Increase predominantly due to the transfer of $800k internal overhead recoveries to Employee costs as described above, and some CPI increases over a range of other expenditure items. |
| Depreciation and amortisation | (1,613,515) | (4.55%) | As previously reported, the original 2021-22 budget did not capture increased depreciation costs for coastal building assets or amortisation on the OneCouncil intangible asset (as this was not capitalised until after the budget was completed). The budget for 2022-23 recognises these costs, however is offset by an assumed adjustment to road useful lives following auditor review early in the new financial year. |
| Finance costs | (964,511) | (32.25%) | Increase due to rising interest rates based on latest bank forecasts following RBA increase on 3 May 2022. The budget assumes a June 2023 CAD interest rate of 3.95% (compared to 2.05% in 2021-22). |

Within the context of the above operating budget movements, a rate increase equivalent to CPI of 4.7% plus growth of 0.6% is required to meet the target deficit of $3.983m in line with the LTFP trajectory of breaking even by 2024-25, plus the Local Government election costs which are an additional cost borne by councils once every four years).

However, it is recognised that there are cost of living pressures within the community. The large inflation rate, coupled with rising interest rates, is putting pressure on household budgets. Council's budget as presented above reflects the pressures of inflation and interest rates, however the following rate revenue increases have also been explored:

- a general rate revenue increase of CPI minus 1% (3.7%), plus a growth component in line with rateable property growth forecasts (currently at 0.6%)
- a general rate revenue increase of 2.9%, plus a growth component in line with rateable property growth forecasts (currently at 0.6%)

The effects of these rate revenue increases including the impact on the budget are outlined below.

### Rate revenue increases

1. CPI plus growth (4.7% plus 0.6%)

   As outlined above, the draft operating budget presented applies the principles of the LTFP and incorporates a rate revenue increase of CPI (as at March 2022) of 4.7%, plus revenue from new properties of approximately 0.6%. $1.5m of savings have been identified and removed during the preparation of the budget, in line with the LTFP trajectory of breaking even by 2024-25.

   Whilst the total amount of rates that an individual ratepayer will pay is dependent upon a number of factors, including the level of fixed charge and their property valuation relative

to the other property valuations within their land use category (eg, residential, primary production, commercial and industrial, etc), on *average* the increased rates for a residential property is $76.86 ($19.21 increase per quarter).

A significant proportion of budgeted expenditure will increase in line with CPI, including salaries and wages (41% of the total expenditure budget) which are linked to the March CPI figure of each year through recently endorsed Enterprise Agreements, as well as many major contracts. Not applying a rate revenue increase in line with the LTFP principles will present ongoing challenges with financial sustainability as costs will continue to escalate at a faster rate than revenue, unless Council increases rates by more than CPI in the following year or years to realign to the adopted LTFP projections.

Due to the impact on future financial sustainability, increasing rates by CPI plus growth is Administration's preferred option.

2. <u>CPI minus 1%, plus growth (3.7% plus 0.6%)</u>

   Reducing the general rate revenue increase by 1% equates to $1.37m of lost revenue, resulting in:

   - Additional savings to be found; or
   - Increased operating deficit position (increasing the deficit to $5.35m); and
   - Potentially increasing borrowings by $1.37m to cover expenditure

   Because costs will increase at a greater rate than revenue, the cumulative impact of this reduced revenue will be $15.2m less cash and surplus over 10 years.

   As discussed, $1.5m of expenditure has already been removed from the operating budget to reduce the 'structural' operating deficit to $3.0m, as well as recognising $1.3m salary savings within the budget to reflect short-term vacancies.

   In addition, the expenditure budget is comprised of the following costs:

   - $79.2m employee costs, with 85% of staff with permanent substantive roles. Staff can be redeployed and retrained, however the ability to make roles redundant is difficult, expensive and has a number of risks associated with it
   - $37.1m depreciation and amortisation expenses relating to infrastructure
   - $12.8m waste services and waste levy expenditure
   - $4.1m payments to State Government such as Regional Landscape Levies collected

   As these costs are largely unavoidable, this leaves $60.83m expenditure remaining in the budget that could be reviewed for savings; however, it is expected that these reductions will impact service delivery and service levels across the organisation. For example, in City Operations, operational maintenance programs would be reviewed from a risk management perspective, that is, a reduction in the footpath maintenance defect program which would result in extending the program over future years whilst continuing to respond largely to high risk defects, or, a reduction in grass cutting frequency whilst maintaining seasonal mowing to manage fuel loads leading into fire season. A similar approach would be necessary across other divisions. Operating projects (see Attachment 1) would also be reviewed to reduce or remove projects where possible, subject to the risks and consequences their reduction or removal would result in. In addition, further savings

removed from the budget will set the new baseline budget for future years, meaning that service reductions will become ongoing unless a rate revenue increase greater than CPI is applied in future years.

It is important to note that a vacancy rate has already been built into the employee cost budgets – that is, the budget assumes an anticipated level of vacancies across the year, and already assumes savings ($1.3m) will accumulate while recruitment occurs.

If it is agreed that the lower rate revenue increase will be applied, and the reduction is not able to be genuinely found in additional savings and / or council does not want to reduce services, an increased operating deficit position will result and it will take longer to reach a break-even position. In addition, borrowings will increase to cover the cash shortfall resulting from reduced revenue.

While savings or deferral of capital projects would reduce borrowings, due to accounting standards, capital reductions do not impact the operating position except through interest charges, depreciation and future maintenance costs. Reducing $1m of capital works, for example, will not reduce the operating position by $1m and will mean that the deficit position will not be resolved according to the LTFP timeline.

While the total amount of rates that an individual ratepayer will pay is dependent upon a number of factors as outlined above, on *average* the increased rates for a residential property under this option is $61.14 ($15.29 increase per quarter).

3. 2.9% increase, plus 0.6% growth

   Reducing the general rate revenue to 2.5% plus growth equates to $2.46m of lost revenue, resulting in:

   - Additional savings to be found; or
   - Increased operating deficit position (increasing the deficit to $6.44m); and
   - Potentially increasing borrowings by $2.46m to cover expenditure

   Because costs will increase at a greater rate than revenue, the cumulative impact of this reduced revenue will be $27.5m less cash and surplus over 10 years. Again, these reductions will impact on service delivery and service levels, with ongoing reductions required to cover this cost.

   If it is agreed that the lower rate revenue increase will be applied, but not found in additional savings / reduced services, this will result in an increased operating deficit position and it will take longer to reach a break-even position. In addition, borrowings will increase.

   While the total amount of rates that an individual ratepayer will pay is dependent upon a number of factors as outlined above, on *average* the increased rates for a residential property under this option is $48.56 ($12.14 increase per quarter), which is $28.30 per property less than the CPI plus growth option.

**Summary**

In line with the adopted LTFP principles, the application of a CPI rate revenue increase plus growth is required not only to meet the needs of the 2022-23 budget but to maintain ongoing future sustainability and meet the projections within the LTFP. While the rate of inflation is

high, it reflects current economic conditions which are reflected throughout the budget and impacts council's bottom line. A reduction in rate revenue will affect services provided to the community (if not in the current year then in later years) and needs to be carefully considered given the cumulative impact this decision will have.

## 6. Financial implications

### Financial summary

The financial implications for each rate revenue increase scenario can be summarised as follows:

| | Cost of option (savings to find) | Or new deficit position | *Average* annual rate increase (residential) * |
|---|---|---|---|
| LTFP principle: CPI + growth | - | (3,983,050) | 76.86 ($19.21 per quarter) |
| Option 2: CPI – 1%, plus growth | 1,365,835.46 | (5,348,885) | 61.14 ($15.29 per quarter) |
| Option 3: 2.9% plus growth | 2,458,503.92 | (6,441,554) | 48.56 ($12.14 per quarter) |

* Noting that the amount of rates that an individual will pay will vary based on fixed charge, property valuations and other factors

The reduced revenue from options 2 and 3 would need to be either found through additional savings (that will likely impact on service delivery given the $1.5m of reductions already applied in developing the draft operating budget), or carried as an increased operating deficit position which would impact on the LTFP and path to break-even by 2024-25. There would likely be an increased borrowings impact, which could potentially breach the debt ceiling outlined in the LTFP, unless non-essential or non-committed capital projects are deferred.

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Adopting a rate revenue increase less than CPI plus growth will reduce the revenue base (cash and surplus) for future years | Council would need to adopt a higher than CPI rate increase the following year to offset the impact of adopting a lower rate for 2022-23. |
| Adopting a rate revenue increase less than CPI plus growth will impact on service delivery and service levels for the community in order to find the required savings. These would likely become permanent service reductions unless rate rises above CPI were applied in future years. | Given $1.5m in reduced expenditure has already been identified and removed from the draft 2022-23 budget, Council needs to consider the impact on the community if reduced services are provided. |

| | |
|---|---|
| Adopting a rate rise equal to CPI plus growth may not meet community expectations given increasing cost of living pressures | Council should consider the rate revenue increase options presented in this report and impacts on services that the community value. Ratepayers are also encouraged to contact Council to make payment arrangements to assist them if they are falling on hardship. |

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| Maintaining the principles of the Long Term Financial Plan | Staying true to the LTFP will provide a solid ground for future financial sustainability and create capacity to provide services and projects as the community request them. |

## 8. Timelines and deadlines

The adoption of the 2022-23 Budget and Annual Business Plan and declaration of the 2022-23 rates is required to be resolved by Council by 15 August 2022.

## 9. Next steps

Following Council's recommendation of a rate revenue increase, the draft 2023 budget and Annual Business Plan will be updated and presented for approval for community engagement at a Special Council meeting on 31 May 2022.

The following outlines the key dates remaining in this budget process:

| Date | Session | Topic |
|---|---|---|
| 31 May | Special Council meeting | Draft 2022-23 Budget and Annual Business Plan – approve for community engagement |
| 31 May | EM session | Rates modelling |
| 2 June – 23 June | | Community engagement |
| 28 June | Special Council meeting | Budget updates<br>Community engagement outcomes |
| 5 July | Special Council meeting | Adopt 2022-23 budget and ABP and declaration of rates |

## 10. Attachments

Attachment 1 - Proposed 2022-23 operating projects (2 pages)

- END OF REPORT –

Attachment 1

**Proposed 2022-23 operating projects**

| Project | Original Budget | Division |
|---|---|---|
| Renewal of Building Signage | 10,000 | City Operations |
| Footbridges maintenance program | 80,000 | City Operations |
| Flood Alert Monitoring | 25,000 | City Operations |
| Water Quality Monitoring | 20,000 | City Operations |
| Stormwater capacity assessments | 30,000 | City Operations |
| Catchments studies | 50,000 | City Operations |
| Structural building survey PExp | 90,000 | City Operations |
| Buildings Plan Library Updates to Floor Plans | 25,000 | City Operations |
| Traffic Management Investigations | 18,000 | City Operations |
| Signs New - General | 10,000 | City Operations |
| Line Marking New | 65,000 | City Operations |
| Tree planting for Footpaths | 50,000 | City Operations |
| Tree Pruning Advance Reseal PE | 360,000 | City Operations |
| Buildings Painting Program 10 year program | 210,000 | City Operations |
| Public Toilet Repainting Program | 41,001 | City Operations |
| Removing Asbestos | 10,000 | City Operations |
| Disability Compliance Access Reviews & Implementation | 10,000 | City Operations |
| Minor Plant Aquisition Under 2k | -5,000 | City Operations |
| Onkaparinga Homelessness Hub | 10,000 | Community Services |
| Fleurieu Arthouse | 19,848 | Community Services |
| Saltfleet Street History | 27,152 | Community Services |

| | | |
|---|---|---|
| Moana Tourist Park Condition Audits | 25,000 | Community Services |
| Christies Beach Tourist Park Condition Audits | 25,000 | Community Services |
| TIMG Archive Project | 66,000 | Corporate |
| Local Heritage Workshop & Awards | 10,000 | Planning & Regulatory |
| Kaurna Cultural Mapping | 30,000 | Strategy & Engagement |
| Cultural Awareness and Competency Training | 50,000 | Strategy & Engagement |
| Proactive naming of public spaces | 50,000 | Strategy & Engagement |
| Aspire business circular economy platform | 28,500 | Strategy & Engagement |
| Coastal Adaptation Plan | 50,000 | Strategy & Engagement |
| Economic Development Forum (EDF) strategic priorities plan | 25,000 | Strategy & Engagement |
| Investment Attraction | 15,000 | Strategy & Engagement |
| **TOTAL PROPOSED OPERATING PROJECTS** | **1,530,501** | |

## 9.2 FEES AND CHARGES 2022-23

| Report contact | Meeting |
|---|---|
| Emil Bogatec, Team Leader Financial Accounting | Council |
| 8384 0579 | |
| **Approving officer** | **Date** |
| Anthony Spartalis, Chief Financial Officer | 17 May 2022 |

## 1. Purpose

This report seeks approval of the schedule of Fees and Charges for 2022–23.

## 2. Recommendations

**That Council review and adopt the proposed Fees and Charges for 2022–23 as included in attachment 1 to the agenda report effective from 1 July 2022.**

## 3. Executive summary

Council annually updates its register of fees and charges for an array of services it provides. Selected Council personnel are required to annually review the fees and charges applied and update them to reflect demand and current market conditions. In addition, there are state imposed fees and levies, which Council will be advised of once known.

The updates for 2022–23 can be broadly summarised as follows:

- Services requiring no to minimal input by administration (such as providing copies or extracts of existing data) – no increase
- Services requiring input by administration (such as audits, inspections, and processing applications and registrations) – increased by 4.7 per cent in line with Enterprise Bargaining Agreements (and rounded up or down as necessary)
- Other services (such as hire fees) – increased in line with indexation (and rounded up or down as necessary)
- An introduction to "No Interment Right fees for the 25 post-war graves in our cemeteries" as per recent decision of Council made at its meeting held on 15 March 2022 at Item 9.8.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **people:** connected, engaged, active, healthy<br>**place:** green, inviting, accessible, liveable<br>**prosperity:** economically strong, environmentally thriving<br>**performance:** accountable, efficient, inclusive, sustainable<br>People |
| Policy and/or relevant legislation | In accordance with section 188 of the *Local Government Act 1999* (the Act) and as part of the annual financial planning and budget processes a schedule of fees and charges (the schedule) is prepared, approved and utilised as part of council's normal operations. The Act requires that an up to date copy of the full schedule be placed on public display at council's principal office.<br>Under the Act responsibility for defining certain fees and charges may be delegated while others must be adopted by Council or are fixed by legislation (i.e. statutory charges). Where Council has delegated authority to the CEO this has been sub-delegated to appropriate officers in accordance with sections 44 and 101 of the Act.<br>This report presents the proposed fees and charges for 2022–23 requiring Council adoption consistent with the Act and Council delegations. |
| Who did we talk to/who will we be talking to | The business was engaged to provide feedback on existing fees and charges for an array of services Council provides. |

## 5. Discussion

Fees and charges requiring Council adoption are included in attachment 1, which also includes the following details for each fee or charge:

- description and unit
- tax treatment
- current fee for 2021–22
- proposed fee for 2022–23
- resulting change and percentage change
- identification of new fees for 2022–23
- estimated annual income for 2022–23

Fees and Charges have generally been increased in line with the indexation in the draft Budget 2022–23. It should be noted that for 'rounding' reasons, flat percentage increases are not always practical.

## 6. Financial implications

### Financial summary

The fees and charges reflected in Attachment 1 contribute to the revenue generated under statutory and user charges in the draft 2022-23 budget.

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Reputation/community expectation | There may be an expectation |
| Financial/business sustainability | Annual Business Plan, budget and rate notification processes has been designed to ensure adoption of these items in a timely manner. Not increasing will see Council not able to recover costs associated with services provided for fees. |
| Compliance/legal | The financial planning timetable for 2022–23 meets the timing obligations specified in the Act. |

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| Ensuring recovery of our costs where possible under Section 188 of the Act. | Where we are able to recover our costs, the fee setting process has included detailed analysis of the full cost of providing the service to ensure we maximise our recovery. |

## 8. Timelines and deadlines

The report is due to be tabled at a Council meeting held 17 May 2022.

## 9. Next steps

If the fees and charges for 2022–23 are adopted by Council, they will become effective from 1 July 2022 and posted to Council website. Furthermore, once known, communication around state imposed fees and levies will be made.

## 10. Attachments

Attachment 1 – Fees and charges requiring Council adoption (25 pages)

- END OF REPORT –

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Building Upgrade Finance** | | | | | | | | |
| **Building Upgrade Finance** | | | | | | | | |
| Fees applied to recover the costs of assessing, establishing and managing Building Upgrade Agreements Under Section 1B of the Local Government Act 1999 | | | | | | | | |
| **Building Upgrade Agreement Fees** | | | | | | | | |
| Fees applied to recover the costs of assessing, establishing and managing Building Upgrade Agreements | | | | | | | | |
| **BUF Application Fee** | **per application** | **Taxable** | **719115** | **$1,738.00** | **$1,820.00** | **$82.00 : 4.72 %** | | **$3,640** |
| *Initial assessment BUA Application, Financier liaison & requirements, confirm eligibility under the Act, confirm legal ownership, refer upgrade works for Development Assessment and building compliance, heritage advice and legal advice where required.* | | | | | * In line with indexation | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **BUF Initial set up fee** | **per applicaiton** | **Taxable** | **719115** | **$486.00** | **$509.00** | **$23.00 : 4.73 %** | | **$1,018** |
| *Recording and reviewing legal components of the Application and contract. Set up for BUF Rates Billing, ledger accounts, Financier payments process, BUF Enforcement process, preparation of documentation for CEO and legal declaration of the BUF Charge* | | | | | * In line with indexation | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **BUF Annual Fee** | **per annum** | **Taxable** | **719115** | **$302.00** | **$316.00** | **$14.00 : 4.64 %** | | **$632** |
| *Fee for annual administration processing for BUF billing and on-payment o Financier and maintenance of BUF Register* | | | | | * In line with indexation and rounded down to nearest $ | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **BUF Late Payment Fee** | **per default** | **Taxable** | **719115** | **$93.00** | **$97.00** | **$4.00 : 4.30 %** | | **$194** |
| *BUF Late Payment Fee imposed for default follow up with owner, financier, obtaining additional repayment interest applicable and issue of Notice of overdue BUF payment.* | | | | | * In line with indexation and rounded down to nearest $ | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **BUF Amendment Fee** | **per variation to agreement** | **Taxable** | **719115** | **$60.00** | **$63.00** | **$3.00 : 5.00 %** | | **$126** |
| *Costs relating with any variation or discharge of the BUA once executed.* | | | | | * In line with indexation and rounded up to nearest $ | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Community Health** | | | | | | | | |
| **Food Premises Audits** | | | | | | | | |
| Governed by Food Act 2001 | | | | | | | | |
| **Audits of food premises required to have a mandatory Food Safety Plan** | | | | | | | | |
| Onsite audit fee per hour | | | | | | | | |
| **Desk-top Audit Fee Per Hour** | **per hour** | **Exempt** | **251030-1001-** | **$103.00** | **$108.00** | **$5.00 : 4.85 %** | | **$648** |
| *This fee is only charged if auditing a facility for the first time* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |
| **Onsite Audit Fee Per Hour** | **per hour** | **Exempt** | **251030-1001-** | **$205.00** | **$215.00** | **$10.00 : 4.88 %** | | **$15,050** |
| *Maximum charge 5 hours for Aged Care Facilities and 3 hours for Child Care Centres* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |
| **Re-Assessment Fee** | | | | | | | | |
| **Critical Non-Conformance Assessment** | **per hour** | **Exempt** | **251030-1001-** | **$205.00** | **$215.00** | **$10.00 : 4.88 %** | | **$645** |
| *Re-assessment fee per hour* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |
| **Food Premises Inspection** | | | | | | | | |
| Governed by Food Act 2001 | | | | | | | | |
| **High Risk Business (P1 and P2 Risk Classification)** | | | | | | | | |
| **Less Than 20 Full Time Employees** | **per inspection** | **Exempt** | **251030-1001-** | **$98.00** | **$103.00** | **$5.00 : 5.10 %** | | **$30,500** |
| | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |
| **More Than 20 Full Time Employees** | **per inspection** | **Exempt** | **251030-1001-** | **$237.00** | **$248.00** | **$11.00 : 4.64 %** | | **$2,480** |
| | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |
| **Re-inspection in Accordance with Australian Food Safety Assessment Guidelines** | **per inspection** | **Exempt** | **279404** | **$98.00** | **$103.00** | **$5.00 : 5.10 %** | | **$2,163** |
| | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Low Risk Business (P3 and P4 Risk Classification)** | | | | | | | | |
| **Inspection Fee Low Risk Business** | **per inspection** | **Exempt** | **251030-1001-** | **$48.00** | **$50.00** | **$2.00 : 4.17 %** | | **$1,500** |
| | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |
| **More Than 20 Full Time Employees** | **per inspection** | **Exempt** | **251030-1001-** | **$116.00** | **$121.00** | **$5.00 : 4.31 %** | | **$121** |
| | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New Yearly Income Estimate |
|---|---|---|---|---|---|---|---|
| **Waste Control (CWMS)** | | | | | | | |
| Waste Control - Community Wastewater Management System | | | | | | | |
| **Additional System Charges (CWMS)** | | | | | | | |
| **Application Fee For Authorisation Under The Water Industry Act 2012** | **per application** | **Taxable** | **334000-41307** | **$198.00** | **$207.00** | **$9.00 : 4.55 %** | **$2,070** |
| *Applicants wishing to apply for an authorisation under the Water Industry Act 2012 are required to pay this fee to cover the costs associated with processing the application - includes infrastructure encroachment, pumped discharge to CWMS.* | | | | | * In line with indexation and rounded down to nearest $ | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | |
| **Complex Development Application referral and/or Authorisation Under The Water Industry Act 2012** | **per application** | **Taxable** | | **$0.00** | **Negotiated + costs** | **$0.00 : 0.00 %** | **0** |
| *Applicants of complex Development Applications requiring referral to CWMS Water Industry Officer and/or Applicants seeking Authorisation under the Water Industry Act 2012 for complex matters are required to pay this fee* | | | | | * No change to fee structure - income is dependent on relevant development applications being processed | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | |
| **CWMS inspection fee** | **per additional inspection** | **Taxable** | **334000-41307** | **$66.00** | **$69.00** | **$3.00 : 4.55 %** | **$690** |
| *Applicants requiring additional inspections for CWMS related Development Application Referrals and/or Authorisations under the Water Industry Act 2012 are required to pay this fee.* | | | | | * In line with indexation and rounded down to nearest $ | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | |
| **Development Application Referral Fee** | **per application** | **Taxable** | | **$198.00** | **$207.00** | **$9.00 : 4.55 %** | **$2,070** |
| *Applicants of Development Applications requiring referral to CWMS Water Industry Officer for detailing the relevant obligations/requirements relating to community wastewater management system are required to pay this fee - including land division, boundary realignments, building construction, building demolition.* | | | | | * In line with indexation and rounded down to nearest $ | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | |
| **Reimbursement of costs** | **per transaction** | **Taxable** | | **$0.00** | **Actual costs incurred** | **$0.00 : 0.00 %** | **0** |
| *Applicants are required to reimburse all professional, government and processing costs incurred as a result of processing the Development Application Referrals and Applications for Authorisation Under the Water Industry Act 2012.* | | | | | * No change to fee structure - income is dependent on relevant development applications being submitted and/or other associated activities. | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Community Rangers** | | | | | | | | |
| **Abandoned Vehicles** | | | | | | | | |
| Towing and other costs | | | | | | | | |
| **Towing and Other Costs** | | | | | | | | |
| **Administration Fee** | **standard fee** | **Taxable** | **269202** | **$68.00** | **$71.00** | **$3.00 : 4.41 %** | | **$1,700** |
| *Administration fee for release of impounded vehicles* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **Towing Fee per Vehicle** | **per vehicle** | **Taxable** | **269202** | **$0.00** | **Actual cost of towing** | **$0.00 : 0.00 %** | | **0** |
| *Towing fee for removal of a vehicle from a public place* | | | | * No change to fee structure - fee based on actual cost | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **Animal Management Fee** | | | | | | | | |
| Dog and Cat Management Act 1995 | | | | | | | | |
| **Extract from Dog Register** | | | | | | | | |
| **Extract from Dog Register** | **per request** | **Exempt** | **269108.6251** | **$38.50** | **$38.50** | **$0.00 : 0.00 %** | | **$500** |
| *Customer request for data from the Dog Register* | | | | * Fee to remain the same - consistent with FOI application fee | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Miscellaneous Costs** | | | | | | | | |
| **Daily holding fee for dangerous and unduly dangerous dogs on hold** | **per day** | **Taxable** | **251020-9007-** | **$145.00** | **$152.00** | **$7.00 : 4.83 %** | | **$15,600** |
| *Daily fee for dogs dangerous and unduly dangerous dogs on hold pending an Order or review of an Order ie via SACAT. No charge for dogs recovered in the first 72 hours* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **Daily holding fee for dogs on hold (not dangerous or unduly dangerous dogs)** | **per day** | **Taxable** | **251020-9007-** | **$72.50** | **$76.00** | **$3.50 : 4.83 %** | | **$20,900** |
| *Daily fee for dogs on hold due to breach of an order (not dangerous or unduly dangerous dogs). No charge for dogs recovered in the first 72 hours.* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New Yearly Income Estimate |
|---|---|---|---|---|---|---|---|
| **Dangerous Dog Sign** | **per sign** | **Taxable** | **261110** | **$0.00** | **Actual cost** | **$0.00 : 0.00 %** | **$2,000** |
| *Fee for supply of 'Dangerous Dog' sign* | | | | * No change to fee structure - fee based on actual cost | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | |
| **Dangerous Dog Collars** | **per collar** | **Taxable** | **261110** | **$0.00** | **At actual cost depending collar size** | **$0.00 : 0.00 %** | **$2,000** |
| *Fee for supply of dangerous dog collar* | | | | * No change to fee structure - fee based on actual cost | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | |
| **Registration Fee** | | | | | | | |
| **Animal Registration Fee** | **per dog** | **Exempt** | **251020-9007-** | **$47.50** | **$50.00** | **$2.50 : 5.26 %** | **$1,105,250** |
| *Standard Dog - a dog that is microchipped and desexed* | | | | * In line with indexation and rounded up to nearest $ | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Animal Registration Fee** | **per dog** | **Exempt** | **251020-9007-** | **$95.00** | **$99.00** | **$4.00 : 4.21 %** | **$489,000** |
| *Non-Standard dog - a dog that is not microchipped or desexed* | | | | * In line with indexation and rounded down to nearest $ | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Animal Registration Fee** | **per dog** | **Exempt** | **269101** | **$0.00** | **50% of calculated reg fee** | **$0.00 : 0.00 %** | **0** |
| *50% rebate for part year dog registration for new dogs registered in January, February or March* | | | | * No change to fee structure - based on 50% of calculated reg fee | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Animal Registration Fee** | **per dog** | **Exempt** | **251020-9007-** | **$0.00** | **100% rebate** | **$0.00 : 0.00 %** | **-8700** |
| *100% rebate for part year dog registration for new dogs registered in April, May or June* | | | | * No change to fee structure | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Animal Registration Fee** | **per dog** | **Exempt** | **251020-9007-** | **$0.00** | **50% of calculated reg fee** | **$0.00 : 0.00 %** | **-31000** |
| *Puppy rebate 50% (dogs less than 6 months of age that are not yet desexed)* | | | | * No change to fee structure - fee based on 50% of calculated reg fee | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New Yearly Income Estimate |
|---|---|---|---|---|---|---|---|
| **Animal Registration Fee** | **per dog** | **Exempt** | **251020-9007-** | **$0.00** | **-$12 off nonstandard dog reg fee before concession** | **$0.00 : 0.00 %** | **-5000** |
| *Unable to desex, $12 off the non-standard registration renewal fee (for non-desexed dogs born prior to 1 July 2018 that are unable to be desexed on medical grounds on proof from a veterinarian. This discount is available to the end of June 2019, eligible dogs will retain a discount for life)* | | | | * No change to fee structure | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Business Registration 1 - 9 Dogs** | **1-9 dogs** | **Exempt** | **269102** | **$184.00** | **$193.00** | **$9.00 : 4.89 %** | **$2,000** |
| *Fee for 1 - 9 dogs owned by a business (ie breeding dogs) not a natural person.* | | | | * In line with indexation and rounded up to nearest $ | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Business Registration 10 - 19 Dogs** | **10 - 19 dogs** | **Exempt** | **251020-9007-** | **$336.00** | **$352.00** | **$16.00 : 4.76 %** | **$2,000** |
| *Fee for 10 - 19 dogs owned by a business (ie breeding dogs) not a natural person* | | | | * In line with indexation and rounded up to nearest $ | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Business Registration 20 - 29 Dogs** | **20 - 29 Dogs** | **Exempt** | **251020-9007-** | **$516.00** | **$540.00** | **$24.00 : 4.65 %** | **$2,000** |
| *Fee for 20 - 29 dogs owned by a business (ie breeding dogs) not a natural person* | | | | * In line with indexation | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Business Registration 30+ Dogs** | **30+ dogs** | **Exempt** | **251020-9007-** | **$704.00** | **$737.00** | **$33.00 : 4.69 %** | **$2,900** |
| *Fee for 30+ dogs owned by a business (ie breeding dogs) not a natural person* | | | | * In line with indexation | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Concession Card Holder Discount** | **per dog** | **Exempt** | **251020-9007-** | **$0.00** | **50% of calculated reg fee** | **$0.00 : 0.00 %** | **-$715,000** |
| *50% rebate* | | | | * No change to fee structure - fee based on 50% of calculated reg fee | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |
| **Trained Dog** | **per dog** | **Exempt** | **251020-9007-** | **$0.00** | **-$15 off reg fee before concession (if applicable)** | **$0.00 : 0.00 %** | **-$45,000** |
| *-$15 off calculated registration fee* | | | | * No change to fee structure | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Racing Greyhounds** | **per dog** | **Exempt** | **251020-9007-** | **$23.00** | **$24.00** | **$1.00 : 4.35 %** | | **$1,800** |
| *Flat fee - no other rebates, discounts or concessions apply* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |
| **Working Dog** | **per dog** | **Exempt** | **251020-9007-** | **$23.00** | **$24.00** | **$1.00 : 4.35 %** | | **$2,900** |
| *Flat fee - no other rebates, discounts or concessions apply* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |
| **Late Fee** | **per dog** | **Exempt** | **251020-9007-** | **$10.00** | **$10.00** | **$0.00 : 0.00 %** | | **$30,000** |
| *Late fee for registration of dog* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |
| **Australian Road Rules Expiation Fees** | | | | | | | | |
| Road Traffic (Miscellaneous) Regulations 1999 Expiation Fees - Parking | | | | | | | | |
| **Search fee** | | | | | | | | |
| **Motor Vehicle registration search fee** | **per vehicle** | **Exempt** | **269201** | **$0.00** | **At cost** | **$0.00 : 0.00 %** | | **$8,000** |
| *Recovery of costs for motor vehicle search fees associated with enforcement of legislation* | | | | * Fees are set by state government | | | | |
| Expiation Of Offences Regulations 2011 s 6(b) (i) | | | | | | | | |
| **By-Laws** | | | | | | | | |
| **By-Law No 2 Moveable Signs** | | | | | | | | |
| **Expiation Fee** | **each** | **Exempt** | **269303** | **$105.00** | **$105.00** | **$0.00 : 0.00 %** | | **$17,000** |
| *Moveable Signs sections 7, 8, 9, 10 and 12* | | | | * Fee will be determined when the by-law is remade | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **By-Law No 3 Roads** | | | | | | | | |
| **Expiation Fee** | **each** | **Exempt** | **269303** | **$105.00** | **$105.00** | **$0.00 : 0.00 %** | | **$17,000** |
| *By-law No 3 - Roads sections 7 and 8* | | | | * Fee will be determined when the by-law is remade | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **By-Law No 4 Local Government Land** | | | | | | | | |
| **Expiaiton Fee** | **each** | **Exempt** | **269303** | **$105.00** | **$105.00** | **$0.00 : 0.00 %** | | **$17,000** |
| *Local Government Land section 8, section 9 subsections (2), (3), (4), (5), (7), (9), (10), (11), (13), (14), (15), (16), (17), (21), (23), (24), (25), (27), (28), (29), (31), (32) section 10 subsections (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13) and (14) section 11* | | | | * Fee will be determined when the by-law is remade | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : | % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|---|
| **Expiation Fee** | **each** | **Exempt** | **269303** | **$187.00** | **$187.00** | **$0.00 :** | **0.00 %** | | **$17,000** |
| *Local Government Land section 8, section 9 subsections (1), (8), (12), (18), (19), (20), (22), (26), (30) section 10 subsections (2), (3), (4), (5), (6), (7), (9), (10) and (13)* | | | | * Fee will be determined when the by-law is remade | | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | | |
| **By-Law No 6 Foreshore** | | | | | | | | | |
| **Expiation Fee** | **each** | **Exempt** | **269303** | **$105.00** | **$105.00** | **$0.00 :** | **0.00 %** | | **$17,000** |
| *Foreshore section 7, section 8, section 9 and section 10* | | | | * Fee will be determined when the by-law is remade | | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | | |
| **Expiation Fee** | **each** | **Exempt** | **269303** | **$187.00** | **$187.00** | **$0.00 :** | **0.00 %** | | **$17,000** |
| *Foreshore section 8 subsection (1), (8), (10), (11), section 9 subsections (1), (3), (4), (5), (7), (8)* | | | | * Fee will be determined when the by-law is remade | | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | | |
| **By-Law No 7 Dogs** | | | | | | | | | |
| **Expiation Fee** | **each** | **Exempt** | **269303** | **$75.00** | **$75.00** | **$0.00 :** | **0.00 %** | | **$17,000** |
| *Dogs sections 6.1, 8.2, 9, 10* | | | | * Fee will be determined when the by-law is remade | | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | | |
| **Expiation Fee** | **each** | **Exempt** | **269303** | **$55.00** | **$55.00** | **$0.00 :** | **0.00 %** | | **$17,000** |
| *Dogs section 11* | | | | * Fee will be determined when the by-law is remade | | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | | |
| **Community Safety Miscellaneous Fee** | | | | | | | | | |
| **Administration and Other Fee** | | | | | | | | | |
| **Administration Fee - Clearing of Dumped Rubbish** | **per instance** | **Taxable** | **269303** | **$56.00** | **$59.00** | **$3.00 :** | **5.36 %** | | **$59** |
| *Cost recovery for the administration of clearing and disposal of dumped rubbish* | | | | * In line with indexation and rounded up to nearest $ | | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | | |
| **Advertising** | **per sign** | **Taxable** | **269303** | **$0.00** | **Actual cost for advertising impounded signs** | **$0.00 :** | **0.00 %** | | **0** |
| *Impounding fee for impounding of signs that contravene By-Law and legislation* | | | | * No change to fee structure - fee based on actual cost | | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Clearing of Dumped Rubbish** | **per instance** | **Taxable** | **269303** | **$0.00** | **Actual cost of clearing and disposing of items** | **$0.00 : 0.00 %** | | **0** |
| *Cost recovery of clearing up dumped rubbish* | | | | | * No change to fee structure - fee based on actual cost | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **Fire Prevention** Administration of Provisions of Fire & Emergency Act 2005 | | | | | | | | |
| **Administration Fee** | | | | | | | | |
| **Administration Fee - Block slashing and clearing of properties not complying with S105 Notice** | **per property** | **Taxable** | **749003** | **$37.00** | **$39.00** | **$2.00 : 5.41 %** | | **$3,700** |
| *Administration fee for cost recovery of managing properties who have not complied with notices issued for property clearing under Section 105 of the Fire & Emergency Services Act 2005.* | | | | | * In line with indexation and rounded up to nearest dollar | | | |
| LG Act 1999 Section 188(1) (g) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Development Services** | | | | | | | | |
| **Car Parking Contribution Scheme** | | | | | | | | |
| **Car Parking** | | | | | | | | |
| Developer contribution towards car parking space in new development area. | | | | | | | | |
| **Car Parking Contribution** | **per space** | **Exempt** | | **$2,000.00** | **$2,000.00** | **$0.00 : 0.00 %** | | **0** |
| *Car parking contribution for new development* | | | | * Fee to remain the same | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **Car Parking Contribution** | **per space** | **Exempt** | | **$500.00** | **$500.00** | **$0.00 : 0.00 %** | | **0** |
| *Car parking contribution for change of use, outdoor dining, other development* | | | | * Fee to remain the same | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **Certificate of Title (non-statutory)** | | | | | | | | |
| Certificate of Title search by Development Services administration support | | | | | | | | |
| **Certificate of Title Service for Development Assessment Purposes** | | | | | | | | |
| **CT Administration Fee** | **per search** | **Taxable** | **349110** | **$17.90** | **$18.70** | **$0.80 : 4.47 %** | | **$3,000** |
| *Administration time and tasks associated with accessing a certificate of title (CT) from Land Titles Office (LTO)* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Development Plan Consent (DPC) (Statutory)** | | | | | | | | |
| **Preparation of Agreements** | | | | | | | | |
| **Administration Fee for Road Bond** | **per application** | **Taxable** | **349115** | **$539.00** | **$564.00** | **$25.00 : 4.64 %** | | **$19,000** |
| *Administration time and tasks associated with bond document preparation* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **Public Notification Fees (Non-Statutory)** | | | | | | | | |
| **Advertisement and Notification Fees** | | | | | | | | |
| **Category Three Advertisement in Newspaper** | **per application** | **Taxable** | **349100** | **$570.00** | **$597.00** | **$27.00 : 4.74 %** | | **$5,000** |
| | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Licences and Permits** | | | | | | | | |
| **Additional Services** | | | | | | | | |
| **Bond** | **with permit** | **Exempt** | **169049.6251** | **$1,184.00** | **$1,240.00** | **$56.00 : 4.73 %** | | **$0** |
| *For major events or functions with potential risk to public/council land or works with potential risk to Council infrastructure* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Advertisement in Newspapers** | | | | | | | | |
| **Advertisement for Lease, Licence or Permit Over Council Land (Section 202)** | **actual cost incurred per application** | **Taxable** | **169049.6251** | **$0.00** | **Actual cost per application** | **$0.00 : 0.00 %** | | **$0** |
| *3-week public consultation* | | | | * No change to fee structure - fee based on actual costs | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Banners - Temporary Advertising** | | | | | | | | |
| Two weeks | | | | | | | | |
| **Temporary Banners** | **per application (per 2 weeks, maximum 4 weeks)** | **Exempt** | **169049** | **$39.00** | **$41.00** | **$2.00 : 5.13 %** | | **$4,000** |
| *6 locations per application* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Clarendon Recreation Ground** | | | | | | | | |
| Facility hire fees | | | | | | | | |
| **Oval Only Hire** | **per day** | **Taxable** | **169049.6251** | **$67.00** | **$70.00** | **$3.00 : 4.48 %** | | **$280** |
| *Non exclusive use* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Pavilion and Kitchen Hire** | **per day** | **Taxable** | **169049.6251** | **$153.00** | **$160.00** | **$7.00 : 4.58 %** | | **$3,200** |
| *Exclusive use* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Pavilion Only Hire** | **per day** | **Taxable** | **169049.6251** | **$117.00** | **$122.00** | **$5.00 : 4.27 %** | | **$2,440** |
| *Exclusive use* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Filming on Council Land** | | | | | | | | |
| **Fast Track Filming Application Processing Fee** | **per application** | **Exempt** | **169048.6251** | **$171.00** | **$179.00** | **$8.00 : 4.68 %** | | **$537** |
| *Less than 7 days notice* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Filming - Application Processing Fee - Promotional material, photography, series and commercials** | **per half day** | **Exempt** | **169048.6251** | **$303.00** | **$317.00** | **$14.00 : 4.62 %** | | **$1,585** |
| *Non exclusive use up to 7 days (fee to be negotiated after 7 days)* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Filming- Application Processing Fee - Promotional material, photography, series and commercials** | **per day** | **Exempt** | **169048.6251** | **$550.00** | **$576.00** | **$26.00 : 4.73 %** | | **$4,608** |
| *Non exclusive use up to 7 days (fee to be negotiated after 7 days)* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Filming- Commercial Advertising or Major Films Application Processing Fee** | **per application** | **Exempt** | **169048.6251** | **$546.00** | **$572.00** | **$26.00 : 4.76 %** | | **$572** |
| *High impact filming application fee* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Filming - Commercial Advertising or Major Films on Council Land** | **per day** | **Exempt** | **169048.6251** | **$961.00** | **$1,006.00** | **$45.00 : 4.68 %** | | **$1,006** |
| *High impact, exclusive use up to 7 days (fee to be negotiated after 7 days)* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Filming- Commercial Advertising or Major Films on Council Land** | **per application** | **Exempt** | **169049** | **$0.00** | **Fee to be negotiated** | **$0.00 : 0.00 %** | | **$0** |
| *High impact, exclusive and/or non exclusive use* | | | | * No change to fee structure - fee by negotiation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Filming- Not for Profit** | **per day** | **Exempt** | **169049** | **$284.00** | **$297.00** | **$13.00 : 4.58 %** | | **$891** |
| *Low key up to 15 crew - not for profit* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Filming- Not for Profit** | **per half day** | **Exempt** | **169049** | **$175.00** | **$183.00** | **$8.00 : 4.57 %** | | **$1,464** |
| *Low key up to 15 crew - not for profit* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Filming - Students** | **per application** | **Exempt** | **169049** | **$32.00** | **$34.00** | **$2.00 : 6.25 %** | | **$136** |
| *Maximum of 3 days* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **General Permits & Licences** | | | | | | | | |
| **Busking** | **per application** | **Exempt** | **169049.6251** | **$10.00** | **$10.00** | **$0.00 : 0.00 %** | | **$1,000** |
| | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Shipping/Storage Containers on Council Land** | **per permit** | **Exempt** | **169049** | **$140.00** | **$147.00** | **$7.00 : 5.00 %** | | **$294** |
| *Maximum of 3 days* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Use of Cranes, Scaffolding and oversized heavy vehicles** | **full day** | **Exempt** | **169049** | **$150.00** | **$157.00** | **$7.00 : 4.67 %** | | **$157** |
| *High impact business use of council property & infrastructure* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Use of Cranes, Scaffolding and Oversized Vehicles on Council Land/Road** | **per half day** | **Exempt** | **169049.6251** | **$90.00** | **$94.00** | **$4.00 : 4.44 %** | | **$94** |
| *High impact business use of council property & infrastructure* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Helicopter Landings** | **per landing** | **Exempt** | **169049.6251** | **$94.00** | **$98.00** | **$4.00 : 4.26 %** | | **$98** |
| | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Mini Skips on Council Land** | **per permit** | **Exempt** | **169049.6251** | **$92.00** | **$96.00** | **$4.00 : 4.35 %** | | **$960** |
| *Maximum of 3 days* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Seed Collectors** | **per application** | **Exempt** | **169049.6251** | **$163.00** | **$171.00** | **$8.00 : 4.91 %** | | **$342** |
| *Commercial* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Seed Collectors** | **per application** | **Exempt** | **169049** | **$30.00** | **$31.00** | **$1.00 : 3.33 %** | | **$62** |
| *Volunteers - not for profit (administration fee only)* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : | % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|---|
| **Olive (and other) picking** | **per application** | **Exempt** | **169049.6251** | **$61.00** | **$64.00** | **$3.00 :** | **4.92 %** | | **$64** |
| *Up to 3 days maximum* | | | | * In line with indexation and rounded up to nearest $ | | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | | |
| **Outdoor Dining - Section 222** | | | | | | | | | |
| **Annual Permit Fee - Licensed** | **each patron** | **Exempt** | **169049.6251** | **$17.00** | **$18.00** | **$1.00 :** | **5.88 %** | | **$3,474** |
| *Per patron* | | | | * In line with indexation and rounded up to nearest $ | | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | | |
| **Annual Permit Fee - Unlicensed** | **per patron** | **Exempt** | **169049.6251** | **$11.00** | **$12.00** | **$1.00 :** | **9.09 %** | | **$1,404** |
| *Per patron* | | | | * In line with indexation and rounded up to nearest $ | | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | | |
| **Parklet Permit Fee** | **per application** | **Exempt** | **169049.6251** | **$362.00** | **$379.00** | **$17.00 :** | **4.70 %** | | **$1,137** |
| *This fee is for the period of 12 months* | | | | * In line with indexation | | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | | |
| **Permission to Build 'Structure' Over Council Easement** | | | | | | | | | |
| **Application for permission to build over easement** | **per application** | **Exempt** | **169049** | **$587.00** | **$615.00** | **$28.00 :** | **4.77 %** | | **$6,150** |
| *Fee for the investigation and assessment of applications for encroachment onto or over a Council easement. Fee covers administrative/technical staff time associated with assessing application. Fee is charged per application and is payable in advance regardless of whether an encroachment is approved.* | | | | * In line with indexation and rounded up to nearest $ | | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | | |
| **Signs and Banners - Permanent Advertising** | | | | | | | | | |
| **Commercial** | **per sign per annum** | **Exempt** | **169049.6251** | **$0.00** | **Based on commercial valuation** | **$0.00 :** | **0.00 %** | | **$0** |
| *Commercial valuation* | | | | * No change to fee structure - fee based on commercial valuation | | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | | |
| **Government** | **per sign per annum** | **Exempt** | **169049.6251** | **$194.00** | **$203.00** | **$9.00 :** | **4.64 %** | | **$203** |
| | | | | * In line with indexation and rounded down to nearest $ | | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Traders** | | | | | | | | |
| 20% discount may apply to mobile traders operating from both mobile and fixed business premises in City of Onkaparinga | | | | | | | | |
| **Licenced Traders on Council Land/Road** | **Per day up to 3 months** | **Exempt** | **169049.6251** | **$152.00** | **$159.00** | **$7.00 : 4.61 %** | | **$795** |
| *Short term, high impact events ie Twighlight Markets, licenced pop-up venues, outdoor cinema, carnivales, beach and lounge bars etc.* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Traders on Council Land/Road** | **per application** | **Exempt** | **169049.6251** | **$78.00** | **$82.00** | **$4.00 : 5.13 %** | | **$410** |
| *Daily (small scale business; ie mobile food vans, small sole operator pop-up, unlicensed)* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Traders on Council Land/Road** | **per applicaiton** | **Exempt** | **169049.6251** | **$158.00** | **$165.00** | **$7.00 : 4.43 %** | | **$1,320** |
| *Up to a month (Unlicensed)* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Traders on Council Land/Road** | **per application** | **Exempt** | **169049.6251** | **$1,677.00** | **$1,756.00** | **$79.00 : 4.71 %** | | **$8,780** |
| *Per annum (Unlicensed)* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Traders on Council land/roads** | **annual** | **Exempt** | **169049** | **$83.00** | **$87.00** | **$4.00 : 4.82 %** | | **$348** |
| *Not for Profit use of Council land/roads for community benefit (e.g. distribution of leaflets)* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Use of Community Land** | | | | | | | | |
| **Casual Use of Council sporting turfed surface/reserve or forshore** | **per half day** | **Exempt** | **169049** | **$61.00** | **$64.00** | **$3.00 : 4.92 %** | | **$64** |
| *To facilitate the use by organisations for sporting activties eg schools use of council reserves* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Reserves - Long Term Licence (excludes turf fields and pitches)** | **annual** | **Exempt** | **169049.6251** | **$359.00** | **$376.00** | **$17.00 : 4.74 %** | | **$18,424** |
| *Temporary residential encroachments, community not for profit storage sheds and containers* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Reserves - Long Term Licence** | **up to 6 months** | **Exempt** | **169049.6251** | **$566.00** | **$593.00** | **$27.00 : 4.77 %** | | **$593** |
| *Private recreation/commercial users/business use - minimum fee applies, market value may apply for license over 12 months (30% discount for junior teams)* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Reserves - Short Term Permit** | **per day - max 3 days** | **Exempt** | **169049** | **$70.00** | **$73.00** | **$3.00 : 4.29 %** | | **$730** |
| *Vehicle access over council reserve* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Reserves - Short Term Permit** | **per day - max 3 days** | **Exempt** | **169049.6251** | **$961.00** | **$1,006.00** | **$45.00 : 4.68 %** | | **$1,006** |
| *Private function - invited guests only. Other fees may apply for additional services or to meet legislative requirements* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Casual Use of Council Community Tennis/Netball Co** | **per hour per court** | **Exempt** | **169049** | **$11.00** | **$12.00** | **$1.00 : 9.09 %** | | **$24** |
| *To facilitate the use by organisations for sporting activities e.g. School use* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Casual Use of Council Community Tennis/Netball Co** | **per season up to 6 months** | **Exempt** | **169049** | **$385.00** | **$403.00** | **$18.00 : 4.68 %** | | **$806** |
| *To facilitate the use by organisations for sporting activities e.g. School use* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Long Term Licence - Decal/s** | **per application (5 Decals up to 6 mths)** | **Exempt** | **169049** | **$546.00** | **$572.00** | **$26.00 : 4.76 %** | | **$572** |
| *For commercial organistations, applies over Council land and roads* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Long Term Licence - Decal/s** | **per application (10 Decal/s up to 6 mths)** | **Exempt** | **169049** | **$175.08** | **$183.00** | **$7.92 : 4.53 %** | | **$1,830** |
| *For community organistations (includes charitable and not for profit organisations) applies over Council land and roads* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Use of Community Land/Road for Bump In/Bump Ou** | **per day** | **Exempt** | **169049** | **$31.00** | **$32.00** | **$1.00 : 3.23 %** | | **$32** |
| *Per day (new fee) ie short term, high impact events* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Reserves Long Term Licence** | **per session(weekly, min 12 sessions non refundable** | **Exempt** | **169049** | **$8.00** | **$8.00** | **$0.00 : 0.00 %** | | **$1,456** |
| *Small scale business e.g. commercial outdoor fitness providers, low key affordable service providers in the community e.g. art lessons, yoga, health and wellness activities. Minimum fee of 12 sessions applicable.* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Reserves - Seasonal Licence** | **per season up to 6 months** | **Exempt** | **169049** | **$1,563.00** | **$1,636.00** | **$73.00 : 4.67 %** | | **$1,636** |
| *Seasonal use of Council Sports Turf Surface - 30% discount for junior teams* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Reserves / Foreshore - Casual Bookings** | **per day** | **Exempt** | **169049** | **$0.00** | **No fee** | **$0.00 : 0.00 %** | | **$0** |
| *0 to 70 people attending - no permit reqiuired* | | | | * No fee charged | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Reserves / Foreshore- Events on Council Land** | **per day** | **Exempt** | **169049** | **$60.00** | **$63.00** | **$3.00 : 5.00 %** | | **$2,583** |
| *0 to 70 people (maximum 3 days)* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Reserves / Foreshore - Events and Informal Gatherings on Council Land** | **per day** | **Exempt** | **169049** | **$110.00** | **$115.00** | **$5.00 : 4.55 %** | | **$460** |
| *More than 71 people (maximum 3 days)* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Reserves / Foreshore - Wedding Bookings** | **2 hours** | **Exempt** | **169049** | **$196.00** | **$205.00** | **$9.00 : 4.59 %** | | **$12,095** |
| *0 to 130 people ceremony only* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Use of Council Roads** | | | | | | | | |
| **Events on Roads** | **per application** | **Exempt** | | **$60.00** | **$63.00** | **$3.00 : 5.00 %** | | **$315** |
| *Community events on Council Roads 0-70 people (maximum of 3 days)* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Events on Roads** | **per application** | **Exempt** | | **$110.00** | **$115.00** | **$5.00 : 4.55 %** | | **$2,875** |
| *Community events on Council roads e.g. Street Gatherings, Cycling events etc More than 71 people (maximum of 3 days)* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Road Reserves** | **per week** | **Exempt** | **169049** | **$253.00** | **$265.00** | **$12.00 : 4.74 %** | | **$1,060** |
| *Commercial use of Road/Land for building compound/construction sites/high impact* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Road Reserves** | **per application** | **Exempt** | **169049** | **$328.00** | **$343.00** | **$15.00 : 4.57 %** | | **$686** |
| *Government body (includes Government contractors)/Commercial Organisation (up to 12 months) including access over community land, very low impact* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Road Reserves** | **per week (up to 2 months)** | **Exempt** | **169049.6251** | **$129.00** | **$135.00** | **$6.00 : 4.65 %** | | **$540** |
| *Commercial Use/Hoarding and Business Use (short term use of small portion of Council Land, low impact)* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Road Reserves** | **per month (up to 12 months)** | **Exempt** | **169049** | **$1,012.00** | **$1,060.00** | **$48.00 : 4.74 %** | | **$3,135** |
| *Commercial Use/Hoarding and Business Use, higher impact* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Road Reserves** | **per application** | **Exempt** | **169049.6251** | **$0.00** | **On negotiation** | **$0.00 : 0.00 %** | | **$0** |
| *Commercial Use/Hoarding and Business Use - A period longer than 12 months fee to be negotiated* | | | | * Fee based on negotiation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Road Reserves - Long Term Permit** | **annually** | **Exempt** | **169049.6251** | **$264.00** | **$276.00** | **$12.00 : 4.55 %** | | **$2,760** |
| *Rural use (eg. grazing, moving of livestock), residential, community organisations and commerical* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Application to Alter a Public Road** | **per application** | **Exempt** | **169049** | **$196.00** | **$205.00** | **$9.00 : 4.59 %** | | **$19,475** |
| *Application to alter a public road under section 221 (applies to underground electrical services, indirect water supply and driveway crossovers and inverts)* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Miscellaneous Charges** | | | | | | | | |
| **Assessment Information** | | | | | | | | |
| Provision of information on rates and valuation data obtained from the assessment record including reprinting of historical rates notices | | | | | | | | |
| **Bulk Assessment Record Information (database extract)** | | | | | | | | |
| Provision of assessment record information on larger numbers of properties - usually for requests lodged by land agents or similar bodies. | | | | | | | | |
| **Bulk Electronic Information Charge per Record** | **per record** | **Taxable** | **719107** | **$1.00** | **$1.00** | **$0.00 : 0.00 %** | | **$500 is the total budget for all Assessment information and rate notices copies** |
| *Under Section 174(2) of the Local Government Act 1999 "A person is entitled, upon payment of a fee fixed by the council, to a copy of an entry made in the assessment record."* | | | | | * In line with indexation and rounded down to nearest $ | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Bulk Electronic Information Minimum Charge** | **minimum amount payable** | **Taxable** | **719107** | **$142.70** | **$149.40** | **$6.70 : 4.70 %** | | **$500 is the total budget for all Assessment information and rate notices copies** |
| *Under Section 174(2) of the Local Government Act 1999 "A person is entitled, upon payment of a fee fixed by the council, to a copy of an entry made in the assessment record."* | | | | | * In line with indexation | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Bulk Information (Minimum 25 Assessments) Time Based Charge (where specific property addresses are provided)** | **per half hour** | **Taxable** | **719107** | **$48.60** | **$50.90** | **$2.30 : 4.73 %** | | **$500 is the total budget for all Assessment information and rate notices copies** |
| *Under Section 174(2) of the Local Government Act 1999 "A person is entitled, upon payment of a fee fixed by the council, to a copy of an entry made in the assessment record."* | | | | | * In line with indexation | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Information Retrieval from Assessment Record** | | | | | | | | |
| Administrative cost per half hour of staff processing time to produce the requested information where information not readily available from current data. | | | | | | | | |
| **Investigation and Archival Retrieval from Assessment Record** | **per half hour** | **Taxable** | **719107** | **$48.60** | **$50.90** | **$2.30 : 4.73 %** | | **$500 is the total budget for all Assessment information and rate notices copies** |
| *Administrative cost per half hour of processing to produce the requested information.* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Printed extracts of Assessment Record Information** | | | | | | | | |
| **Assessment Record Extract** | **per assessment requested** | **Taxable** | **719107** | **$29.90** | **$31.30** | **$1.40 : 4.68 %** | | **$500 is the total budget for all Assessment information and rate notices copies** |
| *Under Section 174(2) of the Local Government Act 1999 "A person is entitled, upon payment of a fee fixed by the council, to a copy of an entry made in the assessment record."* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Provision of Address Information to Third Party Service Providers** | | | | | | | | |
| **Provision of Address Information to Third Party Service Providers** | **per property** | **Taxable** | **719107** | **$5.30** | **$5.50** | **$0.20 : 3.77 %** | | **$500 is the total budget for all Assessment information and rate notices copies** |
| *Provision of house number to allotment number for third party service providers (Pest Control Agencies, Telstra, Origin, etc)* | | | | * In line with indexation and rounded down to nearest c | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Reprint Rate Notices (Previous Financial Years)** | | | | | | | | |
| **Reprint Rate Notices (Hard Copy Previous Financial Years)** | **per notice** | **Taxable** | **719107** | **$29.90** | **$10.00** | **-$19.90 : -66.56 %** | | **$500 is the total budget for all Assessment information and rate notices copies** |
| *Requests lodged with Council for previous years rate notices* | | | | * Cost has decreased on the basis of consistency with other Councils' providing same service. | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Cemetery Fees** | | | | | | | | |
| **Services Provided** | | | | | | | | |
| **Administration Fee** | **per application** | **Exempt** | **679201** | **$138.00** | **$144.00** | **$6.00 : 4.35 %** | | **$6,336** |
| | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Burial Plot Renewal - Yearly Fee** | **per year** | **Exempt** | | **$65.00** | **$68.00** | **$3.00 : 4.62 %** | | **$33,728** |
| *Up to 50 years (minimum 5 years legislated). Payment plan available.*<br>*"No Interment Right fees for the 25 post-war graves in our cemeteries – Council decision 15 March 2022 at Item 9.8".* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Niche Wall Renewal - Yearly Fee** | **per year** | **Exempt** | | **$35.00** | **$37.00** | **$2.00 : 5.71 %** | | **$4,551** |
| *Up to 25 years (minimum 5 years legislated). Payment plan available.*<br>*"No Interment Right fees for the 25 post-war graves in our cemeteries – Council decision 15 March 2022 at Item 9.8".* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Rose/Memorial Garden Renewal - Yearly Fee** | **per year** | **Exempt** | | **$40.00** | **$42.00** | **$2.00 : 5.00 %** | | **$5,208** |
| *Up to 25 years (minimum 5 years legislated). Payment plan available.*<br>*"No Interment Right fees for the 25 post-war graves in our cemeteries – Council decision 15 March 2022 at Item 9.8".* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **View Electronic Burial Information Online** | **per viewing** | **Exempt** | | **$0.00** | **No fee** | **$0.00 : 0.00 %** | | **$0** |
| | | | | * No fee charged for this service | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Burial Plot 50 Year Interment Right** | **per applicaiton** | **Exempt** | **679201** | **$3,278.00** | **$3,432.00** | **$154.00 : 4.70 %** | | **$34,320** |
| | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Niche Wall - 25 Year Interment Right** | **per application** | **Exempt** | **679201** | **$888.00** | **$930.00** | **$42.00 : 4.73 %** | | **$2,790** |
| | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Rose Garden - 25 Year Interment Right** | **per application** | **Exempt** | **679201** | **$1,020.00** | **$1,068.00** | **$48.00 : 4.71 %** | | **$4,272** |
| | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Transfer of Interment Right** | **per application** | **Exempt** | **679201** | **$138.00** | **$144.00** | **$6.00 : 4.35 %** | | **$1,728** |
| | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Ashes Interred in Grave** | **per application** | **Taxable** | **679201** | **$0.00** | **Actual Contractor Cost + Administration Fee** | **$0.00 : 0.00 %** | | **$0** |
| | | | | * No change to fee structure - fee based on contractor costs and administration fee | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Memorial Permit** | **per application** | **Exempt** | **679201** | **$138.00** | **$144.00** | **$6.00 : 4.35 %** | | **$2,880** |
| | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Information Retrieval for Community Members** | | | | | | | | |
| Community members requesting copies of house plans, soil reports, engineering reports, agenda/minutes, copies of by-law etc. | | | | | | | | |
| **Investigation and Archival Retrieval** | | | | | | | | |
| Requiring investigation and archival retrieval of information eg: house plans, soil reports, engineering reports, agenda/minutes, copies of by-law etc. | | | | | | | | |
| **Enquiry** | **per request** | **Taxable** | **709303.6251** | **$59.60** | **$62.40** | **$2.80 : 4.70 %** | | **0** |
| *Lodgement fee* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Processing Fee - Completion of Search** | **per search** | **Taxable** | **709303** | **$36.00** | **$37.70** | **$1.70 : 4.72 %** | | **0** |
| *Administrative cost per half hour of processing the request* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Materials Cost A4 copies** | **per page** | **Taxable** | **709303** | **$0.20** | **$0.20** | **$0.00 : 0.00 %** | | **0** |
| *Cost per page for A4 copy - black and white and colour, no duplex* | | | | * In line with indexation and rounded down to nearest c | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Materials Cost A3 copies** | **per page** | **Taxable** | **709303** | **$0.50** | **$0.50** | **$0.00 : 0.00 %** | | **0** |
| *Cost per page for A3 copy - black and white only* | | | | * In line with indexation and rounded down to nearest c | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Materials Cost AO1 copies** | **per page** | **Taxable** | **709303** | **$2.00** | **$2.00** | **$0.00 : 0.00 %** | | **0** |
| *Cost per page for AO1 copy - black and white only* | | | | * In line with indexation and rounded down to nearest $ | | | | |
| LG Act 1999 Section 188(1) (d) | | | | | | | | |
| **Property Transactions** | | | | | | | | |
| **Real Property Transactions** | | | | | | | | |
| **Application Fee - Consent of Council as an Interested Party** | **per application** | **Taxable** | **999024** | **$301.00** | **$315.00** | **$14.00 : 4.65 %** | | **$2,205** |
| *Applicants wishing to apply for Council's consent pursuant to encumbrances, Land Management Agreements (LMA's) licences, leases or caveats are required to pay this fee upon application.* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Easement - Compensation for the value of the rights/liberties granted for electricity transformer structures** | **per transformer (minimum fee $5,439)** | **Taxable** | **999024** | **$0.00** | **Higher of $5,439 or market value when request** | **$0.00 : 0.00 %** | | **$5,439** |
| *Successful applicants for the creation or variation of easements must compensate Council for the value of the rights granted and the encumbrance to the land plus all associated processing and external costs. (A minimum fee applies or independent valuation plus valuation charge at Councils discretion)* | | | | * Minimum fee increased by indexation | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |

# Proposed Schedule of Fees and Charges 2022-23

| Description and Legislative Authority | Unit | GST Treatment | Business Unit | Current Fee 2021-22 | Proposed Fee 2022-23 | Change $ : % | New | Yearly Income Estimate |
|---|---|---|---|---|---|---|---|---|
| **Landowner consent** | **per consent** | **Taxable** | | **$105.00** | **$110.00** | **$5.00 : 4.76 %** | | **$0.00** |
| *Landowner consent to host an event/function when the event/function is considered additional to the permitted use under a lease. If a liquor licence extension is required this will be incorporated into this fee.* | | | | * In line with indexation and rounded up to nearest $ | | | | |
| LG Act 1999 Section 188(1) (f) | | | | | | | | |
| **Purchase of a Public Road** | **per parcel** | **Taxable** | **999024** | **$0.00** | **Market value** | **$0.00 : 0.00 %** | | **$0** |
| *Applicants wishing to purchase a portion of public road will be required to pay not less than the current market value of the land, plus all associated processing and external costs.* | | | | * No change to fee structure - fee based on market value | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Application Fee - Easements** | **per easement** | **Taxable** | **999024** | **$301.00** | **$315.00** | **$14.00 : 4.65 %** | | **$1,575** |
| *Applicants wishing to apply for creation, variation or extinguishment of easements are required to pay this fee upon application.* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Easements - Compensation for the value of the rights/liberties granted (excludes electricity transformer sites)** | **per easement (minimum fee $1,605.00)** | **Taxable** | **999024** | **$0.00** | **Higher of $1,605.00 or market value when request** | **$0.00 : 0.00 %** | | **$3,210** |
| *Applicants wishing to apply for creation, variation or extinguishment of easements must compensate Council for the loss of rights granted as a result of the encumbrance to the land plus all associated processing and external costs (A minimum fee applies or Independent Market Valuation plus valuation charge, at Councils discretion)* | | | | * Minimum fee increased by indexation | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **Application Fee - Purchase of a Public Road** | **per application** | **Taxable** | **999024** | **$301.00** | **$315.00** | **$14.00 : 4.65 %** | | **$1,575** |
| *Applicants wishing to apply to purchase a portion of public road are required to pay this fee upon application.* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Application Fee - Purchase of Council Land** | **per item** | **Taxable** | **999024** | **$301.00** | **$315.00** | **$14.00 : 4.65 %** | | **$1,575** |
| *Persons wishing to apply to purchase Council land are required to pay this fee upon application to obtain land titles, etc. Sale of land will be at market value plus associated processing costs.* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |
| **Purchase of Council land** | **per parcel** | **Taxable** | **999024** | **$0.00** | **Market value** | **$0.00 : 0.00 %** | | **$0** |
| *Applicants wishing to purchase Council land will be required to pay not less than the current market value of the land, plus all associated processing and external costs.* | | | | * No change to fee structure - fee based on market value | | | | |
| LG Act 1999 Section 188(1) (h) | | | | | | | | |
| **Application Fee - Commercial Leases** | **per application** | **Taxable** | **999024** | **$430.00** | **$450.00** | **$20.00 : 4.65 %** | | **$450** |
| *Commercial entities applying to lease Council (or Community) land are required to pay this upon application.* | | | | * In line with indexation | | | | |
| LG Act 1999 Section 188(1) (e) | | | | | | | | |

## 9.3 QUARTERLY FINANCIAL UPDATE INCLUDING BUDGET REVIEW 3

| Report contact | Meeting |
|---|---|
| Jade Bird, Manager Financial Services | Council |
| 8384 0580 | |
| **Approving officer** | **Date** |
| Anthony Spartalis, Chief Financial Officer | 17 May 2022 |

### 1. Purpose

This report provides analysis of council's actual financial performance to 31 March 2022 compared to the original budget, and analysis of the original budget compared to the year-end forecast arising from 2020-21 carry forwards and Budget Reviews 1, 2 and 3.

### 2. Recommendations

**That Council;**

1. **Note the financial update for the period to 31 March 2022 provided in the agenda report and at the Quarterly Financial Update as at 31 March 2022 (Attachment 1 to the agenda report), Forecast Financial Statements (Attachment 2 to the agenda report) and the Summary of Operating and Capital Forecasts (Attachment 3 to the agenda report).**
2. **Adopt the revised forecast 2021-22 position, incorporating carry forward and Budget Review 1, 2 and 3 outcomes as discussed in the agenda report, and attachments to the agenda report as follows:**
   - **Quarterly Financial Update as at 31 March 2022 (Attachment 1)**
   - **Forecast Financial Statements (Attachment 2)**
   - **Summary of Operating and Capital Forecasts – All Budget Reviews (Attachment 3)**
   - **Q3 Savings Register (Attachment 4).**

### 3. Executive summary

This report and Attachment 1 provide analysis of year to date financial position compared to the original 2021-22 budget, as well as discussion on the year-end forecast position which incorporates carry forwards from 2020-21 and movements from budget reviews 1, 2 and 3.

This report also provides commentary in relation to various financial risks arising as a result of changes proposed and already made across the government sector that could significantly impact council's long term financial sustainability and outlines the activities council is currently undertaking to mitigate these.

This report was presented to the Audit and Risk Committee on 9 May 2022, where they resolved that the quarterly finance reports should be compared back to the most recent budget review forecast, rather than the original budget. This change of reporting will take effect from the budget review 4 report, to be presented in September.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **people:** connected, engaged, active, healthy<br>**place:** green, inviting, accessible, liveable<br>**prosperity:** economically strong, environmentally thriving<br>**performance:** accountable, efficient, inclusive, sustainable<br>This report provides an update on performance against budget and the anticipated forecast for 2021-22, thus supporting the performance theme of the Community Plan 2030. |
| Policy and/or relevant legislation | The *Local Government (Financial Management) Regulations 2011* (the Regulations) specify the number and timing of budget reviews that must be considered by Council following adoption of the budget. |
| Who did we talk to/who will we be talking to | We worked with the Community, Elected Members and all internal budget holders to prepare the 2021-22 Annual Business plans and Budget, adopted by Council at its meeting 29 June 2021, and continuously work with the budget holders to ensure the year end forecast reflects the most recent information and decisions available. |

## 5. Discussion

At its meeting on 29 June 2021 Council adopted the 2021-22 Budget, and in accordance with the Regulations, resolved relevantly that:

*The budget will be reviewed four times during the financial year for the periods ended:*

- *30 September 2021*
- *31 December 2021*
- *31 March 2022*
- *30 June 2022 (as part of our year-end financial processes).*

At its meeting on 21 September 2021, Council approved the 2020-21 carry forwards to be incorporated into the 2021-22 budget.

The year-to-date operating position is a deficit of $3.1 million, which is $0.6m unfavourable compared to the YTD budget. The forecast end of year operating position is a deficit of $4.4 million, an improvement of $0.1 million from the original budgeted deficit of $4.5 million. Attachment 1 provides an analysis of both the YTD position compared to the original budget, and the forecast end of year position compared to the original budget.

The financial tables in Attachment 1 have been updated to include the original budget plus carry forwards for reference.

Attachment 2 provides the actual year to date and forecast year-end financial statements. As requested by ARC at the meeting held on 14 February 2022, two additional attachments are also included:

- Attachment 3 – Summary of original budget, original budget plus carry forwards and all budget review forecasts for both operating and capital budgets
- Attachment 4 – Savings register as at 31 March 2022

At the ARC meeting held 9 May, the Committee resolved that the quarterly finance reports should be compared back to the most recent budget review forecast, rather than the original budget. Administration have held the view that financial reporting should be compared back to the original budget as this is what we raise rates on, however this change of reporting as requested by ARC will take effect from the budget review 4 report, to be presented in September.

The forecast operating position at budget review 2 was a deficit of $2.4 million, with the increased operating deficit presented in the current report being predominantly due to the recognition of increased depreciation and amortisation expenditure in budget review 3.

## 6. Financial implications

### Financial summary

The forecast end of year operating position is a deficit of $4.4 million, an improvement of $0.1 million from the original budget.

The financial impact of the projects carried forward from 2020-21 ($17.086 million of capital projects and $1.373 million of operating projects) is reflected in the forecast year-end position, as well as movements arising from Budget Reviews 1, 2 and 3.

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Reputation/community expectation | Mitigation activities in relation to significant financial risks are outlined in this report and its attachments. Enabling effective management of financial risks arising as a result of changes proposed and already made across the government sector is targeted to minimise the potential impact on Council's long term financial sustainability. |
| Financial/business sustainability | The financial implications of recommendations to Directors Group, Council or any of Council's sub committees are outlined in each report considered by these bodies.<br>In addition, the financial planning and budgetary process and quarterly budget reviews provide financial analysis for consideration by Council to ensure financial resources are effectively managed in the short, medium and long term to achieve financial sustainability. |
| Compliance/legal | Future quarterly financial update reports including budget reviews have been scheduled for Council consideration in accordance with Section 9, Review of Budgets, of the *Local Government (Financial Management) Regulations 2011*. |

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| Reputation/community expectation | Opportunity to review the quarterly 2021-22 actual to budget results and forecast the end of year position so that informed decisions can be made to either rectify any deterioration in the bottom line or capitalise on any opportunities that may be identified. |

## 8. Next steps

The final quarterly financial update for 2021-22 is scheduled to be presented to the Audit and Risk Committee in September 2022 prior to being presented to Council. This will include Budget Review 4 and proposed carry forwards.

## 9. Attachments

Attachment 1 – Quarterly Financial Update as at 31 March 2022 (20 pages)

Attachment 2 – Forecast Financial Statements (5 pages)

Attachment 3 – Summary of Operating and Capital Forecasts – All Budget Reviews (2 pages)

Attachment 4 – Q3 Savings Register (3 pages)

- END OF REPORT –

CITY OF ONKAPARINGA

# Financial Services

## Quarterly Financial Update

## As at 31 March 2022

**Jade Bird**
Manager Financial Services

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# EXECUTIVE SUMMARY

**Actual Year to Date Performance** – The actual operating position as at 31 March 2022 is a deficit of $3.1 million, which is $0.6 million unfavourable compared to the YTD original budget.

As requested by the Audit and Risk Committee, future reports will compare the YTD actuals to the most recent budget review forecast, rather than to the original budget.

Where it has been identified that the timing of budgets was materially different (such as the way the budgeting system may automatically spread the annual budget, as opposed to activities occurring at different times than originally planned), this was adjusted as part of Budget Review 2. These adjustments are reflected in the revised Forecast however they are not reflected in the figures below, as we do not adjust the timing of the Original Budget. Commentary has been provided where this is relevant, and variances due to timing differences are shown separately from variances due to other reasons.

In addition, the variance analysis in this report compares against the original budget as adopted by Council, however the financial tables have been updated to show the original budget plus carry forwards for reference purposes.

The actual to budget variances for the period 31 March 2022 include the following key items:

- Grants, Subsidies and Contributions unfavourable variance of $1.7m primarily relates to budgeted revenue that is unable to be recognised due to project delays.
- User charges favourable variance of $0.7m primarily relates to timing of the original budget, which is detailed in note 2 below.
- Employee costs favourable variance of $2.0m which relates to vacancies throughout the year.
- Contracts unfavourable variance of $1.9m relates to expenditure on operating projects that were carried forward from 2020-21, and increased contract employee costs to backfill for employee vacancies.
- Depreciation unfavourable variance of $3.0m is due to amortisation and additional building depreciation, as outlined in note 10 below.
- Renewal Project expenditure underspend of $7.0m relates to the timing of receipt of milestone invoices for the road reseal program and savings in the kerb reseal program.
- New and Significant Upgrade project expenditure underspend of $2.6m relates to the timing of several projects (see note 13 below for more detail).

**2021-22 Forecast Year End Position** – The forecast end of year operating position is a deficit of $4.4m, which is an improvement of $0.1m compared to the original budgeted deficit of $4.5m (and an unfavourable movement of $0.51m compared to the original budget plus carry forwards deficit of $3.9m).

Future reports will compare the forecast year end position to that of the most recent budget review forecast, as requested by the Audit and Risk Committee.

The forecast end of year position includes the following key items:

- Carry forward of $2.0m capital-related grant income from 2020-21 required to be included in the operating position, primarily related to the Local Roads and Community Infrastructure (LRCI) Program – Round 2 funding.
- Recognition of capital-related grant income of $1.5m required to be included in the operating position related to the LRCI Program – Round 3 funding.

- Increase in contracts expenditure of $3.7m, primarily due to the carry forward of projects, increased contract employee costs (offset by employee savings), and recognition of a contribution towards the Mt Bold Reservoir safety upgrade project, which was approved by Council in February 2022.
- Reduction in user charges income of $0.2m, primarily related to reduced activity at the Noarlunga Aquatic and Recreation Centre which has been impacted by COVID-19 restrictions throughout the financial year.
- Increase in net capital expenditure of $22.4m, of which $4.0m relates to the carry forward of renewal projects and $13.1m for New and Significant Upgrade projects (as detailed in the Quarterly Financial Update presented to Council 21 September 2021), as well as recognition of $2.1m net expenditure for Port Willunga North Coast Park as discussed below.
- An increase in new loans of $3.9m relating to:
    - Port Willunga North Coast Park ($2.1m), a project which was successful in obtaining 50% grant funding through the Planning and Development Fund Open Space and Places for People program, as approved by Council at its meeting on 15 June 2021 as part of the Quarterly Financial Update incorporating Budget Review 3. The increase in new loans was possible due to the receipt of round 3 LRCI funding, which has created capacity within the Long Term Financial Plan to fund Council's contribution to the project, without exceeding the future debt ceiling and maintaining the debt trajectory as per the adopted LTFP.
    - Reduction of forecast revenue anticipated to be received from asset rationalisation proceeds, from $3m to $500k. As part of the Long Term Financial Plan and Asset Rationalisation Strategy, an annual proceeds target of $3m is built in to fund the capital works program. Should this target not be met, projects will either need to be deferred, or loans increased to cover the shortfall.

## INTRODUCTION

This document provides an overview of the following:

**Actual performance** – analysis of our actual financial performance to 31 March 2022 compared to the original budget.

**Forecast year-end position** – analysis of the original budget compared to the year-end forecast for 30 June 2022, as at Budget Review 3.

Information is provided as follows:

**Operating position and capital expenditure** - the operating position and capital expenditure summary provides a summary of all of council's income and expenditure (capital and operating, and incorporates debt and reserve transfers).

**Forecast financial statements** - attachment 2 includes a set of draft actual and budgeted financial statements, and attachment 3 includes the summary of original budget, original budget plus carry forwards and all budget review forecasts for both operating and capital budgets.

**Significant financial risks** – as previously requested by the Audit and Risk Committee (ARC), significant financial risks arising predominantly from changes proposed and already made across the government sector are presented. The risks that could significantly impact council's long-term financial sustainability are identified and rated, with a summary of the activities currently being undertaken to mitigate these. We continue to work with the LGA and have been monitoring and/or advocating directly on the:

- COVID–19 impacts

- Local Government reform and rate capping, and
- EPA levy increases

# ACTUAL VS APPROVED BUDGET AS AT 31 MARCH 2022

Table 1 below presents the analysis of actual performance to 31 March 2022 against the **original budget** for the same period. The full year **original budget plus carry forwards** has also been added into this table for reference.

As requested by the Audit and Risk Committee, future reports will compare the YTD actuals to the most recent budget review forecast, rather than to the original budget.

Variances between actual and budget results from either **actual budget variations** (where actual dollar amounts are different to budget) or **timing differences** (where actual spend has occurred earlier or is now forecast to occur later than originally budgeted, however the dollar amount budgeted is unchanged).

Note that during budget preparation, timing of amounts has been aligned to the expenditure and income patterns from the previous year's actuals and if in the current year significant expenditure is incurred in a different period to the previous year, a timing variance will result. However, if total actual amounts throughout the year are similar to budget, there is unlikely to be a year-end variance that arises due to a timing difference.

Where it has been identified that timing was materially different (for those matters not arising due to changes in activity), this has been adjusted as part of Budget Review 2, however these will not be reflected in the figures below as we do not update the timing in the Original Budget. Commentary has been provided where this is relevant, and variances due to timing differences are shown separately.

Significant variances, greater than +/-$50,000 and +/-5 per cent, are detailed below.

## TABLE 1: OPERATING POSITION AND CAPITAL EXPENDITURE SUMMARY (INCORPORATING DEBT AND RESERVE TRANSFERS)

### ACTUAL VS ORIGINAL BUDGET YEAR TO DATE (31 MARCH 2022)

| | YTD | | | | | | |
|---|---|---|---|---|---|---|---|
| $'000 | YTD Actual | YTD Original Budget | Variance Fav/ (Unfav) | Variance % | Note | Original Budget | Original Budget + Carryforwards |
| **Operating Activities** | | | | | | | |
| **Income** | | | | | | | |
| Rates revenue | 108,712 | 107,288 | 1,423 | 1.3% | 1 | 144,725 | 144,725 |
| Statutory charges | 3,261 | 3,241 | 20 | 0.6% | | 3,892 | 3,892 |
| User charges | 6,434 | 5,686 | 747 | 13.2% | 2 | 8,641 | 8,641 |
| Grants, subsidies and contributions | 11,612 | 13,317 | (1,705) | -12.8% | 5 | 18,875 | 21,358 |
| Investment income | 10 | 6 | 5 | 0.0% | | 12 | 12 |
| Reimbursements | 477 | 1,263 | (786) | -62.2% | 6 | 1,715 | 1,715 |
| Other income | 1,685 | 686 | 999 | 145.6% | 7 | 1,019 | 1,043 |
| **Total Income** | **132,190** | **131,487** | **703** | **0.5%** | | **178,879** | **181,386** |
| **Expenditure** | | | | | | | |
| Employee costs | 53,975 | 56,026 | 2,051 | 3.7% | 8 | 74,272 | 74,373 |
| Contracts | 32,678 | 30,784 | (1,893) | -6.2% | 9 | 45,471 | 47,107 |
| Materials | 7,657 | 7,493 | (163) | -2.2% | 3 | 12,030 | 12,090 |
| Other expenses | 10,032 | 11,348 | 1,315 | 11.6% | 4 | 13,218 | 13,306 |
| Depreciation and amortisation | 28,917 | 25,953 | (2,964) | -11.4% | 10 | 35,434 | 35,434 |
| Finance costs | 2,045 | 2,338 | 293 | 12.5% | 11 | 2,991 | 2,991 |
| **Total Expenditure** | **135,303** | **133,942** | **(1,361)** | **-1.0%** | | **183,416** | **185,301** |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Operating surplus/(deficit)** | **(3,114)** | **(2,456)** | **(658)** | **26.8%** | | **(4,538)** | **(3,915)** |

| $'000 | YTD Actual | YTD Original Budget | Variance Fav/(Unfav) | Variance % | Note | Original Budget | Original Budget + Carry forwards |
|---|---|---|---|---|---|---|---|
| Capital Projects | | | | | | | |
| **Renewal** | | | | | | | |
| Project expenses | 17,199 | 24,206 | 7,007 | 28.9% | 12 | 31,716 | 39,966 |
| **Less:** | | | | | | | |
| Grants, subsidies, contributions and disposals | 1,869 | 2,085 | (217) | -10.4% | 13 | 5,699 | 9,726 |
| **Net Renewal Expense** | **15,330** | **22,121** | **6,791** | **30.7%** | | **26,017** | **30,241** |
| **New and Significant Upgrades** | | | | | | | |
| Project expenses | 13,433 | 16,042 | 2,609 | 16.3% | 14 | 18,615 | 40,408 |
| **Less:** | | | | | | | |
| Grants, subsidies & contributions and Developer contributions | 2,185 | 3,813 | (1,628) | -42.7% | 15 | 4,485 | 13,416 |
| **Net New and Significant Upgrade Expense** | **11,248** | **12,230** | **982** | **8.0%** | | **14,129** | **26,992** |
| **Net Capital Project Expense** | **26,578** | **34,350** | **7,772** | **22.6%** | | **40,147** | **57,232** |

| $'000 | YTD Actual | YTD Original Budget | Variance Fav/ (Unfav) | Variance % | Note | Original Budget | Original Budget + Carryforwards |
|---|---|---|---|---|---|---|---|
| Other | | | | | | | |
| **Loans** | | | | | | | |
| Loan drawdowns | 5,778 | 6,708 | 930 | 13.9% | 16 | 13,416 | 13,416 |
| **Less:** | | | | | | | |
| Loan principal repayments | (804) | (804) | (0) | 0.0% | | (4,965) | (4,965) |
| **Net Loan Movement** | **4,974** | **5,904** | **930** | **15.8%** | | **18,380** | **18,380** |
| **Reserves** | | | | | | | |
| Transfer from Reserves | 513 | 0 | 513 | 0.0% | 17 | 4,124 | 4,124 |
| **Less:** | | | | | | | |
| Transfer to Reserves | 0 | 0 | 0 | 0.0% | | (1,723) | (1,723) |
| **Net Reserve Movement** | **513** | **0** | **513** | **0.0%** | | **2,401** | **2,401** |

## SIGNIFICANT TIMING VARIANCES: ACTUAL VS ORIGINAL BUDGET YEAR TO DATE (31 MARCH 2022)

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| **Operating Activities** | | | | |
| 1 | Rates revenue | 1,423 | 1.3% | This variance primarily relates to the timing of general rate revenue recognised vs budget timing, and no impact is anticipated to the year end forecast. |
| 2 | User charges | 747 | 13.2% | Primarily relates to the timing of budget for Noarlunga Leisure and Aquatic Centre income. This has been amended in the budget review and forecast however we do not adjust the timing of the original budget in the finance system. The timing variances have reduced since the previous report.<br>Further commentary on the forecast for user charges is included later in this report. |
| 3 | Materials | (163) | (2.2%) | Unfavourable variance primarily relates to timing of budgets with no impact anticipated on the forecast end of year position. |
| 4 | Other expenses | 1,315 | 12.5% | Favourable variance is due to timing of expenditure and budgeted timing of internal charge recoveries. |

## SIGNIFICANT NON-TIMING VARIANCES: ACTUAL VS ORIGINAL BUDGET YEAR TO DATE (31 MARCH 2022)

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| **Operating Activities** | | | | |
| 5 | Grants, subsidies and contributions | (1,705) | (13.2%) | Unfavourable variance primarily relates to budgeted revenue that is unable to be recognised due to project delays, including:<br>- Wearing Street<br>- Piggott Range Road safety upgrade<br>- Gulf Parade Maslin Beach<br>While these are capital projects, revenue related to the renewal of these assets is to be treated as operating. |
| 6 | Reimbursements | (786) | (62.2%) | Unfavourable variance primarily relates to Workers Compensation rebate which has historically been shown as a reimbursement in the General Purpose Financial Statements (GPFS) however as per Australian Accounting Standards rebates received should form part of Other Income (Note 2 in GPFS). Actual rebate received has been applied to other income (see note 6 below) and budget adjustment formed part of Budget Review 1. The full year budget for the Workers Compensation rebate is $1.228m, with $602k received YTD. |
| 7 | Other income | 999 | 145.6% | Favourable variance primarily related to Workers Compensation rebate of $602k as detailed in Note 6, with the budget adjustment forming part of a previous Budget Review. |
| 8 | Employee costs | 2,051 | 3.7% | Favourable variance relates to vacancies YTD. |
| 9 | Contracts | (1,893) | (6.2%) | Unfavourable variance primarily relates to expenditure on carried-forward operating projects and increased contract employee costs to backfill for employee vacancies. |

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| **Operating Activities** | | | | |
| 10 | Depreciation | (2,964) | (11.4%) | Unfavourable variance related to recognition of OneCouncil as an intangible asset and increased building depreciation which was not known at the time of preparing the budget. |
| 11 | Finance costs | 293 | 12.5% | Borrowings have been lower than budget for most of this financial year, which has resulted in reduced finance costs YTD. |

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| **Capital Projects** | | | | |
| **Renewal** | | | | |
| 12 | Project expenses | 7,007 | 28.9% | Predominately relates to timing of milestone invoices being received for the annual road reseal program, $5m, and savings in the kerbing program, $1.5m. |
| 13 | Grants, subsidies and contributions | (217) | (10.4%) | Primarily relates to timing of grant income for Piggott Range Road Safety Upgrade project which was successful for funding under the 2021-22 Australian Government Black Spot Program. Grant income will be progressively recognised in line with expenditure. |
| **New and Significant Upgrades** | | | | |
| 14 | Project expenses | 2,609 | 16.3% | Predominately relates to timing of Major Project expenditure including:<br>- Wearing Street, $4.5m<br>- Flat to Vale Trail, $897k<br>- Port Noarlunga Sports Complex, $800k<br>The above underspends have been offset by expenditure on projects that were carried forward from 2020-21 including:<br>- Christie Downs Renewal, $1.2m<br>- Hackham South East Local Infrastructure, $572k<br>- Noarlunga Aquatic Change Facility, $575k<br>- Port Noarlunga Parking Project, $392k<br>- Hackham Sports Complex Changerooms, $319k<br>- Kangarilla Sports Complex Fire Hydrant, $292k<br>While the year-end forecast is projected to increase by $28.9m, it is likely that many projects will need to be carried-forward into 2022-23. |
| 15 | Grants, subsidies & contributions & Developer contributions | (1,628) | (42.7%) | Predominately relates to the timing of Wearing Street expenditure and recognition of related income, as identified in note 14. |

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| Other | | | | |
| 16 | Loan drawdowns | 930 | 13.9% | Loan drawdowns are lower than the YTD budget due to underspends in capital projects and timing of cash receipts. |
| 17 | Transfer from reserves | 513 | 0.0% | The following reserves have now been closed in line with the Rationalisation of Reserves report that went to Council in June 2021:<br>- Innovation and Improvement, $235k<br>- Seaford Library Equipment Replacement, $229k<br>- Community Corporation 20224, $33k<br>- Hazel McKenzie Carpark, $15k<br>- Coast Parks, $2k |

## FORECAST (BUDGET REVIEW 3) V ORIGINAL BUDGET

Based on the above analysis, the anticipated year end position has been reforecast. Table 2 below provides a comparison of the original budget compared to the forecast position (based on carry forwards plus Budget Review 1, 2 and 3 movements), as well as a comparison of the original budget plus carry forwards to the forecast position. Variances between the budget and the forecast result from budget variations (where actual dollars amounts are/or are expected to be different to the current budget).

Attachment 3 to this report shows the all budget and forecast positions for original budget, original budget plus carry forwards, and forecasts at budget review 1, 2 and 3 for the operating activities and capital projects, as previously reported.

Significant variances, being those greater than +/-$50,000 and +/-5 per cent, are explained below in the table.

### TABLE 2: OPERATING POSITION AND CAPITAL EXPENDITURE SUMMARY (INCORPORATING DEBT AND RESERVE TRANSFERS)

### YEAR END FORECAST VS ORIGINAL BUDGET AT 31 MARCH 2022

| Full Year | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| $'000 | Forecast | Original Budget | Variance Fav/ (Unfav) | Variance % | Note | Original Budget + Carry forwards | Variance Fav/ (Unfav) | Variance % |
| **Operating Activities** | | | | | | | | |
| **Income** | | | | | | | | |
| Rates revenue | 144,725 | 144,725 | 0 | 0.0% | | 144,725 | 0 | 0.0% |
| Statutory charges | 3,987 | 3,892 | 95 | 2.4% | 1 | 3,892 | 95 | 2.4% |
| User charges | 8,413 | 8,641 | (228) | -2.6% | 2 | 8,641 | (228) | -2.6% |
| Grants, subsidies and contributions | 24,059 | 18,875 | 5,184 | 27.5% | 3 | 21,358 | 2,701 | 12.6% |
| Investment income | 12 | 12 | 0 | 0.0% | | 12 | 0 | 0.0% |
| Reimbursements | 572 | 1,715 | (1,143) | -66.6% | 4 | 1,715 | (1,143) | -66.6% |
| Other income | 2,231 | 1,019 | 1,212 | 118.9% | 5 | 1,043 | 1,188 | 113.9% |
| **Total Income** | **183,999** | **178,879** | **5,120** | **2.9%** | | **181,386** | **2,613** | **1.4%** |
| **Expenditure** | | | | | | | | |
| Employee costs | 72,319 | 74,272 | 1,954 | 2.6% | 6 | 74,373 | 2,055 | 2.8% |
| Contracts | 49,156 | 45,471 | (3,686) | -8.1% | 7 | 47,107 | (2,049) | -4.3% |
| Materials | 11,891 | 12,030 | 139 | 1.2% | 8 | 12,090 | 199 | 1.6% |
| Other expenses | 13,517 | 13,218 | (299) | -2.3% | 9 | 13,306 | (211) | -1.6% |
| Depreciation and amortisation | 38,556 | 35,434 | (3,121) | -8.8% | 10 | 35,434 | (3,121) | -8.8% |
| Finance costs | 2,991 | 2,991 | 0 | 0.0% | | 2,991 | 0 | 0.0% |
| **Total Expenditure** | **188,430** | **183,416** | **(5,013)** | **-2.7%** | | **185,301** | **(3,128)** | **-1.7%** |
| **Operating surplus/(deficit)** | **(4,430)** | **(4,538)** | **107** | **2.4%** | | **(3,915)** | **-515** | **13.2%** |

| $'000 | Forecast | Original Budget | Variance Fav/ (Unfav) | Variance % | Note | Original Budget + Carryforwards | Variance Fav/ (Unfav) | Variance % |
|---|---|---|---|---|---|---|---|---|
| Capital Projects | | | | | | | | |
| **Renewal** | | | | | | | | |
| Project expenses | 42,240 | 31,716 | (10,523) | -33.2% | 11 | 39,966 | (2,273) | -5.7% |
| **Less:** | | | | | | | | |
| Grants, subsidies, contributions and disposals | 9,199 | 5,699 | 3,500 | 61.4% | 12 | 9,726 | (526) | -5.4% |
| **Net Renewal Expense** | **33,041** | **26,017** | **(7,023)** | **-27.0%** | | **30,241** | **(2,800)** | **-9.3%** |
| **New and Significant Upgrades** | | | | | | | | |
| Project expenses | 47,508 | 18,615 | (28,893) | -155.2% | 13 | 40,408 | (7,100) | -17.6% |
| **Less:** | | | | | | | | |
| Grants, subsidies & contributions and Developer contributions | 18,013 | 4,485 | 13,527 | 301.6% | 14 | 13,416 | 4,596 | 34.3% |
| **Net New and Significant Upgrade Expense** | **29,495** | **14,129** | **(15,366)** | **-108.8%** | | **26,992** | **(2,503)** | **-9.3%** |
| **Net Capital Project Expense** | **62,536** | **40,147** | **(22,389)** | **-55.8%** | | **57,232** | **(5,303)** | **-9.3%** |

| $'000 | Forecast | Original Budget | Variance Fav/ (Unfav) | Variance % | Note | Original Budget + Carryforwards | Variance Fav/ (Unfav) | Variance % |
|---|---|---|---|---|---|---|---|---|
| Other | | | | | | | | |
| **Loans** | | | | | | | | |
| Loan drawdowns | 17,292 | 13,416 | (3,876) | -28.9% | 15 | 13,416 | (3,876) | -28.9% |
| **Less:** | | | | | | | | |
| Loan principal repayments | (4,965) | (4,965) | 0 | 0.0% | | (4,965) | 0 | 0.0% |
| **Net Loan Movement** | **12,327** | **8,451** | **(3,876)** | **-45.9%** | | **8,451** | **(3,876)** | **-45.9%** |
| **Reserves** | | | | | | | | |
| Transfer from Reserves | 31,036 | 4,124 | 26,912 | 652.6% | 16 | 4,124 | (26,912) | -652.6% |
| **Less:** | | | | | | | | |
| Transfer to Reserves | (2,536) | (1,723) | 813 | 47.2% | | (1,723) | 813 | 47.2% |
| **Net Reserve Movement** | **28,499** | **2,401** | **26,098** | **1087.0%** | | **2,401** | **(26,098)** | **-1087.0%** |

## SIGNIFICANT VARIANCE FORECAST VS ORIGINAL BUDGET

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| **Operating Activities** | | | | |
| 1 | Statutory Charges | 95 | 2.4% | Favourable variance relates to revenue from a higher volume of Section 187 searches than originally budgeted. |
| 2 | User Charges | (228) | (2.6%) | Reduced income is primarily related to the Noarlunga Aquatic and Recreation Centre. Income was adversely affected by the COVID shutdown in July, and slower than expected visitation recovery. Additional restrictions due to Omicron in late December have further impacted the Centre's ability to meet its revenue targets.<br>Challenges with recruitment have also impacted the Centre's ability to drive activation through new membership offers and program delivery. A new business plan is currently being developed to increase and retain membership as restrictions ease. |
| 3 | Grants, subsidies and contributions | 5,184 | 27.5% | Increase primarily relates to carry forward of 2020-21 budgets largely relating to Local Roads and Community Infrastructure Program Round 2 funding, $2.0m, recognition of LRCI Round 3 funding in Budget Review 2, $1.5m, and $835k other grant revenue comprising of a number of small grants anticipated to be received. |
| 4 | Reimbursements | (1,143) | (66.6%) | Workers Compensation rebate has historically been shown as a reimbursement in the General Purpose Financial Statements (GPFS) however as per Australian Accounting Standards rebates received should form part of Other Income (Note 2 in GPFS). |
| 5 | Other Income | 1,212 | 118.9% | Reclassification of the Workers Compensation rebate, as outlined in note 4. |
| 6 | Employee costs | 1,954 | 2.6% | Favourable variance relates to staff vacancies, with some of the savings used to fund contract staff as outlined in note 7 below. |
| 7 | Contracts | (3,686) | (8.1%) | Unfavourable variance partially relates to projects which were carried forward from 2020-21 including:<br>- Strategic Planning Projects, $296k<br>- Risk Project, $286k<br>- Suburb Improvement Program – Greener Neighbourhood, $183k<br>- CHSP Funding, $169k (income also carried forward)<br>- Other operating projects as approved by Council on 21 September 2021<br>A payment of $530k to the Department of Environment and Water (DEW), relating to a contribution towards the Mt Bold Reservoir safety upgrades has also been forecast for this year, following DEW's successful application for funding from the National Flood Mitigation Infrastructure Program (NFMIP) in April 2022. Council had previously resolved to make a contribution towards this project, should the funding application be successful.<br>In addition, to continue to provide services, some staff vacancies have been filled with contract staff, requiring a transfer of budget from employee costs to contracts. |
| 8 | Materials | 139 | 1.2% | Favourable variance relates to minor savings from a range of activities. |
| 9 | Other expenses | (299) | (2.3%) | Unfavourable variance primarily relates to increased legal costs, $135k and ICT disaster recovery costs that had not been budgeted for, $90k |
| 10 | Depreciation and amortisation | (3,121) | (8.8%) | Unfavourable variance relates to the recognition of OneCouncil as an intangible asset and increased building depreciation which had not been budgeted for. The Assets and Finance teams are currently working together to review the useful lives of our road assets and |

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| Operating Activities | | | | |
| | | | | subcomponents to refine the financial management of our assets, however the impacts of this work will not be recognised until next financial year. |

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| Capital Projects | | | | |
| Renewal | | | | |
| 11 | Project expenses | (10,523) | (33.2%) | Primarily relates to projects which were carried forward from 2020-21 including:<br>- LRCI Round 2 (renewal projects), $4.06m<br>- Plant and Fleet Replacement Program acquisitions, $1.1m<br>- How Road and Lacey Drive drainage upgrade, $739k<br>- Local Road and Community Infrastructure Round 3 Design Consultancy, $300k<br>- Flagstaff Building Refurbishment, $300k (with another $600k recognised in Budget Review 2)<br>- Road Reseal Program, $280k<br>- Refinery Road Embankment Collapse, $250k<br>- Various footpath projects, $163k<br>In addition, 50% of renewal project expenditure relating to LRCI Round 3 has also been recognised in budget review 2 ($1.5m), with the remaining expenditure to be recognised in the 2022-23 budget. |
| 12 | Grants, subsidies and contributions | 3,500 | 61.4% | Primarily relates to grant revenue for the projects identified in note 11 including:<br>- LRCI round 2 funding carried forward, $2m<br>- 50% of the LRCI round 3 funding for renewal projects, $1.5m<br>- How Road and Lacey Drive drainage upgrade, $933k<br>- Flagstaff Building Refurbishment, $600k<br>- Renewal portion of Major Projects, $281k<br>Offset by the reclassification of asset disposals ($3m) from renewal to new and significant upgrade income, as part of the asset rationalisation strategy. |
| New and Significant Upgrades | | | | |
| 13 | Project expenses | (28,893) | (155.2%) | Primarily relates to Major Projects carried forward from 2020-21 including:<br>- Witton Bluff Base Trail, $5.2m<br>- Aldinga Sports Ground, $3.97m<br>- Port Noarlunga Sports Complex, $1.9m<br>- Aldinga Equestrian Facility, $1.58m<br>- Hackham South East Infrastructure, $1.1m<br>- Christie Downs Renewal, $1.2m<br>- Wearing Street, $480k<br>Project expenditure relating to the carry-forward of LRCI Round 2 funding (NSU projects) was also carried forward, $2.9m. |

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| Capital Projects | | | | |
| | | | | In addition, Port Willunga North Coast Park, which received 50% funding through the Planning and Development Fund Open Space and Places for People program, has been included as part of Budget Review 1, $4.2m (Council's contribution to this project is $2.1m)<br><br>In Budget Review 2, 50% of NSU project expenditure relating to LRCI Round 3 was also recognised, $1m, with the remaining expenditure to be recognised in the 2022-23 budget. |
| 14 | Grants, subsidies & contributions and Developer contributions | 13,527 | 301.6% | Predominately relates to grant revenue for the Major Projects identified in note 13, as well as 50% of the LRCI Round 3 funding for NSU projects and carry-forward funding for LRCI Round 2 projects.<br><br>In addition, the reclassification of asset disposals target ($3m) from renewal to NSU income was recognised as part of Budget Review 1, however this has been reduced to $500k as part of Budget Review 3 due to the low volume of asset sales relating to the asset rationalisation strategy. |

Project expenses for both renewal and new & significant upgrades are a significant increase over budgeted expenditure, largely driven by carry forwards. These figures assume all projects, including those proposed as part of the 2021-22 budget plus carry forwards from 2020-21, as well as new projects funded by LRCI Round 3, are delivered by June 2022. Where projects are not able to be delivered, they will form part of carry forwards into the next financial year.

| Note | Description | Variance $'000 | Variance % | Comment |
|---|---|---|---|---|
| Other | | | | |
| 15 | New loans | (3,876) | (28.9%) | Primarily due to the approval of Council's contribution to the Port Willunga North Coast Park project, utilising capacity from within the Long Term Financial Plan (particularly savings in 2020-21), as presented to Council 15 June 2021. In addition, the reduction of the forecast for asset rationalisation sales from $3m to $500k will result in an increase in borrowings, unless projects are deferred or savings are found to offset this reduced revenue. |
| 16 | Transfer from reserve | 26,912 | 652.6% | This movement reflects transfers from following reserves:<br>- Committed Expenditure Reserve (projects which were carried forward from 2020-21), $18.5m<br>- Revolving Resources, $534k<br><br>In addition, work is still progressing on the closure of reserve accounts as outlined in the Rationalisation of Reserves report that was presented to Council 15 June 2021, with additional reserves to be closed by 30 June 2022. |
| 13 | Transfer to reserve | 813 | 47.2% | Favourable variance due to increased transfers to the following reserves:<br>- Commercial Activity, $587k<br>- CWMS, $122k |

## CWMS

As requested by the Audit and Risk Committee at its meeting on 6 December 2020, a quarterly review of the CWMS financials will be provided within this report.

| | YTD | | | | | | |
|---|---|---|---|---|---|---|---|
| $'000 | Actual | YTD Original Budget | Variance Fav/ (Unfav) | Variance % | Original Budget | Original Budget + Carry forwards | Forecast |
| Operating Activities | | | | | | | |
| **Income** | | | | | | | |
| Rates revenue | 2,766 | 2,677 | 89 | 3.3% | 3,540 | 3,540 | 3,540 |
| User charges | 0 | 0 | 0 | 0.0% | 0 | 0 | 37 |
| Grants, subsidies and contributions | 396 | 116 | 280 | 241.4% | 104 | 104 | 397 |
| Reimbursements | 27 | 1 | 25 | 0.0% | 3 | 3 | 3 |
| Other income | 22 | (11) | 33 | 0.0% | 23 | 23 | 0 |
| **Total Income** | **3,210** | **2,783** | **427** | **15.3%** | **3,668** | **3,668** | **3,976** |
| **Expenditure** | | | | | | | |
| Employee costs | 94 | 91 | (2) | -3.3% | 123 | 123 | 119 |
| Contracts | 1,835 | 1,815 | (20) | -1.1% | 2,651 | 2,651 | 2,858 |
| Materials | 47 | 31 | (16) | -51.6% | 51 | 51 | 51 |
| Other expenses | 149 | 167 | 18 | 10.8% | 231 | 231 | 224 |
| Finance costs | 15 | 41 | 26 | 63.4% | 64 | 64 | 64 |
| **Total Expenditure** | **2,140** | **2,146** | **6** | **0.3%** | **3,120** | **3,120** | **3,315** |
| **Operating surplus/(deficit)** | **1,071** | **637** | **433** | **68.1%** | **549** | **549** | **660** |

| $'000 | Actual | YTD Original Budget | Variance Fav/ (Unfav) | Variance % | Original Budget | Original Budget + Carryforwards | Forecast |
|---|---|---|---|---|---|---|---|
| Capital Projects | | | | | | | |
| **Renewal** | | | | | | | |
| Project expenses | 148 | 250 | 103 | 40.8% | 265 | 265 | 265 |
| **Net Renewal Expense** | **148** | **250** | **103** | **40.8%** | **265** | **265** | **265** |
| **New and Significant Upgrades** | | | | | | | |
| Project expenses | 196 | 80 | (116) | -145.0% | 293 | 293 | 411 |
| **Net New and Significant Upgrade Expense** | **196** | **80** | **(116)** | **-145.0%** | **293** | **293** | **411** |
| **Total Capital Project Expense** | **344** | **330** | **(14)** | **-4.2%** | **558** | **558** | **676** |

Grants, subsidies and contributions have increased YTD due to a large connection fee relating to 20 allotments received early in the financial year.

The forecast for contract expenditure has increased predominantly due to late invoices relating to 2020-21 received after the financial year reporting had closed and increased desludging costs.

New & significant upgrade project expenditure is forecast to increase by $118k due to works on the Clarendon Lower Pump Station, however this is being funded through the CWMS reserve.

## BUDGET IMPLICATIONS 2022–23

In performing the end of quarter analysis at Budget Review 3, the most significant variance that will impact on the 2022-23 budget is the reduction of the asset rationalisation proceeds target from $3m to $500k, which increases borrowings if the full capital program is delivered. However there are likely to be a number of capital projects carried forward into 2022-23. This will have impacts on the starting debt position for the 2022-23 budget and are currently being worked through as part of the budget process.

## LONG TERM FINANCIAL PLAN

Under Section 122 of the *Local Government Act 1999* (the Act), Council is required to adopt a Long Term Financial Plan (LTFP) within two years after each general election of the council. Due to COVID–19, the deadline for this review was extended to February 2021.

Council adopted the Long Term Financial Plan at its meeting on 16 February 2021 following consideration of the community feedback received during the recent engagement campaign and previous budget engagements, and endorsement of the key principles underpinning the Long Term Financial Plan by the Strategic Directions Committee on 2 February 2021. The Long Term Financial Plan forecasts Council's financial position 10 years out, including associated financial statements and key financial indicators, to ensure future financial sustainability and transparency to the community regarding Council's projected financial position.

The Long Term Financial Plan (LTFP) is a key tool and a critical part of Council's financial planning process. It assists with long-term decision making to ensure that Council continues to meet the needs and expectations of our current and future communities and delivers on Council's strategic objectives (as specified in Council's Community Plan 2030, the Strategic Asset Management Plan, and related strategies).

At the Strategic Directions Committee meeting on 2 February 2021, 16 key principles that underpin the LTFP were endorsed under the headings:

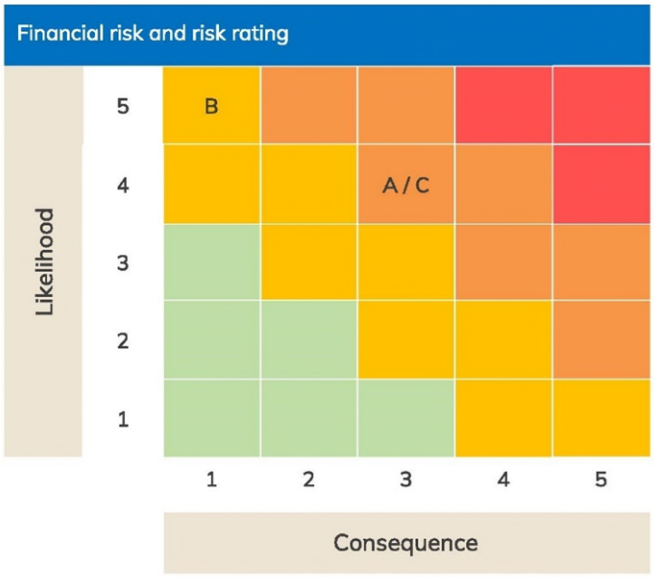
- General
- Services
- Projects
- Debt
- Rates.

A review of the Long Term Financial Plan, in the context of the 2022-23 budget, is currently being conducted and will be updated and presented to Council as part of the 2022-23 budget process. This will capture any operational changes and Council resolutions that have occurred since the LTFP was adopted, and the impact on the projected operating position, levels of borrowings and key financial indicators.

## SIGNIFICANT FINANCIAL RISKS

There are a number of financial risks arising largely resulting from changes proposed and already made across the government sector that could significantly impact council's long term financial sustainability. Table 5 below provides details of the financial risks identified and our risk rating for each risk.

### TABLE 5 FINANCIAL RISK AND RISK RATING




| Overall risk rating |
|---|
| Extreme |
| High |
| Medium |
| Low |

| Risk | Likelihood | Consequence |
|---|---|---|
| 1 | Rare | <$10k |
| 2 | Unlikely | >$10k- <$100k |
| 3 | Possible | $100k-<$1m |
| 4 | Likely | >$1m-<$3m |
| 5 | Almost Certain | >$3m |

| Risk | Description | Risk | Description |
|---|---|---|---|
| A | COVID-19 | C | EPA levy increases |
| B | Local Government reform and rate capping | | |

Table 6 below provides details of advocacy activities performed to date in relation to each of the risks identified, advocacy outcomes (including any financial implications for council) and next steps.

## TABLE 6 ADVOCACY ACTIVITIES, OUTCOMES AND NEXT STEPS

| Risk A: COVID–19 | | |
|---|---|---|
| **Advocacy activities to date** | **Outcomes (if applicable)** | **Next steps** |
| Since the World Health Organisation declared COVID–19 a pandemic on 11 March 2020, State and Federal Governments have announced progressively restrictive policies to reduce the spread of the virus. This was vital to 'flatten the curve' on the number of infections, to give our healthcare system a better opportunity to attend to critical cases.<br>The organisation, under the guidance of the Crisis Management Team (CMT) and the Director Group (DG), began preparatory measures prior to this declaration, and has developed responses to each stage as it has been announced. CMT has focused on ensuring the health of our community and our workforces as a priority.<br>As our State responds to the changing nature of the pandemic we have adapted our workplace and work practices to:<br>• comply with all relevant policy directives at federal and state level<br>• meet our WHS obligations for staff and volunteers<br>• maintain our critical functions that allow us to continue to provide essential services to our community<br>enable maintenance of non-critical functions, where possible. | Our Crisis Management Team continues to monitor the situation and work through our COVID–19 Plan (revised as necessary) to manage the health and safety of employees and volunteers.<br>The team is focussed on minimising disruption to the services council delivers, especially those services that, if impacted, will reduce our communities' ability to recover from this public health emergency.<br>Council is participating in the Local Government Functional Support Group and working with other agencies and councils in our emergency management zone in response to COVID–19.<br>Financial impacts of COVID–19 on the 2021–22 budget relating to support measures for our community and sporting clubs has been an estimated $22,000 year-to-date, due to the state-wide lockdown and activity restrictions in July 2021. | Council continues to monitor compliance with the directions and declarations issued by the Emergency Management Commissioner from time to time, with a focus on non-essential business and gatherings on local government land.<br>Throughout 2020-21, Council resolved to provide a number of relief measures for our community and sporting clubs, commercial leaseholders and ratepayers, up until 30 June 2021.<br>On 17 August 2021, Council approved the CEO having delegations to provide relief measures to community and sporting clubs who are unable to operate due to activity restrictions. These delegations are in place until 30 June 2022 and will be exercised when a Level 4 or above activity restriction is in place.<br>Since the opening of State boarders on 24 November 2021 and rise in Omicron cases, our objectives have been to:<br>• slow the spread, minimising the number of staff absent<br>• prepare for the inevitable absence of staff with contingency arrangements<br>• prepare to communicate service disruptions when they cannot be avoided<br>We continue to support the State with space to deliver COVID vaccination clinics in our City and the establishment of Rapid Antigen Test (RAT) collection points. |

| Risk B: Local Government reform and rate capping | | |
|---|---|---|
| **Advocacy activities to date** | **Outcomes (if applicable)** | **Next steps** |
| The Statutes Amendment (Local Government Review) Bill 2020 (the Bill) was introduced into Parliament on 17 June 2020. It contained a raft of changes covering issues including elected member conduct, CEO renumeration and performance, audit and risk committee make up, elected member representation, engagement, land revocation and more.<br>In August 2020 Council approved feedback to the LGA to inform their advocacy on behalf of the sector. Our comments indicated our support for many of elements of the Bill. However, they indicated our opposition to:<br>• the changes to the Annual Business Plan process requiring referral to a 'designated authority'<br>• increased powers for the Minister to directly intervene in councils' budgets, policies and procedures. | In September 2020, the State Government made over 120 amendments to the Bill. The State Government will no longer pursue most of the original changes proposed in relation to Annual Business Plans. | The Bill was passed by both Houses of Australia's Parliament in June 2021.<br>The LGA is working with the Office of Local Government regarding the implementation of future funding arrangements for agencies such as ESCOSA, the Remuneration Tribunal and the new Local Government Behaviour Panel. |

| Risk C: EPA levy increases | | |
|---|---|---|
| **Advocacy activities to date** | **Outcomes (if applicable)** | **Next steps** |
| Significant increases in the EPA levy have regularly been occurring since 2010–11 with advocacy activities taking place from this point.<br>In a recent response to the South Australian Governments – A Vision for a Circular Economy – Waste Strategy 2020–25 we have advocated for the need for the future trajectory of the levy to be clearly articulated, along with a guaranteed minimum level of reinvestment of the Green Industries Fund into the waste and recycling sector. | The significant price increases in the levy announced by State Government have been incorporated into the Budget and LTFP as follows:<br>• 2016–17 – $62 per tonne July to August and $76 per tonne from September<br>• 2017–18 – $87 per tonne<br>• 2018–19 – $100 per tonne<br>• 2019–20 – $110 per tonne July to December 2019 and $140 per tonne from January 2020<br>• 2020–21 – $143 per tonne<br>• 2021-22 - $146 per tonne<br>Approximately 40,000 tonnes of rubbish are subject to this levy annually. | Ongoing advocacy through the LGA and any other available political opportunities.<br>The LGA will continue to advocate for the release of money in the Green Industries Fund (previously the Waste to Resources Fund) for projects to generate environmental and employment outcomes for our communities.<br>We will continue to reinforce to our communities the dollars collected by councils on behalf of other spheres of Government.<br>A focus on diversion of waste to recycling streams remains an avenue to minimise the impact of the levy. |

City of Onkaparinga

## Forecast Statement of Comprehensive Income for the period ending 30 June 2022

| $'000 | 2021-22 YTD Actual | 2021-22 Original Budget | 2021-22 Forecast Budget |
|---|---|---|---|
| **Income** | | | |
| Rates | 108,712 | 144,725 | 144,725 |
| Grants, Subsidies and Contributions | 11,612 | 18,875 | 24,059 |
| User Charges | 6,434 | 8,641 | 8,413 |
| Statutory Charges | 3,261 | 3,892 | 3,987 |
| Other Income | 1,685 | 1,019 | 2,231 |
| Reimbursements | 477 | 1,715 | 572 |
| Investment Income | 10 | 12 | 12 |
| **Total Income** | 132,190 | 178,879 | 183,999 |
| **Expenses** | | | |
| Employee Costs | 53,975 | 74,272 | 72,319 |
| Materials, Contracts and Other Expenses | 50,366 | 70,719 | 74,564 |
| Depreciation, Amortisation and Impairment | 28,917 | 35,434 | 38,556 |
| Finance Costs | 2,045 | 2,991 | 2,991 |
| **Total Expenses** | 135,303 | 183,416 | 188,430 |
| **Operating Surplus / (Deficit)** | **(3,114)** | **(4,538)** | **(4,430)** |

## Capital Projects

| $'000 | 2021-22 YTD Actual | 2021-22 Original Budget | 2021-22 Forecast Budget |
|---|---|---|---|
| **Renewal** | | | |
| Project Expenses | 17,199 | 31,716 | 42,240 |
| Less: | | | |
| Grants, Subsidies and Contributions | 362 | 1,602 | 5,463 |
| Developer Contributions | - | - | - |
| Other income | 1,507 | 4,098 | 3,737 |
| **Net Renewal Expense** | **15,330** | **26,017** | **33,041** |
| **New and Significant Upgrades** | | | |
| Project Expenses | 13,433 | 18,615 | 47,508 |
| Less: | | | |
| Grants, Subsidies and Contributions | 2,185 | 4,205 | 17,513 |
| Developer Contributions | - | 280 | - |
| Other income | - | - | 500 |
| **Net New and Significant Upgrades Expense** | **11,248** | **14,129** | **29,495** |
| **Net Capital Project Expenditure** | **26,578** | **40,147** | **62,536** |

## Forecast Statement of Financial Position as at 30 June 2022

| $'000 | 2021-22 YTD Actual | 2021-22 Original Budget | 2021-22 Forecast Budget |
|---|---|---|---|
| **ASSETS** | | | |
| **Current Assets** | | | |
| Trade and Other Receivables | 47,480 | 10,124 | 15,697 |
| Cash and cash equivalents | 2,394 | - | - |
| Inventories | 70 | 90 | 65 |
| **Total Current Assets** | **49,944** | **10,214** | **15,762** |
| **Non-Current Assets** | | | |
| Infrastructure, Property, Plant and Equipment | 2,319,421 | 2,335,742 | 2,442,920 |
| Equity Accounted Investments in Council Businesses | 11,404 | 11,439 | 11,404 |
| Intangible Assets | 4,448 | 18,316 | 4,771 |
| Financial Assets | 873 | 951 | 857 |
| **Total Non-Current Assets** | **2,336,146** | **2,366,448** | **2,459,952** |
| **TOTAL ASSETS** | **2,386,090** | **2,376,662** | **2,475,714** |
| **LIABILITIES** | | | |
| **Current Liabilities** | | | |
| Trade and Other Payables | 50,212 | 11,335 | 25,673 |
| Borrowings | 30,051 | 3,701 | 24,273 |
| Provisions | 13,568 | 12,070 | 13,900 |
| Other Current Liabilities | - | 7,313 | - |
| **Total Current Liabilities** | **93,831** | **34,420** | **63,846** |
| **Non-Current Liabilities** | | | |
| Borrowings | 73,147 | 112,929 | 102,915 |
| Other Non-Current Liabilities | 6,402 | - | 5,999 |
| Provisions | 1,311 | 1,694 | 1,311 |
| **Total Non-Current Liabilities** | **80,860** | **114,623** | **110,225** |
| **TOTAL LIABILITIES** | **174,691** | **149,042** | **174,071** |
| **Net Assets** | **2,211,399** | **2,227,619** | **2,301,643** |
| **EQUITY** | | | |
| Asset Revaluation Reserves | 1,652,805 | 1,656,658 | 1,749,857 |
| Accumulated Surplus | 512,742 | 547,232 | 536,688 |
| Other Reserves | 45,852 | 23,729 | 15,098 |
| **Total Council Equity** | **2,211,399** | **2,227,619** | **2,301,643** |

## Forecast Uniform Presentation of Finances as at 30 June 2022

| $'000 | 2021-22 YTD Actual | 2021-22 Original Budget | 2021-22 Forecast Budget |
|---|---|---|---|
| Operating Income | 132,190 | 178,879 | 183,999 |
| *less* Operating Expenses | (135,303) | (183,416) | (188,430) |
| **Operating Surplus / (Deficit)** | **(3,114)** | **(4,538)** | **(4,430)** |
| **Less: Net Outlays on Existing Assets** | | | |
| Capital Expenditure on Renewal and Replacement of Existing Assets | (17,199) | (31,716) | (42,240) |
| *add back:* Depreciation, Amortisation and Impairment | 28,917 | 35,434 | 38,556 |
| *add back:* Proceeds from Sale of Replaced Assets | 1,507 | 4,098 | 3,737 |
| **Subtotal** | **13,224** | **7,815** | **52** |
| **Less: Net Outlays on New and Upgraded Assets** | | | |
| Capital Expenditure on New and Upgraded Assets | (13,433) | (18,615) | (47,508) |
| *add back:* Amounts Received Specifcally for New and Upgraded Assets | 2,185 | 4,485 | 18,013 |
| **Subtotal** | **(11,248)** | **(14,129)** | **(29,495)** |
| **Net Lending / (Borrowing) for Financial Year** | **(1,137)** | **(10,852)** | **(33,873)** |

City of Onkaparinga

## Forecast Key Financial Indicators as at 30 June 2022

| | 2021-22 Original Budget | 2021-22 Forecast Budget |
|---|---|---|
| **1. Operating Surplus Ratio** | | |
| Operating Surplus | (4,538) | (4,430) |
| Total Operating Income | 178,879 | 183,999 |
| | **(2.5%)** | **(2.4%)** |
| **2. Net Financial Liabilities Ratio** | | |
| Net Financial Liabilities | 137,968 | 157,517 |
| Total Operating Income | 178,879 | 183,999 |
| | **77.1%** | **85.6%** |
| **3. Asset Renewal Funding Ratio** | | |
| Asset Renewals | 31,716 | 42,240 |
| Projected Asset Renewal Funding Required | 31,252 | 31,252 |
| | **101.5%** | **135.2%** |

City of Onkaparinga

**Forecast Statement of Comprehensive Income for the period ending 30 June 2022**
**All Budget Reviews**

| $'000 | 2021-22 Original Budget | 2021-22 Original Budget + Carryforwards | 2021-22 Forecast Budget as at BR1 | 2021-22 Forecast Budget as at BR2 | 2021-22 Forecast Budget as at BR3 |
|---|---|---|---|---|---|
| **Income** | | | | | |
| Rates | 144,725 | 144,725 | 144,725 | 144,725 | 144,725 |
| Grants, Subsidies and Contributions | 18,875 | 21,358 | 21,528 | 23,192 | 24,059 |
| User Charges | 8,641 | 8,641 | 8,646 | 8,103 | 8,413 |
| Statutory Charges | 3,892 | 3,892 | 3,892 | 3,970 | 3,987 |
| Other Income | 1,019 | 1,043 | 2,396 | 2,230 | 2,231 |
| Reimbursements | 1,715 | 1,715 | 487 | 572 | 572 |
| Investment Income | 12 | 12 | 12 | 12 | 12 |
| **Total Income** | 178,879 | 181,386 | 181,687 | 182,805 | 183,999 |
| **Expenses** | | | | | |
| Employee Costs | 74,272 | 74,373 | 74,418 | 73,660 | 72,319 |
| Materials, Contracts and Other Expenses | 70,719 | 72,503 | 72,609 | 73,154 | 74,564 |
| Depreciation, Amortisation and Impairment | 35,434 | 35,434 | 35,434 | 35,434 | 38,556 |
| Finance Costs | 2,991 | 2,991 | 2,991 | 2,991 | 2,991 |
| **Total Expenses** | 183,416 | 185,301 | 185,452 | 185,239 | 188,430 |
| **Operating Surplus / (Deficit)** | **(4,538)** | **(3,915)** | **(3,765)** | **(2,434)** | **(4,430)** |



Attachment 3

## Capital Projects

| $'000 | 2021-22 Original Budget | 2021-22 Original Budget + Carryforwards | 2021-22 Forecast Budget as at BR1 | 2021-22 Forecast Budget as at BR2 | 2021-22 Forecast Budget as at BR3 |
|---|---|---|---|---|---|
| **Renewal** | | | | | |
| Project Expenses | 31,716 | 39,966 | 40,238 | 41,717 | 42,240 |
| Less: | | | | | |
| Grants, Subsidies and Contributions | 1,602 | 5,628 | 3,903 | 5,164 | 5,463 |
| Developer Contributions | - | - | - | - | - |
| Other income | 4,098 | 4,098 | - | 3,232 | 3,737 |
| **Net Renewal Expense** | 26,017 | 30,240 | 36,335 | 33,321 | 33,041 |
| **New and Significant Upgrades** | | | | | |
| Project Expenses | 18,615 | 40,408 | 45,731 | 47,503 | 47,508 |
| Less: | | | | | |
| Grants, Subsidies and Contributions | 4,205 | 13,136 | 22,171 | 18,643 | 17,513 |
| Developer Contributions | 280 | 280 | - | - | - |
| Other income | - | - | - | - | 500 |
| **Net New and Significant Upgrades Expense** | 14,129 | 26,992 | 23,560 | 28,860 | 29,495 |
| **Net Capital Project Expenditure** | **40,147** | **57,232** | **59,895** | **62,181** | **62,536** |

# SAVINGS REGISTER - BR3 SUMMARY

## 2021-22 BR3 POSITION

| | | | |
|---|---|---|---|
| **Cost escalation** | OPERATIONAL | $ | 52,748 |
| | CAPITAL | $ | 48,000 |
| **Savings** | OPERATIONAL | -$ | 1,723,364 |
| | CAPITAL | -$ | 440,000 |

| 2021-22 SAVINGS TARGETS - SALARY SAVINGS | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Division | 2021-22 Target | BR1 and BR2 Savings | BR1 and BR2 Realised % | BR3 Savings | BR3 Realised % | YTD Position | YTD % Realised |
| Corporate | -$ 213,301 | -$ 158,310 | 74.2% | -$ 215,610 | 101.1% | -$ 373,920 | 175.3% |
| Community Services | -$ 235,830 | -$ 117,897 | 50.0% | -$ 272,368 | 115.5% | -$ 390,265 | 165.5% |
| City Operations | -$ 523,751 | -$ 508,751 | 97.1% | -$ 339,000 | 64.7% | -$ 847,751 | 161.9% |
| Planning and Regulatory Services | -$ 163,687 | -$ 317,622 | 194.0% | -$ 169,000 | 103.2% | -$ 486,622 | 297.3% |
| Strategy and Engagement | -$ 173,430 | -$ 185,098 | 106.7% | -$ 163,370 | 94.2% | -$ 348,468 | 200.9% |
| TOTAL | -$ 1,309,999 | -$ 1,287,678 | 98.3% | -$ 1,159,348 | 88.5% | -$ 2,447,026 | 186.8% |

| 2021-22 SAVINGS TARGETS - OTHER SAVINGS (OPERATIONAL ONLY) | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Division | 2021-22 Target | BR1 and BR2 Savings | BR1 and BR2 Realised % | BR3 Savings | BR3 Realised % | YTD Position | YTD % Realised |
| Corporate | -$ 283,819 | -$ 35,000 | 12.3% | -$ 99,390 | 35.0% | -$ 134,390 | 47.4% |
| Community Services | -$ 294,938 | -$ 89,908 | 30.5% | -$ 54,945 | 18.6% | -$ 144,853 | 49.1% |
| City Operations | -$ 1,265,484 | -$ 862,481 | 68.2% | -$ 119,519 | 9.4% | -$ 982,000 | 77.6% |
| Planning and Regulatory Services | -$ 112,667 | $ 10,000 | -8.9% | -$ 232,180 | 206.1% | -$ 222,180 | 197.2% |
| Strategy and Engagement | -$ 43,092 | -$ 40,000 | 92.8% | -$ 57,982 | 134.6% | -$ 97,982 | 227.4% |
| TOTAL | -$ 2,000,000 | -$ 1,017,389 | 50.9% | -$ 564,016 | 28.2% | -$ 1,581,405 | 79.1% |



Attachment 4

## 2021-22 BR3 IMPACTS

Impacts on the 2021-22 budget at BR3

| COST ESCALATION - Notable escalation changes | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Name** | **Description** | **Budget updated** | **Source** | **Budget type** | **Budget holder - division** | **Budget holder - section** | **Cost timing** | **Amount (annual)** | **Comments** |
| New Venue Management System - Recreation Services | Purchase of a venue management software system to assist the operational and financial management of council's portfolio of major indoor recreation facilities, those being NARC, Aldinga, Seaford and The Hub Recreation Centres. | Yes | Management | Capital | Community Services | Recreation Services | One Off | $ 48,000 | Funded from Operating savings identified in the Recreation Services section budget. No change required to LTFP as ongoing licence fees can be met within existing budgets from the cancellation of existing systems we no longer need. The estimated future savings on staff costs is estimated at $80k. Partially offset by savings identified in the Recreation Services team |
| Noarlunga Aquatic and Recreation Centre | Revised income forecast for last quarter based on trending actuals, revenue still impacted by COVID | Yes | Other | Operational | Community Services | Recreation Services | One Off | $ 52,748 | Offset by savings identified in the Recreation Services team |
| | | | | | | **TOTAL OPERATIONAL** | | $ 52,748 | |
| | | | | | | **TOTAL CAPITAL** | | $ 48,000 | |

| SAVINGS - Savings identified and directed to savings targets (net savings) | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Name** | **Description** | **Budget updated** | **Source** | **Budget type** | **Budget holder - division** | **Budget holder - section** | **Savings timing** | **Amount (annual)** | **Comments** |
| LRCI Phase 2 savings | Council contributions towards various LRCI phase 2 projects lower thank expected | Yes | Capital | Capital | City Operations | Construction & Projects | One Off | $ 440,000 | Council contributions towards the completion of several LRCI phase 2 projects came in lower than anticipated, the resulting budget saving has been applied to budgeted loans for 21/22 |
| Divisional Salary Saving | Salary savings across City Operations | Yes | Salary Savings | Operational | City Operations | City Operations | One Off | $ 339,000 | Directed to City Operations savings target - result of various vacancies across the division |
| Divisional Productivity Saving | Savings in the Facility Operations team | Yes | Management | Operational | City Operations | Parks and Facility Operations | One Off | $ 119,519 | Directed to City Operations savings target - result of efficiencies in the Facility Operations Team |
| Community Capacity | Non-salary | Yes | Management | Operational | Community Services | Community Capacity | One Off | $ 15,300 | Directed to Community Services savings target |
| Community Capacity - Salary | Vacant Positions - Leadership Onkaparinga and Cultural Diversity | Yes | Salary Savings | Operational | Community Services | Community Capacity | One Off | $ 28,500 | Directed to Community Services salary savings target |
| Director Community Services | Surplus Consultant Budget | Yes | Management | Operational | Community Services | Community Services | One Off | $ 23,000 | Directed to Community Services savings target |
| Libraries and Customer Relations | Non-salary | Yes | Management | Operational | Community Services | Libraries & Customer Relations | One Off | $ 16,645 | Directed to Community Services savings target |
| Libraries and Customer Relations - Salary | Various vacant positions and reduced FTE Customer Liaison Officer (Apr-Jun) | Yes | Salary Savings | Operational | Community Services | Libraries & Customer Relations | One Off | $ 223,868 | Directed to Community Services salary savings target |
| Recreation Services - Salary | Various positions across the Recreation Services Team | Yes | Salary Savings | Operational | Community Services | Recreation Services | One Off | $ 20,000 | Directed to Community Services salary savings target |
| Finance | Non-salary savings | Yes | Management | Operational | Corporate | Financial Services | One Off | $ 12,390 | Directed to Corporate savings target |
| Finance - Salary | Salary savings | Yes | Salary Savings | Operational | Corporate | Financial Services | One Off | $ 127,610 | Directed to Corporate salary savings target |
| Governance | Non-salary savings | Yes | Management | Operational | Corporate | Governance | One Off | $ 82,000 | Directed to Corporate savings target |
| Governance - Salary | Salary savings | Yes | Salary Savings | Operational | Corporate | Governance | One Off | $ 50,000 | Directed to Corporate salary savings target |
| O&E | Non-salary savings | Yes | Management | Operational | Corporate | Organisational Effectiveness | One Off | $ 5,000 | Directed to Corporate savings target |
| O&E - Salary | Salary savings | Yes | Salary Savings | Operational | Corporate | Organisational Effectiveness | One Off | $ 38,000 | Directed to Corporate salary savings target |
| Property | Non Salary Savings - Land Management | Yes | Management | Operational | Planning and Regulatory Services | Community Safety & Property | One Off | $ 75,500 | Directed to Planning and Regulatory Services savings target |
| Community Safety & Property | Non-salary savings | Yes | Management | Operational | Planning and Regulatory Services | Community Safety & Property | One Off | $ 44,000 | Directed to Planning and Regulatory Services savings target |
| Community Safety & Property - Salary | Salary savings | Yes | Salary Savings | Operational | Planning and Regulatory Services | Community Safety & Property | One Off | $ 59,000 | Directed to Planning and Regulatory Services salary savings target |
| Development Services | Non-salary savings | Yes | Management | Operational | Planning and Regulatory Services | Development Services | Permanent | $ 112,680 | Directed to Planning and Regulatory Services savings target - related to the change in regulations which impacts councils right to appeal some decisions, as well as payment of some statutory fees |
| Development Services - Salary | Salary savings | Yes | Salary Savings | Operational | Planning and Regulatory Services | Development Services | One Off and Permanent | $ 110,000 | Directed to Planning and Regulatory Services savings target - $30,000 from Building and Development Compliance, and $80,000 (permanent) from Development Support |
| Communication & Engagement | Non-salary savings | Yes | Management | Operational | Strategy and Engagement | Communication & Engagement | One Off | $ 52,982 | Directed to Strategy and Engagement savings target |
| Economic Growth and Investment - Salary | Salary savings | Yes | Salary Savings | Operational | Strategy and Engagement | Economic Growth & Tourism | One Off | $ 102,000 | Directed to Strategy and Engagement salary savings target |
| Strategy | Non-salary savings | Yes | Management | Operational | Strategy and Engagement | Strategy & Sustainability | One Off | $ 5,000 | Directed to Strategy and Engagement savings target |
| Strategy - Salary | Salary savings | Yes | Salary Savings | Operational | Strategy and Engagement | Strategy & Sustainability | One Off | $ 61,370 | Directed to Strategy and Engagement salary savings target |
| | | | | | | **TOTAL OPERATIONAL** | | $ 1,723,364 | |
| | | | | | | **TOTAL CAPITAL** | | $ 440,000 | |

## IDENTIFIED IMPACTS

Impacts which have been identified in the register with realisation at a future time or ongoing

| Name | Description | Budget updated | Source | Budget type | Budget holder - division | Budget holder - section | Timing | Amount (annual) | Comments |
|---|---|---|---|---|---|---|---|---|---|
| **COST ESCALATION** | | | | | | | | | |
| Street Lighting | Street lighting electricity costs | No | Other | Operational | City Operations | Assets & Technical Services | One Off | $ 450,000 | Electricity costs from external suppliers continue to be high, with lower than anticipated savings experienced from a change to LED globes in certain areas. |
| Divisional fuel costs | Market increases in fuel costs and availability of specific fuel types | No | Contract Escalation | Operational | City Operations | Fleet, Civil and Waste | One off | TBA | Potential to impact Long Term Financial Plan (LTFP) if escalated fuel prices and current market conditions continue. This will be an organisational pressure |

## 9.4 LOAN FACILITIES

| Report contact | Meeting |
|---|---|
| Jade Bird, Manager Financial Services | Council |
| 8384 0580 | |
| **Approving officer** | **Date** |
| David Stobbe, Director Corporate | 17 May 2022 |

### 1. Purpose

This report seeks approval from Council to temporarily increase loan facilities to ensure adequate cash is available throughout July 2022, due to the cyclical nature of revenue received, the reduction of current loan facilities available due to repayments of fixed loans and anticipated increased cash outflows in July following year-end.

### 2. Recommendations

**That Council approve the creation of two cash advance debenture (CAD) facilities through the LGFA for the following:**

- **$6.6m to replace fixed loans which have been paid down (to bring us back to our current approved facility limit)**
- **$8.4m additional facility to assist with cashflow prior to first quarter rates**

**which, following adoption of the budget in July 2022, will be converted to form part of the total debt facilities available to meet operational and budget requirements for the 2022-23 financial year.**

### 3. Executive summary

Each year as part of the budget approval process, the loan facilities held by Council are adjusted to reflect the budgeted debt position as of 30 June for that financial year. However, due to the cyclical nature of revenue received (rates are paid quarterly), and increased expenditure at year-end which is generally reflected in increased cashflow out in July and August, the year-end budgeted debt position does not capture the temporary increased cash requirements for Council at the beginning of a new financial year. In addition, total loan facilities held by Council have reduced due to repayment of loans fixed 10 years ago, including balloon payments, which reduces flexibility.

In essence, the increased loan facility is a pro active risk control for budget management during EOFY, and does not impact on debt or increase cost to council.

The 2022-23 budget will be adopted in July, and any increase in loan facilities will not be in place until mid-August. This puts Council at risk of having insufficient cash available to pay suppliers and staff following the end of the financial year.

The LGFA have advised that it is standard practice for councils to have a temporary facility in place at the start of the financial year for this very reason. Given the current available facilities, and borrowing trends for the last three years, it is highly recommended that a

temporary facility be approved now, which will then transition to become part of the total facilities required to meet the commitments of the 2022-23 budget.

The temporary $8.4m facility, whilst over the currently approved facility limit of $116.6m, is being requested as a control to mitigate the risk of not being able to meet payment commitments in July and August. It must be noted that this facility does not add to debt or cost us anything unless drawn upon. The intent is not to draw upon this facility.

This practice should be considered annually to assist with working capital requirements between year-end and first quarter rates being received.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **people:** connected, engaged, active, healthy<br>**place:** green, inviting, accessible, liveable<br>**prosperity:** economically strong, environmentally thriving<br>**performance:** accountable, efficient, inclusive, sustainable<br>The funding of activities and projects as budgeted underpins all four themes of the Community Plan 2030 |
| Policy and/or relevant legislation | The Local Government Act 1999 requires a Council resolution for the increase of loan facilities. |
| Who did we talk to/who will we be talking to | Local Government Finance Authority (LGFA) |

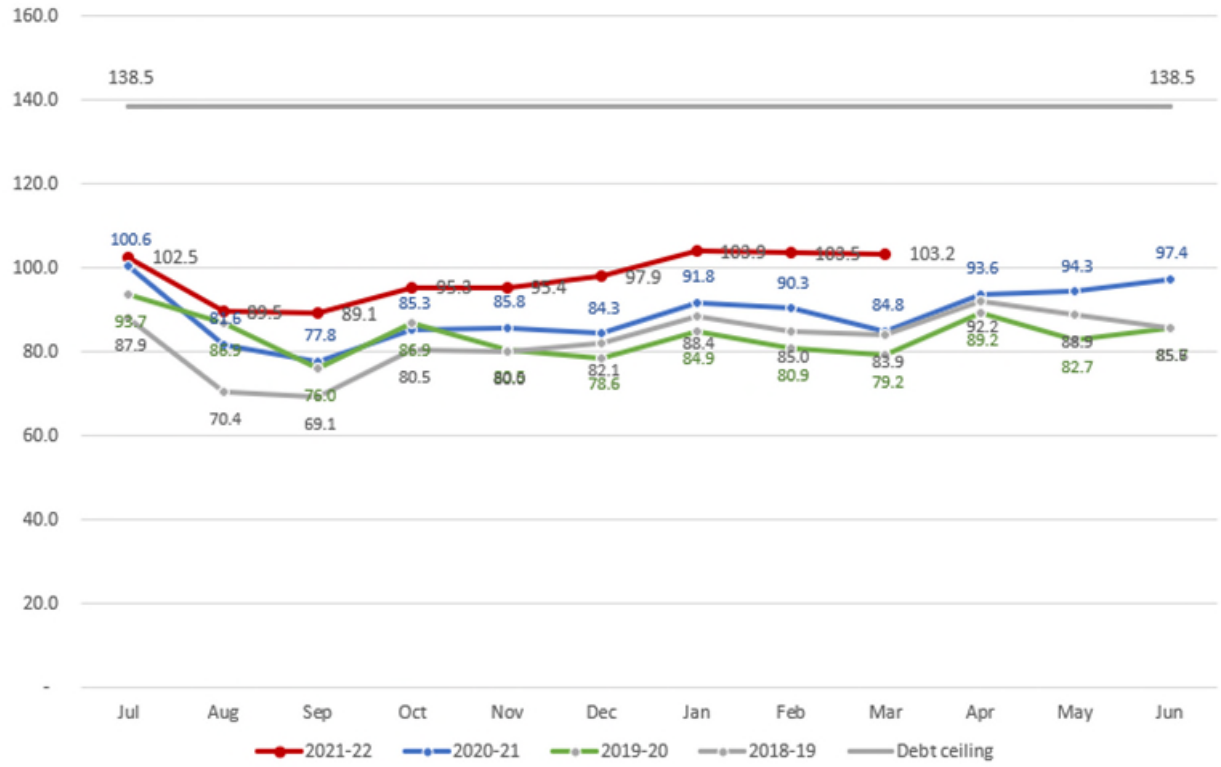
## 5. Discussion

Each year as part of the budget approval process, the loan facilities held by Council are adjusted to accommodate the budgeted debt position as of 30 June for that financial year. The original 2021-22 budget projected a year-end debt position of $116.6m, which is reflected in the total current loan facilities following budget adoption.

These facilities are a mix of fixed debt and variable cash advance debentures (CADs) held with the LGFA. The fixed loans are set usually over a period of 10 years with set repayments of principal and interest twice a year, where as the CADs can be drawn upon, repaid and then drawn upon again as needed. Due to the repayment on fixed loans, the actual facilities in place at the end of March was $114.8m.

However, due to the cyclical nature of cashflow – namely rates, which represents over 80% of our total revenue and is generally received on a quarterly basis – the year-end budgeted borrowings position does not adequately reflect the cash that is required in July and mid-August. Outbound cash flows in July are generally higher than in any other month due to payment of the increased volume of invoices received in June, and this is intensified by the fact that first quarter rates are not payable until September.

The chart below shows the level of borrowings for each month since 2018-19:




The table below shows the increased borrowings utilised in just July of each year:

| July borrowings | |
|---|---|
| 2021 | 5.10 |
| 2020 | 14.90 |
| 2019 | 8.10 |

The following table shows the total borrowings utilised between the end of March and July of each year (noting that the last quarter rates are due 1 June of each year):

| Borrowings between April - July | |
|---|---|
| 2021 | 17.70 |
| 2020 | 21.40 |
| 2019 | 9.80 |

As at 31 March 2022, Council had utilised $103.2m of borrowings, with total facilities (after repayments of fixed loans to date) of $114.8m in place. In addition to normal expenditure, there is also additional fixed loan repayments of $4.8m due in June 2022, which includes a final balloon payment of $3.4m required at the maturity of a loan originally fixed in 2012. Given that we are not able to redraw on fixed loans as they are repaid, this further reduces the loan facilities available to $110.0m. This is $6.6m short of our budgeted year end debt position, before considering any temporary fluctuations due to increased payments and lack of receipts in the July and August period, potentially causing a temporary cash requirements issue.

The 2022-23 budget is due to be adopted on 5 July 2022, which will propose a budgeted loans figure for 30 June 2023 to meet budgeted commitments. An increased loan requirement is in line with projections in the Long Term Financial Plan. In enquiring with the LGFA regarding the timing of budget adoption and settlement of a new loan facility to meet budget

requirements, staff have been advised that as it takes up to 6 weeks from resolution to settlement, this facility would not be in place until mid-August at the earliest. All settlements of new facilities are completed mid-month. Therefore, there is a significant risk that at the end of July, Council will have a cash shortfall if we are to pay all outstanding invoices falling due at this time. Council could choose to hold off on some payments to manage the situation however this comes with the potential for reputational risk or is risk to staff and (smaller) suppliers who are reliant on cash flow from council.

To avoid non-payment and to mitigate the associated risk, the following is proposed:

- An additional facility of $6.6m to replace fixed loans which have been paid down (to bring us back to our current approved facility limit of $116.6m, as per the original budget projections); and
- A temporary additional facility of $8.4m to assist with cashflow between the end of the financial year and when first quarter rates are paid.

Following adoption of the 2022-23 budget, the temporary additional facility of $8.4m will transition to form part of the total loan facilities required to meet the upcoming year's budgeted commitments. If facilities in excess of this are required to meet 30 June 2023 requirements, Council's approval will be sought via the resolution for the adoption of the 2022-23 budget.

The temporary facility will act as a short-term safeguard against peak cash requirements and will only be drawn upon if absolutely necessary, and may not be required dependent upon the level of capital project carry forwards into the following year.

The Long Term Financial Plan has debt increasing to $134.5m in 2022-23 before peaking at $138.5m in 2023-24 and then reducing from 2025-26 onwards. At that point, loan facilities would be progressively closed down.

Discussions with the LGFA have highlighted that many councils have a temporary facility in place for year end expenditure, recognising that across the sector, the quarterly influx of rate revenue combined with increased expenditure in the last quarter of the year (which generally results in increased cash outflows in July) is a common occurrence.

While this has not been raised previously as a concern (predominantly due to large carry forwards associated with some of Council's approved major projects and no previous requirement to make balloon payments to close out fixed debt facilities), the current figures showing available facilities and potential cash outflows in July based on past trends identifies a risk in not having a temporary loan facility available by mid-July 2022.

## 6. Financial implications

The adopted 2021-22 budget projects a budgeted debt position of $116.6m, with an increased debt position likely to be budgeted for in 2022-23 based on the LTFP projections. There is no cost associated with setting up a facility and council only incurs interest charges if the facility is actually drawn upon. Finance charges in the 2022-23 budget have been based on having an increased position in place for a full year, therefore setting up a new facility now to be in place by mid-July will not incur additional finance charges that have not been budgeted for.

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Council is unable to pay suppliers or staff in July, impacting service delivery, reputation and morale | Putting in place a replacement loan facility for $6.6m to bring total facilities back to $116.6m as per the original 2021-22 budget projections, as well as a short-term and temporary loan facility totalling $8.4m (that would transition to become part of the budgeted loan facilities for 30 June 2023) would prevent this from occurring. |

## 8. Next steps

Following approval by Council, an application form will be submitted to the LGFA for the additional facility. As it takes up to 6 weeks for settlement, this is likely to become available in mid-July 2022.

Should Council not approve the creation of an additional facility, an application will need to wait until after adoption of the 2022-23 budget on 5 July. Given the current available facilities and historic trends of expenditure between now and the end of July, there is a significant risk that there will be a cash shortfall at the end of July and payment to some suppliers would need to be withheld.

- END OF REPORT –

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## 9.5 UPDATE REPORT TO REVOKE COMMUNITY LAND AND FACILITATE ROAD UPGRADES AT GULF PARADE, MASLIN BEACH AND GODFREY STREET, DARLINGTON

| Report contact | Meeting |
|---|---|
| Rochelle Redmond, Property Officer Transactions | Council |
| 8384 0016 | |
| **Approving officer** | **Date** |
| Renee Mitchell, Director Planning and Regulatory Services | 17 May 2022 |

### 1. Purpose

This report details the outcomes from the public consultation phase of the proposals to revoke the community land classification of portions of council reserve land to facilitate the upgrade of a footpath along Gulf Parade, Maslin Beach and the installation of a vehicle turning circle at the end of Godfrey Street, Darlington. The report also recommends a request be forwarded to the Minister for Local Government seeking consent to revoke the subject reserve lands from its community land classification in accordance with the legislative procedure with a view to vesting both portions of land to be public road to complement their proposed future land uses.

### 2. Recommendations

**1. That for the community land (Reserve) described as portion of Allotment 520 in Deposited Plan 6887, comprised in Certificate of Title Volume 2875 Folio 92, located at Gulf Parade, Maslin Beach and bordered in red on attachment 1 to the agenda report, Council:**

**a. Receives the ten (10) submissions for Gulf Parade, Maslin Beach (three (3) in support and seven (7) objecting) during the public consultation phase of the community land revocation process.**

**b. Having considered the submissions received both for and against the Gulf Parade, Maslin Beach proposal, and acknowledging that the objections relate to matters more of a project nature and incidental to the administrative revocation and vesting as public road process, approves to continue with the revocation of the community land classification.**

**c. Resolves that a request be forwarded to the Minister for Local Government seeking approval to revoke the subject portion of land from the community land classification to enable the land to be vested as public road, consistent with its proposed use.**

**d. Requests that a final update report be presented to Council once the Minister's decision regarding the proposed revocation of community land has been received, to enable finalisation of the revocation process and further, vesting of the subject portion of land as public road.**

**OR**

**e. Having considered the submissions received both for and against the Gulf Parade, Maslin Beach proposal, resolves to discontinue with the revocation of community land process.**

2. **That for the community land (Reserve) described as portion of Allotment 109 in Deposited Plan 4958, comprised in Certificate of Title Volume 5555 Folio 611 located at Godfrey Street, Darlington and bordered in red on attachment 2 to the agenda report, Council:**

   a. **Receives the five (5) submissions supporting the Godfrey Street, Darlington proposal from the public consultation phase of the community land revocation process.**

   b. **Resolves that a request be forwarded to the Minister for Local Government seeking approval to revoke the subject portion of land from the community land classification to enable the land to be vested as public road, consistent with its proposed use.**

   c. **Requests that a final update report be presented to Council once the Minister's decision regarding the proposed revocation of community land has been received, to enable finalisation of the revocation process and further, vesting of the subject portion of land as public road.**

## 3. Executive summary

At its meeting on 16 November 2021, Council declared 'in principle' that the subject council owned community land bordered in red on attachment 1 and attachment 2 is suitable for revocation ahead of vesting to council as public roads and approved the commencement of the public consultation phase of the revocation of community land process.

The public consultation commenced on 22 November 2021 and concluded on 14 December 2021.

This is an administrative process to enable the subject land to become legal public road in lieu of reserve land, consistent with its proposed developed use, however it remains in the council's ownership for use by the public as road not reserve.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **Place:** green, inviting, accessible, liveable<br>Revocation of community land will enable Council to vest the land to be public road. This transaction is a necessary legislative requirement ahead of developing the land to provide community accessibility, safe footpaths and roadways, thus improving active places and liveable spaces. |
| Policy and/or relevant legislation | Section 194 (2)(a) *Local Government Act 1999* |
| Who did we talk to/who will we be talking to | Internal consultation was undertaken with council staff to determine if there was any reason why the lands should not be vested as public road.<br>Legislative public consultation in accordance with the council endorsed Community Engagement Plan was undertaken to seek community views and included:<br>• detailed information seeking community comment on Council's website Your Say page |

| | |
|---|---|
| | • the placement of detailed information folders at Noarlunga and The Hub, Aberfoyle Park Customer Service Centres<br>• letter drop to surrounding landowners as outlined in the Community Engagement Plan<br>• public notice in The Advertiser<br>• information signs on the subject parcels of land. |

## 5. Discussion

The subject areas of community land on both Gulf Parade, Maslin Beach and Godfrey Street, Darlington abut existing roadways and are complementary extensions of the existing footpath and road facilities to improve the user experience, particularly regarding safety.

The proposed road widening projects have been identified as necessary to improve walking and vehicle manoeuvrability and to implement safety improvements.

**Gulf Parade, Maslin Beach (attachments 1 and 4)**

The area of land to be revocated is approximately 1320 m². There is currently a footpath that extends from Maslin Beach to the bus stop located at the southern side of the subject land but does not continue any further. The proposed project will continue the already completed gravel footpath extending from Gulf Parade to Old Coach Road and provide improved, safer bus parking and manoeuvrability.

Internal investigations have supported the proposed road widening construction works on the subject portion of community land. This report follows the legislated administrative procedure required to formalise the subject land to be vested as public road, complementing the proposed project works.

The public consultation process for the revocation of the subject land commenced on 22 November 2021 and concluded on 14 December 2021. It was conducted in accordance with the Community Engagement Plan endorsed by Council at its meeting on 16 November 2021. The consultation process involved:

- the placement of an information page with detailed supporting documentation, on the council's Your Say website
- the placement of detailed information folders at the Noarlunga Customer Service Centre providing comprehensive details of the proposal, inviting written submissions, and providing officer contact details
- the placement of a notice in The Advertiser newspaper on 22 November 2021 outlining the relevant details of the proposal, directing the public to council's Your Say page, or the customer service centre for further information, inviting written submissions and providing officer contact details
- letters of explanation being posted to surrounding residents
- information signs on the subject parcel of land.

### Summary of Engagement Outcomes

There were 36 visitors that viewed the proposal on the Your Say website which resulted in 10 submissions being received; one member of the public submitted an objection on the Your Say website as well as made comment via email.

A total of 10 submissions were received which resulted in the following:

- three (3) in favour of the proposal
- seven (7) opposed to the proposal
- no phone calls were received from the public during the public consultation period
- no submissions were received from the community interest groups
- pre-project local community engagement was completed by the Community Assets Team in November 2020 for the works that are proposed.

The submissions opposed to the proposal were made up of two main concerns:

- Bike lanes not included in the plan.

  Response – council's Assets Planner Footpaths confirmed that a shared path was not found to be practical in this location due to the creek line on the edge of the road verge. This issue was addressed in the previous pre-construction community engagement process carried out by the Assets & Technical Services team in November 2020.

- The vegetation impacts.

  Response – there will be minimal vegetation impacts, as the trees that may be impacted by the road/footpath construction works are neither regulated nor significant.

  This issue was addressed in the previous pre-construction community engagement process carried out by the Assets & Technical Services team in November 2020.

Based on the information contained in this report, it is recommended to proceed with the revocation process for the subject land located at Gulf Parade, Maslin Beach to enable it to be declared as public road to complement its proposed use.

### Godfrey Street, Darlington (attachments 2 and 3)

The area of land to be revocated is approximately 96m². The current constructed road is a dead end (cul-de-sac). There is a growing need for a safe turnaround to be accessible for normal road traffic, including adjacent residential occupiers and users of the adjoining council reserve.

Internal investigations have supported the proposed road construction works on the subject portions of community land. This report follows the legislated administrative procedure required to formalise the subject land to be vested as public road.

Council's Parks and Natural Resources Team has advised that there are no trees located on the subject land.

The legislative public consultation process for the revocation of the subject land commenced on 22 November 2021 and concluded on 14 December 2021. It was conducted in accordance with the Community Engagement Plan endorsed by Council at its meeting on 16 November 2021. The consultation process involved:

- the placement of an information page with detailed supporting documentation, on the council's Your Say website

- the placement of detailed information folders at our two Customer Service Centres at Noarlunga and Aberfoyle Park, providing comprehensive details of the proposal, inviting written submissions, and providing officer contact details
- the placement of a notice in The Advertiser newspaper on 22 November 2021 outlining the relevant details of the proposal, directing the public to council's Your Say page, or one of council's two customer service centres for further information, inviting written submissions and providing officer contact details
- letters of explanation being posted to surrounding residents
- information signs on the subject parcel of land.

**Summary of Engagement Outcomes**

- there were six (6) visitors to the council's Your Say website which resulted in five (5) submissions
- all five (5) submissions were in favour of the proposal
- no phone calls, emails or letters were received
- pre-project local community engagement was completed the Community Assets Team in July 2021 for the proposed works.

The revocation process is an administrative process to enable the subject land to be vested as public road in lieu of reserve land. This transaction complements the proposed project works to use a small portion of reserve land (96m2) for road purposes to improve vehicle turning at the end of the street and it remains in council ownership for use by the public.

Based on the information contained in this report, it is recommended to proceed with the revocation process for the subject land located at Godfrey Street, Darlington to be vested as public road.

## 6. Financial implications

At its meeting 16 November 2021, Council approved the costs associated with the revocation proposals contained within this report are estimated to be in the order of $20,000 in total, comprising of public consultation advertising, survey, conveyancing, plan lodgements and plan deposits. These costs will be met from the existing allocated road construction Capital Works Projects (PCWs 11653 and 12016).

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| A failure to continue to improve our roads and footpaths. | Ratepayers have an expectation that council will continue to deliver value for money projects and continue to improve our facilities, whilst following the correct legislative processes. A failure to follow those legislated processes, by not revoking the subject land from its community land classification, has the potential to expose council to criticism for not improving facilities and/or considerable risk and liability that would otherwise be avoided or lessened. |

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| The opportunity for council to improve the roads and footpaths for the benefit of the ratepayers. | Council is continually upgrading and facilitating new and improved road and footpath constructions works when specific needs are identified. These projects continue the goal of improving the council area and its facilities to be a premium place to work and live. |

## 8. Timelines and deadlines

There are no specific timelines or deadlines associated with this mattter as the revocation of community land process can take up to 18 months to complete, however the process will be expedited where possible to enable the road projects to be completed when allocated funding by Council through the Projects and Capital Works program.

## 9. Next steps

If Council supports the proposed revocation processes, a request will be forwarded to the Minister for Local Government seeking approval to revoke the parcels of land from their community land classification in accordance with the legislative procedure, with a view to vesting both subject portions of land to be public road, consistent with council's proposed project works.

A final update report will be presented to Council once the Minister's decision regarding the proposed revocations has been received, to enable finalisation of the revocation processes and to enable Council to vest the subject land portions to be public roads.

## 10. Attachments

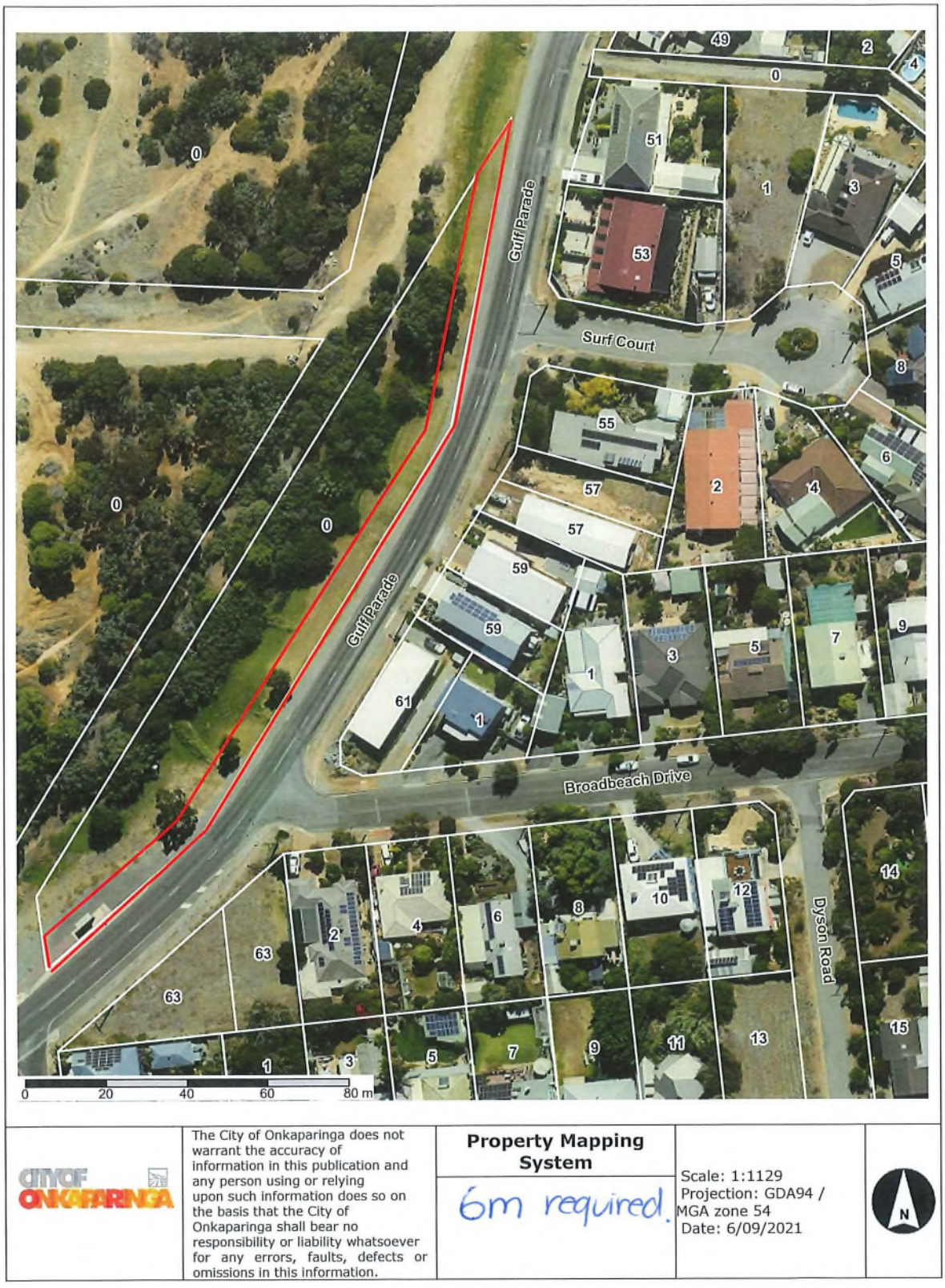
Attachment 1 – Aerial and Plan of works on Gulf Parade, Maslin Beach (2 pages)

Attachment 2 – Aerial and Plan of works on Godfrey Street, Darlington (2 pages)

Attachment 3 – Community Consultation - community comments Godfrey Street (1 page)

Attachment 4 - Community Consultation - community comments Gulf Parade (1 page)

- END OF REPORT –




CITY OF ONKAPARINGA

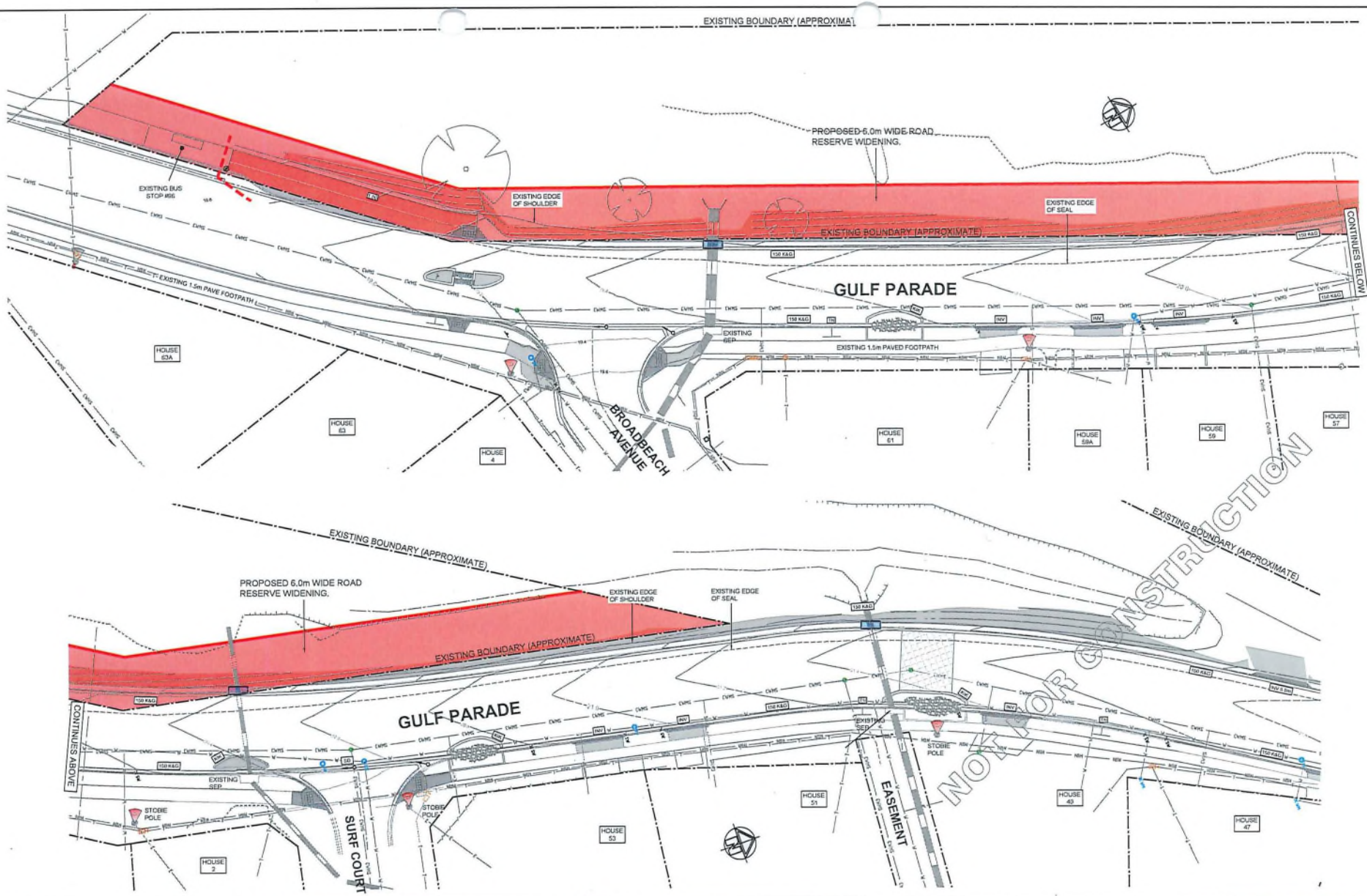
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**Property Mapping System**

6m required.

Scale: 1:1129
Projection: GDA94 / MGA zone 54
Date: 6/09/2021

N




| REV | DESCRIPTION | DRAWN | City of Onkaparinga CHECKED | City of Onkaparinga APPROVED | DATE |
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| 1 | | JW | VRG | | |

SCALES: 1:200 @ A1 (0, 2, 4, 8, 12m)

DO NOT SCALE FROM THIS DRAWING

DESIGN BY: J.WRIGHT

DRAWN BY: J.WRIGHT

SHEET SIZE: A1

CITY OF ONKAPARINGA

p (08) 8384 0666 www.onkaparingacity.com

# GULF PARADE
## MASLIN BEACH
**ROAD RECONSRUCTION**

PROPOSED ROAD RESERVE BOUNDARY REALIGNMENT

**INFORMATION**

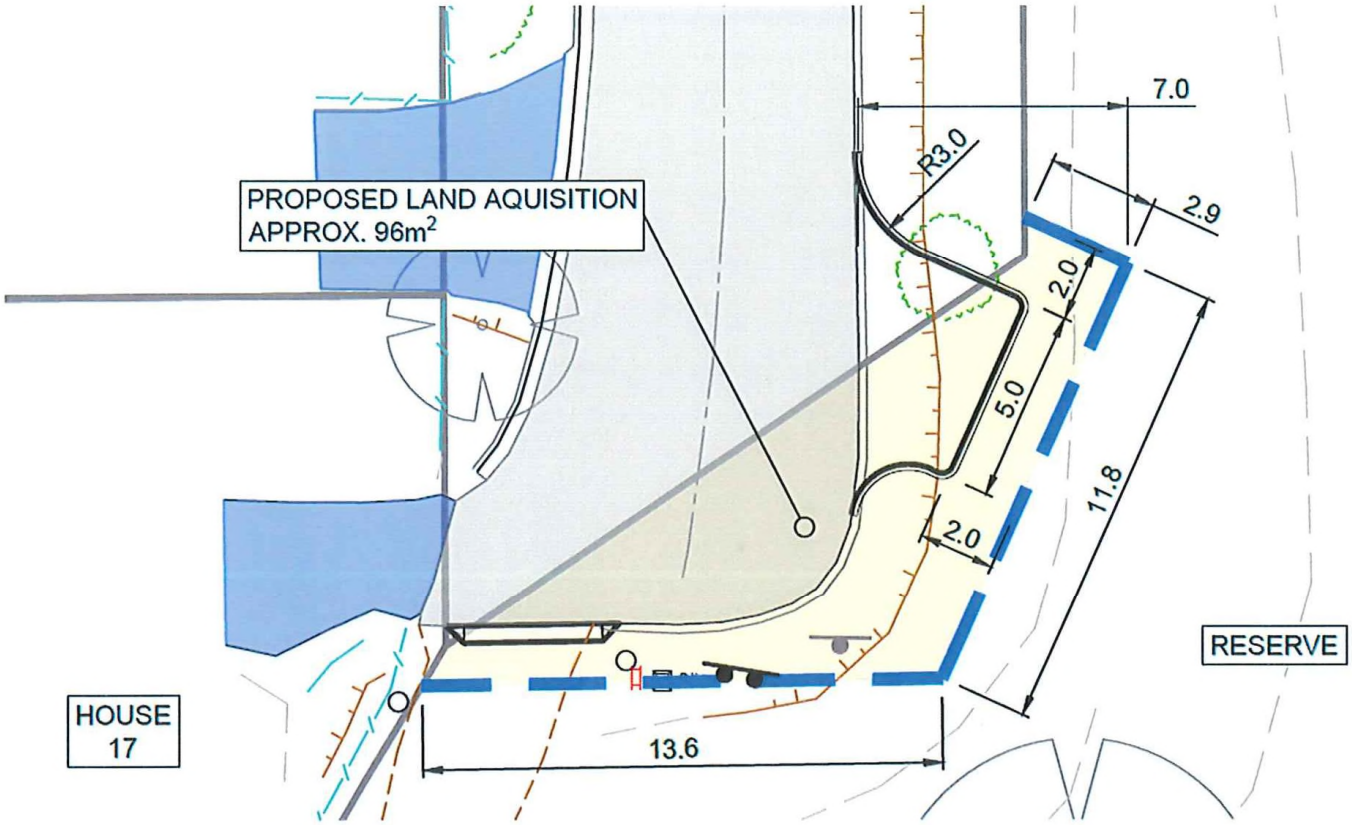
| City of Onkaparinga BUSINESS UNIT # | City of Onkaparinga SURVEY # |
|---|---|
| TBA | 5909 |

| City of Onkaparinga PROJECT # | SHEET # | REV # |
|---|---|---|
| 2018-093 | C01 | 1 |

FILE REFERENCE: BDY 2018-093 Gulf Parade (1).dwg




| | | | | |
|---|---|---|---|---|
| CITY OF ONKAPARINGA | The City of Onkaparinga does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Onkaparinga shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information. | **Property Mapping System** | Scale: 1:564<br>Projection: GDA94 / MGA zone 54<br>Date: 6/09/2021 | N |




**LAND ACQUISITION**
SCALE 1:200

| Please leave your feedback here and it will be included in the report to Council | | | 22-Nov-2021 | | | to | 14-Dec-2021 | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date of contribution | Contributor Details | | Survey Response | | | | | | | | |
| | Login (Screen name) | Contributor Summary (Signup form Qs - Detailed breakup on the right > ) | First Name | Surname | Residential (home) address: PO Boxes/mailing addresses will not be accepted | Suburb: (Start typing the first 6 letters of | Do you support the proposed land classification change of the subject portion of surplus | Please tell us why you do not support the proposal. | If the sale of the land was approved, do you have a preference for either of the | Submission (please provide your feedback here in writing) |
| Nov 22 21 06:34:21 pm | Flagstaff | AFF HILL, SA;;;;Sure, what do you want to know?;;Neither;;No;;;;Resident (I live in the region);;Environment and sustainability, Events, Community facilities and libraries, Planning and zoning, Infrastructure (roads, footpaths buildings | John | Photakis | 30 Bonneyview Road | FLAGSTAFF HILL, SA | Yes | | | People are already using the dirt area on the park to crack a uey |
| Nov 22 21 10:49:34 am | ClaireB | ClaireB;;bowmerclaire@gmail.com;;;1986;;DARLINGTON, SA;;;;;;;;;;;;;;; | Claire | Bowmer | 20 cameron ave | DARLINGTON, SA | Yes | | | It is a large park and a turnaround space is important. I think that the terminology in the community feedback needs to be clearer. Land 'revocation' is an unfamiliar term and would benefit from a plain English explanation for residents like myself.<br><br>I am unsure if this relates but I think it would be useful to keep in mind, pedestrian access to the park at this point. people walk into the park and across to victoria ave.<br><br>More generally, As a local resident who regularly walks to this park with my little kid, I am absolutely blown away by what the council are doing here and responding to community input. It is fantastic that there is a new playground, nature play logs and a community garden. |
| Dec 03 21 02:57:43 pm | tjh | tjh;;tashjoyhoward@gmail.com;;1980;;DARLINGTON, SA;;;;No thanks.;;;;;;;;;;; | Tash | Howard | 19 Wayne Avenue | DARLINGTON, SA | Yes | | | I don't reside on Godfrey St but we utilise this space all the time, mostly by foot but sometimes we drive up on our way past to stop at the playground/newly planted areas and it is really great to see that this turnaround is being proposed to go ahead. |
| Nov 29 21 01:26:57 pm | Esc | Esc;;esthercoultas@gmail.com;;1983;;FLAGSTAFF HILL, SA;;;;Sure, what do you want to know?;;;;No;;;;Resident (I live in the region), Property owner (I pay rates to City of Onkaparinga);;Events, Health, Community facilities and libraries, Children/Youth/Families, Infrastructure (roads, footpaths buildings etc), Open spaces, parks, reserves, playgrounds, sport and recreational trails;; | Esther | Coultas | 3 Dorset court | FLAGSTAFF HILL, SA | Yes | | | A turning circle is vital here:<br>1. Reversing is bad: Most importantly, requiring drivers to reverse anywhere near children is incredibly dangerous, particularly where kids might be moving quickly, and not paying attention eg. chasing a ball. (The trend for enormous SUV type vehicles exacerbates this. The reality is many people drive to their neighbourhood playground such as on the way home from school etc.)<br>2. Car parking possible: At least one or two car park spaces should be created to make traffic movements more predictable (spaces parallel to the road with gravel surface could keep costs low and the reserve has plenty of land space available, and would often allow "drive through" access which further removes the need to reverse.)<br>3. Personal experience: I feel quite guilty about the noise etc for the neighbours and consequently a bit stressed doing a 3 point turn (or 5 point turn...) After visiting the park with my son. If you're flustered you're not driving with the highest level of safety. |
| Dec 08 21 11:26:00 am | PaulAvs | PaulAvs;;;paul@energysa.net.au;;1976;;DARLINGTON, SA;;;;No thanks.;;;;;;;;;;; | Paul | Avion | 80b William Street | SOUTH PLYMPTON, SA | Yes | | | |

| Please leave your feedback here and it will be included in the report to Council | | | 22-Nov-2021 | | | to | 14-Dec-2021 | | |
|---|---|---|---|---|---|---|---|---|---|
| Date of contribution | Contributor Details | | Survey Response | | | | | | |
| | Login (Screen name) | Contributor Summary (Signup form Qs - Detailed breakup on the right > ) | First Name | Surname | Residential (home) address: PO Boxes/mailing addresses will not be accepted | Suburb: (Start typing the first 6 letters of | Do you support the proposed land classification change to enable the widening of Gulf | Please tell us why you do not support the proposal. | Submission (please provide your feedback here in writing) |
| Nov 23 21 12:21:06 pm | Kaiza23 | Kaiza23;;kaiwaters@hotmail.com;;1983;;PORT WILLUNGA, SA;;;No thanks ;;;;;;;;;;; | kai | waaters | 57a Gulf Parade | MASLIN BEACH, SA | No | Why has the plan changed, the original plan worked with the green area and made it available.<br>this area is used every day with walkers, bike riders and general nature lovers.<br>the foot path on the housing side of Gulf parade is completely sufficient for this end of the street. please put a ped crossing in at Seaview street and let us keep this beautiful green area with such cooling power on extreme heat days there is so much wildlife in this area, i suggest you come down early in the morning and afternoon to sit and experience this for yourself. | |
| Nov 22 21 12:49:35 pm | Eileen | BEACH, SA;;;;Sure, what do you want to know?;;Neither;;No;;;;Property owner (I pay rates to City of Onkaparinga);;Environment and sustainability, Events, Seniors/Positive Ageing, Planning and zoning, Infrastructure (roads, footpaths buildings etc), | Eileen | Lubiana | 43 Oleander Rd | MASLIN BEACH, SA | Yes | | Hi, I just looked at the related submission on widening Gulf Pde and see council is not putting in bike lanes. Re the Coastal bike trail from Maslin Beach to Willunga, is there a proposed route yet? If land is inappropriate to build a path close to the coast, council should plan for an alternate route now. (I'd like to know where the path will go) Thanks, Eileen |
| Nov 22 21 04:54:55 pm | Movingforward | Movingforward;;justwalk707@gmail.com;;1970;;MASLIN BEACH, SA;;;;No thanks ;;;;;;;;;;; | Justine | Jackson | 4 Parkway Drive | MASLIN BEACH, SA | Yes | | I think the footpath should go right along Gulf Parade to Commercial Road.<br>It would be nice to have a cafe or a cultural heritage centre at Maslin Beach to. |
| Nov 23 21 09:45:44 am | linda brockenbrow | brockenbrow;;brockyart@hotmail.com;;1962;;MASLIN BEACH, SA;;;;Sure, what do you want to know?;;Neither;;Yes;;;;Property owner (I pay rates to City of Onkaparinga);;Environment and sustainability, Planning and zoning, Open spaces, parks, reserves, | linda | brockenbrow | 3 beachway ave | MASLIN BEACH, SA | No | I dont want to see to many trees go has the bird life here over the years has grown. I am concerned about the storm water run off from the discusting new estate on the hill that makes we want to cry. I dont want to see our beautiful beach polluted by road litter and chemicals that do not belong in the sea. | I hope it will not be like the old coach rd upgrade. I cannot see cars approaching off any road out of Maslin bch and the people on old coach have no room for visitors |
| Nov 22 21 10:32:47 am | simon michie | simon<br>michie;;si_michie@yahoo.com.au;;1965;;MASLIN BEACH, SA;;;;No thanks ;;;;;;;;;;; | simon | michie | 18 Seabreeze Cres | MASLIN BEACH, SA | Yes | | Look forward to all the improvements, thank you |
| Nov 23 21 10:06:15 am | Reedy | Reedy;;karin01kr@gmail.com;;;;MASLIN BEACH, SA;;;;No thanks ;;;;;;;;;;; | Karin | R | 31 Vernon Cres | MASLIN BEACH, SA | No | I do not support it for the purpose of another footpath. Why is another footpath necessary when there is already one for which improvements are planned on the opposite side of the road? I would rather Council invested in and prioritised the work pertaining to the rock-lined creek in earlier plans. Or if you must widen the road further, a proper bicycle lane. | |
| Nov 23 21 11:18:38 am | Clem Newchurch | Newchurch;;clement83@live.com.au;;1983;;PORT WILLUNGA, SA;;;;Sure, what do you want to know?;;Aboriginal;;No;;;;Resident (I live in the region);;Environment and sustainability, Community facilities and libraries, Children/Youth/Families, | Clem | Newchurch | 24 Valiant Road | PORT WILLUNGA, SA | No | The area is significant for Kaurna People and has already been impacted on enough. In your proposal you will be cutting down trees that are significant along a waterway (all waterways are significant in their own right) and any digging works will more than likely uncover Ancient artefacts. There are well documented Sacred Sites close to the vicinity of these works as well as many others that have happened for many years. Stop destroying our Country! | I, Clem Newchurch, do not approve this development as it impacts on my Spiritual Relationship with Country. In your meetings you state that you respect this relationship with Country. Stop the further destruction of land for unnecessary uses. |
| Nov 23 21 07:47:10 pm | Mbeaty | Mbeaty;;meg.beaty@hotmail.com;;1994;;MASLIN BEACH, SA;;;;No thanks ;;;;;;;;;;; | Meg | Beaty | 21A beachway Avenue | MASLIN BEACH, SA | No | I think it will sterilise the look and feel of Maslin Beach. We want to keep our green verges and seaside feel without the car parks. No need for extra car parks - the current ones are never full. | We don't need more car parks and we don't need to sterilise the look and feel of Maslin Beach. The car parks we have are never full and we don't need more gravel or cement. Let us keep the nature we have. We love it. |
| Dec 03 21 08:22:46 pm | Luke. C | Luke.<br>C;;luke_cantley@yahoo.com.au;;1994;;MASLIN BEACH, SA;;;;No thanks ;;;;;;;;;;; | Luke | Cantley | 59 gulf pde | MASLIN BEACH, SA | No | Please leave grassed area as is. It is much more usable and looks great. A gravel path would minimise the usability for local residents | |
| Dec 12 21 05:30:13 pm | Jessica cantley | Jessica cantley ;;jessica keogh1@hotmail.com;;1987;;MASLIN BEACH, SA;;;;No thanks ;;;;;;;;;;; | Jessica | Cantley | 59 gulf parade | MASLIN BEACH, SA | No | Aside from the road needing to be resurfaced where there are pot holes, the road is being adequately used and people parking across the road as necessary. There is already a foot path on the housing side of the road, there does not need to be a footpath on both sides. This would detract from the natural look of the area, remove the cooling grass for people to walk their pets on, and native wildlife to enjoy. Furthermore and very importantly it would remove the green space that is needed to reduce urban heat stress and the impacts of extreme temperatures due to climate change. | As stated previously, widening the road and construction of a gravel path is not necessary, it is poor use of resources that would take away the much needed green space, with its vegetation being able to cool air temperatures and reduce the impacts of increasing temperatures due to climate change. Maslin beach currently hold Maslin the smallest temperature range of a maximum of 41.5 degrees compared to 52.5 degrees at Mclaren Vale (GREEN CITY, STRATEGIC MANAGEMENT PLAN 2017–22). With rising temperatures it would be important to |

## 9.6 UPDATE REPORT FOR REVOCATION OF COMMUNITY LAND CLASSIFICATION FOR PORTION OF RESERVE AT 23 HIGHWRAY DRIVE MORPHETT VALE.

| Report contact | Meeting |
|---|---|
| Dianne Catton, Property Officer Transactions | Council |
| 0481 911 135 | |
| **Approving officer** | **Date** |
| Renee Mitchell, Director Planning and Regulatory Services | 17 May 2022 |

## 1. Purpose

This report details the outcomes from the public consultation phase of the proposal for revocation of community land classification for a portion of reserve at 23 Highwray Drive, Morphett Vale, and recommends three options for Council's consideration:

1. Proceed with the revocation and disposal process and allocate funding towards the demolition of the car park and former community building.
2. Discontinue the revocation and disposal process, retain the car park for community purposes, allocate funding towards the demolition of the former community building, and return that portion of land to open space to be developed within the adjacent Wakefield Reserve upgrade. (This is council administration's preferred option)
3. Discontinue the revocation and disposal process, retain the car park and the former community building for community purposes, and allocate funding towards the refurbishment of the car park and former community building to the minimum compliance standards required for occupation of community facilities.

## 2. Recommendations

**That for the Council owned land described as portion of Allotment 272 in Deposited Plan 6509 comprised in portion of Certificate of Title Volume 6201 Folio 449 and bordered in red on Attachment 1 to the agenda report, Council:**

**1. Receives the Community Engagement Feedback Report (refer Attachment 2 to the agenda report) from the public consultation phase of the community land revocation process.**

**1a Resolves, having considered the submissions received both for and against the revocation process during the public consultation phase, to proceed with the process to revoke the land from its community land classification on the basis that Council has already approved the Communities Facilities District Plan (CFDP), which identified the former community building as surplus to requirements, and approved the Open Space Strategic Management Plan (OSSMP), which excluded this portion of land for disposal and exceeded the Open Space target for this District.**

**1b Resolves that the car park and the former community building will be demolished at an approximate cost of $25,000. Financial allocation for this activity will be included in the future PCW bids for scoring and prioritisation in accordance with Council's budget process.**

1c Resolves that a request be forwarded to the Minister for Local Government seeking approval to revoke the subject land from its community land classification to enable disposal.

1d Resolves that a final update report be presented to Council once the Minister's decision regarding the proposed revocation has been received, to enable finalisation of the revocation and disposal process.

OR

2. Receives the Community Engagement Feedback Report (refer Attachment 2 to the agenda report) from the public consultation phase of the community land revocation process.

2a Resolves, having considered the submissions received, both for and against the revocation process during the public consultation phase, to not proceed with the process to revoke the land from its community land classification on the basis that, on balance, it is contrary to the community's views.

2b Resolves that Council retains the car park for community purposes only, acknowledging that it is not at the end of its economic life, and demolish the former community building at an approximate cost of $20,000 and return that portion of land to open space to be developed with the adjacent Wakefield Reserve upgrade. Financial allocation for this activity will be included in future PCW bids for scoring and prioritisation in accordance with Council's budget process.

2c Resolves to place the portion of open space land appropriately in the Community Land Management Plan for Reserves to be developed with the adjoining Wakefield Reserve upgrade, scheduled for the FY 2022-23 but likely to be deferred to FY 2023-24 to allow sufficient time for community consultation and design.

OR

3. Receives the Community Engagement Feedback Report (refer Attachment 2 to the agenda report) from the public consultation phase of the community land revocation process.

3a Resolves, having considered the submissions received, both for and against the revocation process during the public consultation phase, to not proceed with the process to revoke the land from its community land classification on the basis that, on balance, it is contrary to the community's views.

3b Resolves that Council retains the car park and former community building for community purposes and refurbish the car park and former community building to meet the minimum compliance standards required for occupation of community facilities at an approximate cost of $326,954. Financial allocation for this activity will be included in the future PCW bids for scoring and prioritisation in accordance with Council's budget process.

3c Resolves to undertake an Expression of Interest (EOI) demonstrating a fair and transparent process to select a suitable tenant(s) to lease/licence or hire the facility in the future.

## 3. Executive summary

As a strategic outcome from both the Council approved Community Facilities District Plan (CFDP) and the Council approved Open Space Strategic Management Plan (OSSMP), at its meeting on 21 July 2020, Council declared that portion of land bordered in red on Attachment 1 (the subject land) surplus to requirements and approved the commencement of the revocation of community land classification process, including undertaking public consultation.

Full public consultation was undertaken and completed by October 2020 but not reported to Council due to a temporary pause in strategic asset rationalisation by CEO in September 2020. This allowed Council to develop its Long-Term Financial Plan and Asset Rationalisation Policy, which was adopted by Council on 15 June 2021. On 7 December 2021, the Strategic Directions Committee (SDC) resumed the strategic revocation process of surplus community assets and endorsed undertaking early engagement and investigation, commencing with the subject land, deferred until February 2022.

Full public consultation was again undertaken and completed by March 2022 and high participation was achieved within the community. The overwhelming majority of feedback favoured the option for Council to retain the subject land and, either retain the building as a community facility, or demolish the building and return the land to open space. The feedback did not support the disposal of this land.

As a result, and after careful consideration of existing Council resolutions, financial implications, and recent public consultation feedback, this report recommends three options for the subject land for Council's consideration:

1. Proceed with the revocation and disposal process and allocate funding towards the demolition of the car park and former community building.
2. Discontinue the revocation and disposal process, retain the car park for community purposes, allocate funding towards the demolition of the former community building, and return that portion of land to open space to be developed within the adjacent Wakefield Reserve upgrade.
3. Discontinue the revocation and disposal process, retain the car park and the former community building for community purposes, and allocate funding towards the refurbishment of the car park and former community building to the minimum compliance standards required for occupation of community facilities.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **people:** connected, engaged, active, healthy<br>**place:** green, inviting, accessible, liveable<br>**prosperity:** economically strong, environmentally thriving<br>Our communities trust us to manage our property portfolio in a sensible and sustainable manner. We make sure people can engage easily with us and ensure that their voices are considered when making our decisions. |
| Policy and/or relevant legislation | Council's Disposal of Land and Other Assets Policy (*Local Government Act 1999,* Section 49 requirement).<br>*Local Government Act 1999* – Section 194 revocation procedure |

| | |
|---|---|
| Who did we talk to/who will we be talking to | Comprehensive internal consultation was undertaken with officers to ascertain any future requirements for the subject land.<br>Comprehensive public consultation processes, over and above the legislated requirements, was undertaken to seek community feedback on the proposal for revocation of the community land classification of the subject land for disposal on the open market. |

**Background**

Previously, on 5 December 2017, the Strategic Directions Committee (SDC) approved the Communities Facilities District Plan (CFDP). The former community building located on portion of Wakefield Reserve at 23 Highwray Drive, Morphett Vale, and unleased since October 2017, was identified as surplus in the CFDP. Eight other council-owned buildings are located within a four kilometre radius, with spaces for lease, license or hire, to meet the community facilities service level in this area.

On 12 December 2017, Council approved the Open Space Strategic Management Plan (OSSMP). The Open Space target is set at 4.5 Ha per 1000 head of population. Taking into consideration future population growth and other potential land parcel disposals, the predicted amount of Open Space within the Central North Planning District that contains this subject land is 6.4 Ha per 1000 head of population, which exceeds the Open Space target.

The land adjacent to the Wakefield Reserve (comprising 2000 square metres approximately) and bordered in red on Attachment 1 (the subject land) is excluded from the OSSMP. A portion of the subject land bordered in blue on Attachment 1 (comprising 835 square metres approximately) is subject to a free and unrestricted right of way appurtenant to the walkway to the north. It is intended that this right of way remain to ensure walking connectivity between Brenton Street to the north and Highwray Drive to the south. Whilst the right of way should remain, its location could be augmented into a new design for the reserve.

At its meeting on 21 July 2020, Council recognised that the proposal for revocation of the community land classification and disposal of the subject land was a strategic outcome from both the Council endorsed CFDP and the Council endorsed OSSMP, and declared that the subject land was surplus to requirements and potentially suitable for disposal on the open market.

Council further approved the commencement of the revocation of community land classification process, including undertaking the public consultation phase of the revocation process. The public consultation process conducted in 2020 clearly articulated to the community that it was Council's intention to subdivide and dispose of the subject land, and included six disposal concept options.

Council further approved the assignment of tree canopy replacement costs totalling $9841 associated with the disposal of the subject land to the Urban Tree Fund and approved the net proceeds from the sale of the subject land (if ultimately approved by Council) to be assigned to the Community Investment Fund (CIF).

Council requested a further report be presented detailing the outcomes of the public consultation phase of the revocation process to enable it to determine if the revocation and disposal process should proceed.

## 5. Discussion

**First Public Consultation process 2020**

Subsequent to Council's approval on 21 July 2020, public consultation commenced on 31 August 2020 and included the following:

- Email informing the Mayor/Ward Councillors and Elected Members on 1 September 2020
- Letters delivered to approximately 130 adjacent landowners
- Public Notice placed in The Advertiser on 31 August 2020
- Your Say Onkaparinga page uploaded for viewing
- On-site signage placed on the subject land
- Information folders available for viewing at our 5 customer service centres.

In total, 14 submissions were received from the public, via letters and via the Your Say website, with 11 submissions opposed to the proposal and 3 in support of the proposal.

Public consultation concluded on the extended date of 1 October 2020. However, a further report detailing the outcomes of public consultation was not formally presented to Council due to a temporary pause in strategic asset rationalisation by the CEO in September 2020.

**Revocation process paused and resumed**

In response to general concerns from the elected body about the Council's strategic revocation processes, the CEO initiated a temporary pause of these processes in September 2020 to allow the Council to develop its Long-Term Financial Plan and Asset Rationalisation Policy. The Asset Rationalisation Policy, developed in conjunction with the Long-Term Financial Plan, was adopted by Council on 15 June 2021.

On 7 December 2021, the Strategic Directions Committee (SDC) recommended to the Council the resumption of strategic revocation processes of surplus community assets and endorsed undertaking early engagement and investigation, deferred until 1 February 2022, commencing with the property at 23 Highwray Drive, Morphett Vale as this was the last site considered before the process went into abeyance.

The Asset Rationalisation Policy proposes an early 'sounding out' process to establish upfront if there is likely to be support for the potential disposal of a particular site prior to commencing the statutory revocation and disposal process.

In this case however, Council had already declared that the subject portion of council owned land and building at 23 Highwray Drive, Morphett Vale was surplus to requirements and potentially suitable for disposal on the open market and further approved the commencement of the public consultation phase of the revocation process.

As such, a full community engagement for the potential revocation of community land process was again conducted instead of an early 'sounding out' process. The community engagement provided genuine opportunities to receive feedback from stakeholders to determine the level of likely support for a change in use, or disposal.

**Second Public Consultation process 2022**

A second Community Engagement Plan 2022 was prepared, and a second public consultation process commenced on 28 February 2022 and included the following:

- Email informing the Mayor/Ward Councillors and Elected Members on 28 February 2022
- Letters delivered to residents residing close to the reserve (Zone 1 in Attachment 2) and residents within a broader proximity (Zone 2 in Attachment 2)
- Public Notice placed in The Advertiser on 28 February 2022
- Your Say Onkaparinga page uploaded for viewing and linked to a Facebook post
- On-site signage placed on the subject land
- Direct email advising previous engagement participants (from 2020) and local community groups
- Door knocking of residents in Zone 1 on 14 March 2022
- On-site Drop-in session on 19 March 2022.

Public consultation concluded on 28 March 2022 and high participation was achieved with 160 people providing feedback. The location of the participants was:

- 68% Morphett Vale residents
- 23% other areas of Onkaparinga
- 9% outside of Onkaparinga.

Of the responses received from the 160 participants from all areas:

- 137 people (86%) want Council to retain the property
- 17 people (11%) were unclear, undecided or had no preference
- 6 people (4%) want Council to sell the property.

Of the 37 responses received from participants living outside of Morphett Vale:

- 34 people (92%) want Council to retain the property, with 30 people (81%) wanting the building retained as a community facility.

The feedback of the residents most impacted – in particular those living in Zone 1 – should be considered separately to those living outside of Morphett Vale. Of the 54 responses received from door knocking and the on-site drop-in session:

- 43 residents (80%) want Council to retain the property
- 10 residents (18%) were unsure
- 1 resident (2%) did not mind whether the property was retained or sold.

This was supported by the online submissions by Morphett Vale residents received through Your Say Onkaparinga:

- 40 residents (85%) want Council to retain the property, with 22 residents (55%) wanting the building retained, 14 residents (35%) wanting the building demolished (with almost all wanting the land returned to open space) and 4 residents (10%) open to either option

[*Please note that due to rounding, some percentages quoted in this report and in Attachment 2 may not add up to 100 per cent.]*

## Options

After careful consideration of existing Council resolutions, financial implications, and recent public consultation feedback, this report recommends three options for Council's consideration:

- **Option 1 - Proceed with the revocation and disposal process.**

  Having considered that Council has already commenced the revocation of community land classification process for the subject land, that Council proceeds with the proposal to revoke the subject land from its community land classification. This is on the basis that the former community building is identified as surplus to requirements in the Communities Facilities District Plan (CFDP), and the subject land is excluded from the Open Space Strategic Management Plan (OSSMP), which still exceeded the Open Space target for this District.

  This option requires the demolition of the car park and former community building at an approximate cost of $25,000. Council has strategically assessed the former community building to be surplus to requirements and at the end of its asset lifecycle, however the car park has been identified by Council as required and noted for an upgrade.

  Financial allocation for this activity will be included in the future PCW bids for scoring and prioritisation in accordance with Council's budget process. The disposal of the subject land will provide net proceeds to contribute towards the annual $3 million-dollar budgeted revenue to be raised from the sale of surplus assets as per the Long-Term Financial Plan and the FY 2021-22 budget to fund prioritised projects as planned.

  A written request by the CEO must be forwarded to the Minister for Local Government (the Minister) seeking their approval for revocation of the subject land from its community land classification to enable disposal. The Minister may decline the request on the basis that Council's post public consultation assessment process was not consistent with the clear views of the community feedback requesting Council to retain the land.

  While this option is consistent with Council's strategic outcomes from Council approved CFDP, OSSMP, Asset Rationalisation Policy (ARP) and Long-Term Financial Plan (LTFP) and is a low expense in the short term that will generate net proceeds to Council upon disposal, this option is inconsistent with the community's views that the property should be retained by Council.

- **Option 2 – Not proceed with the revocation and disposal process, retain the car park for community purposes, demolish the former community building, and return that portion of land to open space to be developed with the adjoining Wakefield Reserve upgrade.**

  Having considered that Council has already commenced the revocation of community land classification process for the subject land, that Council does not proceed with the proposal to revoke the land from its community land classification. This is on the basis that the majority of feedback from public consultation favoured the option for Council to retain the subject land and either, demolish the building and return the land to open space, or retain the building as a community facility.

This option requires the retention of the car park for community purposes and the demolition of the former community building at an approximate cost of $20,000. Council has identified this car park as required and noted for upgrade, and strategically assessed the former community building to be surplus to requirements and at the end of its asset lifecycle. The one regulated tree and several other trees adjacent to the former community building would be retained (which are highly valued by the community) and included in the portion of land to be returned to open space for development with the adjoining Wakefield Reserve upgrade.

Financial allocation for this activity will be included in the future PCW bids for scoring and prioritisation in accordance with Council's budget process scheduled for the FY 2022-23 but likely to be deferred to FY 2023-24 to allow sufficient time for community consultation and design of the adjoining Wakefield Reserve upgrade.

While this option is consistent with the community's views that the property should be retained by Council and is the lowest expense for Council in the short term this option is inconsistent with Council's strategic outcomes from Council approved CFDP, OSSMP, ARP and LTFP. This is council administration's preferred option.

- **Option 3 – Not proceed with the revocation and disposal process, retain the car park and former community building for community purposes and refurbish the car park and former community building to meet the minimum compliance standards required for occupation of community facilities.**

  Having considered that Council has already commenced the revocation of community land classification process for the subject land, that Council does not proceed with the proposal to revoke the land from its community land classification. This is on the basis that the majority of feedback from public consultation favoured the option for Council to retain the subject land and either, retain the building as a community facility, or demolish the building and return the land to open space.

  This option requires the retention of the car park and former community building for community purposes, and the refurbishment of the car park and former community building to meet the minimum compliance standards required for occupation of community facilities at an approximate cost of $326,954. Council has identified this car park as required and noted for upgrade but strategically assessed the former community building to be surplus to requirements and at the end of its asset lifecycle. The one regulated tree and several other trees adjacent to the former community building would be retained (which are highly valued by the community).

  Financial allocation for this activity will be included in the future PCW bids for scoring and prioritisation in accordance with Council's budget process.

  While this option is consistent with the community's views that the property should be retained by Council, this is the most expensive option for Council, both in the short and long term, and is inconsistent with Council's strategic outcomes from Council approved CFDP, OSSMP, ARP and LTFP.

The private property west of the subject land has been the subject of unauthorised vehicle access via Council's carpark to the rear of that property, built in 2020. This is a separate matter from this agenda report and has been managed via a formal warning. Depending on Council's resolution for the subject land, Council will re-instate the bollards between the

subject land and the adjoining western property, as existed when this property was in the ownership of the Minister for Education and Child Development and used as a carpark, prior to its subsequent sale and subdivision in 2016. This will ensure the access issues are not further breached by the existing and any subsequent landowners.

## 6. Financial implications

### Option 1

This option requires the demolition of the car park and former community building at an approximate cost of $25,000.

Financial allocation for this activity will be included in the future PCW bids for scoring and prioritisation in accordance with Council's budget process.

The disposal of the subject land will provide net proceeds to contribute towards the annual $3 million-dollar budgeted revenue to be raised from the sale of surplus assets as per the Long-Term Financial Plan and the FY 2021-22 budget to fund prioritised projects as planned.

This option represents a low expense to Council in the short term and the provision of net proceeds upon disposal for Council in the long term and is consistent with Council's strategic outcomes but is not supported by the feedback from public consultation.

### Option 2

This option requires the retention of the car park for community purposes and the demolition of the former community building at an approximate cost of $20,000.

Financial allocation for this activity will be included in the future PCW bids for scoring and prioritisation in accordance with Council's budget process scheduled for the FY 2022-23 but likely to be deferred to FY 2023-24 to allow sufficient time for community consultation and design of the adjoining Wakefield Reserve upgrade.

This option represents a low expense to Council in the short term and is supported by the feedback from public consultation but is inconsistent with Council's strategic outcomes.

### Option 3

This option requires the retention of the car park and former community building for community purposes, and the refurbishment of the car park and former community building to meet the minimum compliance standards required for occupation of community facilities at an approximate cost of $326,954.

Financial allocation for this activity will be included in the future PCW bids for scoring and prioritisation in accordance with Council's budget process.

This option represents a high expense to Council, both in the short and long term, and is inconsistent with Council's strategic outcomes but is supported by the feedback from public consultation.

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| **Option 1 - Proceed with the revocation and disposal process.** | The car park has been strategically assessed by Council as required and noted for an upgrade.<br>The demolition of the car park and former community building is not consistent with the majority community views favouring retention of the land by Council.<br>A written request by the CEO must be forwarded to the Minister for Local Government (the Minister) seeking their approval for revocation of the subject land from its community land classification to enable disposal. The Minister may decline the request on the basis that Council's post public consultation assessment process was not consistent with the clear views of the community feedback requesting Council to retain the land. |
| **Option 2 – Not proceed with the revocation and disposal process, retain the car park for community purposes, demolish the former community building, and return that portion of land to open space to be developed with the adjoining Wakefield Reserve upgrade.** | This option to not proceed with the revocation and disposal process is inconsistent with Council's existing decision to declare the subject land is surplus to requirements and approve the commencement of the revocation of community land classification process.<br>A slightly higher percentage of Morphett Vale residents want the Council to retain the former community building (55%) compared with the demolition of the former community building and return the land to open space (35%), |
| **Option 3 – Not proceed with the revocation and disposal process, retain the car park and former community building for community purposes and refurbish the car park and former community building to meet the minimum compliance standards required for occupation of community facilities.** | This option to not proceed with the revocation and disposal process is inconsistent with Council's existing decision to declare the subject land is surplus to requirements and approve the commencement of the revocation of community land classification process.<br>The former community building has been strategically assessed by Council to be surplus to requirements and at the end of its lifecycle.<br>This option represents the highest short-term expense to Council of approximately $326,954 to refurbish the car park and former community building to meet the minimum compliance standards required for occupation of community facilities, and additional long-term expense to Council for ongoing maintenance. |

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| **Option 1 - Proceed with the revocation and disposal process.** | This option to proceed with the revocation and disposal process is consistent with Council's existing decision that the subject land is surplus to requirements and commencement of the revocation of community land classification process.<br>The former community building has been strategically assessed by Council to be surplus to requirements and at the end of its lifecycle.<br>This option represents a low short-term expense to Council of approximately $25,000 for the demolition of the car park and former community building and the provision of net proceeds upon disposal of the subject land to Council in the long-term, which would contribute towards the annual $3 million-dollar budgeted revenue to be raised from the sale of surplus assets as per the Long-Term Financial Plan and the FY 2021-22 budget to fund prioritised projects as planned. |
| **Option 2 – Not proceed with the revocation and disposal process, retain the car park for community purposes, demolish the former community building, and return that portion of land to open space to be developed with the adjoining Wakefield Reserve upgrade.** | The retention of the car park and the demolition of the former community building to return that portion of land to open space (including one regulated tree and several other trees adjacent to the former community building) is consistent with the majority community view that Council should retain the land and demolish the building and return the land to open space (35%).<br>The former community building has been strategically assessed by Council to be at the end of its lifecycle and surplus to requirements for this district.<br>This option represents the lowest short-term expense to Council of approximately $20,000 for the demolition of the former community building.<br>The return of the land to open space requirements (including one regulated tree and several other trees adjacent to the former community building) will allow development of the subject land within the adjacent Wakefield Reserve upgrade plans scheduled for the FY 2022-23 (but likely to be deferred to FY 2023-24 to allow sufficient time for community consultation and design). |
| **Option 3 – Not proceed with the revocation and disposal process, retain the car park and former community building for community purposes and refurbish the car park and former community building to meet the minimum compliance standards required for** | The retention of the car park and former community building (including one regulated tree and several other trees adjacent to the former community building) is consistent with the majority community view that Council should retain the land and retain the former community building (55%). |

| | |
|---|---|
| **occupation of community facilities.** | |

## 8. Next steps

**Option 1**

- Include financial allocation of approximately $25,000 for the demolition of the car park and the former community building in future PCW bids for scoring and prioritisation in accordance with Council's budget process.
- Forward a written request by CEO to the Minister for Local Government seeking their approval for revocation of the subject land from its community land classification to enable disposal.
- Present a final update report to the Council once the Minister's decision regarding the proposed revocation has been received, to enable finalisation of the revocation and disposal process.

**Option 2**

- Include financial allocation of approximately $20,000 for the demolition of the former community building in future PCW bids for scoring and prioritisation in accordance with Council's budget process.
- Update the Community Land Management Plan for Reserves to include that portion of subject land that is to be returned to open space.
- Include that portion of subject land that is to be returned to open space for development with the adjoining Wakefield Reserve upgrade plans, scheduled for the FY 2022-23 but likely to be deferred to FY 2023-24 to allow sufficient time for community consultation and design.

**Option 3**

- Include financial allocation of approximately $326,954 for the refurbishment of the car park and former community building to meet the minimum compliance standards required for occupation of community facilities in future PCW bids for scoring and prioritisation in accordance with Council's budget process.
- Undertake an Expression of Interest (EOI) demonstrating a fair and transparent process to select a suitable tenant(s) to lease/licence or hire the facility in the future.

## 9. Attachments

Attachment 1 – Land bordered in Red-Blue (1 page)

Attachment 2 – Community Engagement Feedback Report, including Zone 1 & Zone 2 (14 pages)

- END OF REPORT –

# Revoke 23 Highway Drive Morphett Vale




The boundaries plotted hereon are indicative only and their location cannot be relied upon as accurate

## Legend

Subject area proposed for revocation

Free and unrestricted right of way




# COMMUNITY ENGAGEMENT FEEDBACK REPORT

## 23 HIGHWRAY DRIVE LAND REVOCATION

CITY OF ONKAPARINGA

Document Set ID: 5720593
Version: 8, Version Date: 31/03/2022

## INTRODUCTION

Community engagement was undertaken to understand the likelihood and support for divestment of a portion of reserve land located at 23 Highwray Drive, Morphett Vale. A commitment was made that all community feedback and suggestions will be considered regarding the future of the land and building.

It is important that the stakeholders understood that:

- a decision to sell the land and building has not been made
- all feedback will be considered
- the land and building may be retained and utilised for other purposes if this is Council's decision.

Previous consultation regarding this portion of land occurred in 2020 and then the process was put on-hold while Council reviewed its asset rationalisation processes.

To date, the outcomes of the 2020 consultation process have not been formally reported back to Council due to land revocation processes being placed on hold awaiting Council decisions moving forward. During this consultation we acknowledged the previous consultation, provided factual information on the history of the land and building, and were clear in our communications, including what is and what is not negotiable.

Councils Strategic Directions Committee (SDC) will be presented with an information report to determine whether or not to proceed with the revocation and disposal process.

## COMMUNITY ENGAGEMENT PURPOSE

The purpose of the engagement was to provide genuine opportunities for stakeholders to have their say about the future of the land and building.

## OVERALL OUTCOME

High participation was achieved for this localised project, with 160 people – mostly Morphett Vale residents – providing feedback. The sentiment from the community (86%) was that the property should be retained by council.

How the property should be used by council was split between retaining the building for community use (61%) and demolishing the building and returning the land to open space (28%) with some (9%) open to either option, and a few (2%) with other suggestions.

The loss of potential income to council from selling the property did not seem to be a strong consideration for any of the stakeholders. Further, the cost to council of upgrading the building and car park did not seem to be a deterrent to those wanting council to retain the building.

## ENGAGEMENT TECHNIQUES

The following techniques were undertaken during the engagement period (28 February to 28 March inclusive):

- Advertiser public notice (28 March)
- On-site signage (included drop-in session information)


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- Letter to residents living close to 23 Highwray Drive (providing advance notice of door knocking) – refer to Zone 1 map below
- Letter to broader residents – refer to Zone 2 map below
- Email to 2020 engagement participants
- Email to local community groups
- Facebook post
- Your Say Onkaparinga page containing:
  - Background information
  - Fact Sheet
  - Aerial map
  - Explanation of the land revocation process steps
  - Online submission form
- Door knocking of residents living close to 23 Highwray Drive – refer to Zone 1 map below (16 March from 4-7pm)
- On-site drop-in session (19 March from 2-4pm) which included:
  - Coloured dots activity
  - Feedback wall (sticky notes) activity
  - Hard-copy submission forms
  - Tablets connected to Your Say Onkaparinga (for online submissions)
- Emails
- Phone calls.

Zone 1: Letter to nearby residents advising of door knocking




www.onkaparingacity.com/yoursay

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Zone 2: Letter to broader residents



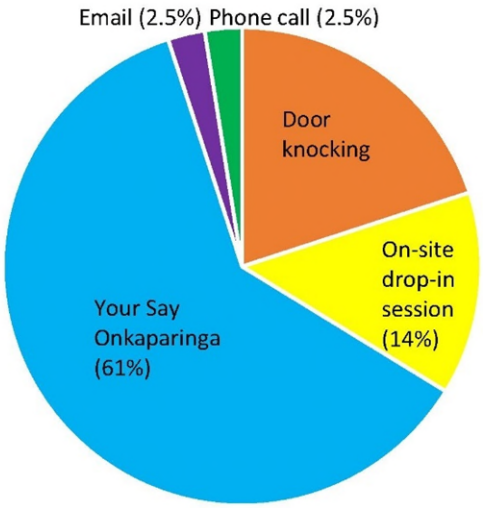

## SUMMARY OF COMMUNITY ENGAGEMENT OUTCOMES

### Participation channels

In summary we had 160 participants in the community engagement process, including

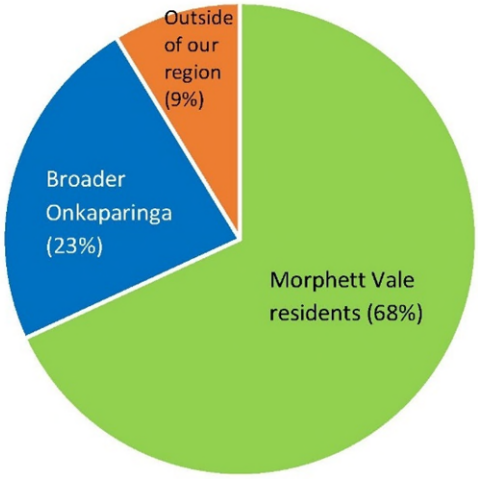
- 32 residents (20%) engaging with staff through door knocking 45 homes close to the site
- 22 people (14%) attended the on-site drop-in session (plus one elected member)
- 98 people (61%) provided feedback online
- 4 emails were received (2.5%)
- 4 phone calls were received (2.5%).


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**Location of participants**

Of the 160 participants 109 (68%) were Morphett Vale residents, 37 (23%) from other areas of Onkaparinga, and 14 (9%) were from outside of our region.



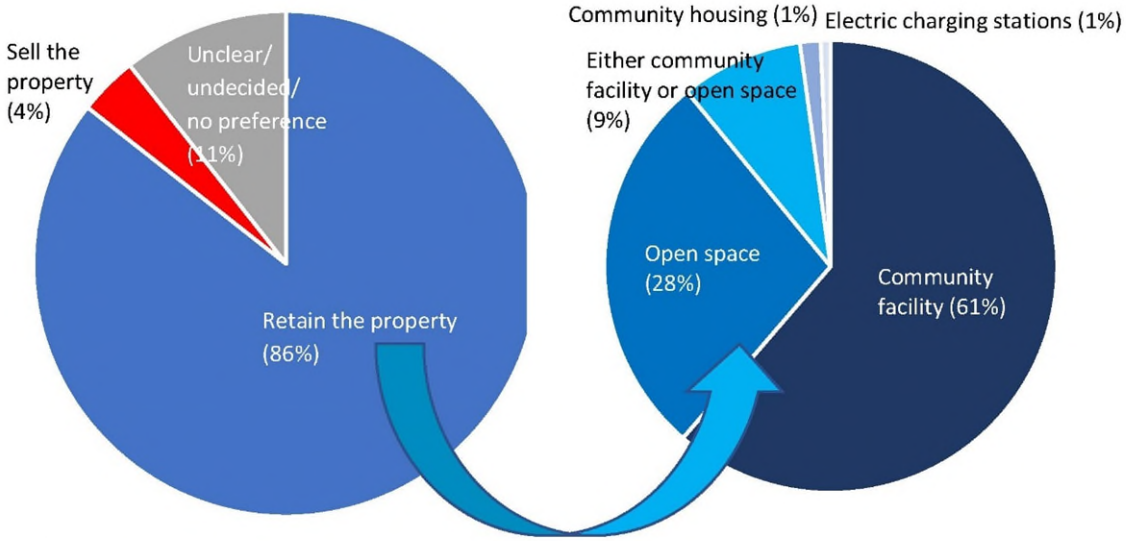

**Community preferences**

Of the 160 participants 137 people (86%) want to see council retain ownership of the property, 6 people (4%) want to see council sell the property, and 17 people (11%) were undecided or unclear.

- Of the 137 wanting council to retain the property:
  - 84 people/61% (or 53% overall) want to see the building retained and used as a community facility.
  - 38 people/28% (or 24% overall) want the building demolished and the land returned to open


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space.
- 12 people/9% (or 8% overall) were open to the building being retained or the land returned to open space.
- 2 people/1% (or 1% overall) want to see council use the property for community housing.
- 1 person/1% (or 1% overall) wants to see council use it to put in place electric charging stations.




- Of the 6 wanting council to sell the property:
  - 3 people/50% (or 2% overall) want to see the funds used to upgrade Wakefield Reserve or nearby Knox Park.
  - 1 person/17% (or 1% overall) wants to see the funds used to reduce debt.
  - 2 people/33% (or 1% overall) did not specify how the funds should be used.

**Important factors**

The loss of potential income to council from selling the property did not seem to be a strong consideration for any of the stakeholders. Further, the cost to council of upgrading the building and car park did not seem to be a deterrent to those wanting council to retain the building.

The feedback of the residents most impacted – in particular those living in Zone 1 – should be considered separately to those living outside of Morphett Vale. Feedback from participants living outside of the City of Onkaparinga has also been captured and considered separately.

Based on the door knocking and on-site drop-in session outcomes 43 (80%) local residents strongly favour council retaining ownership of the property. Ten local residents (18%) were unsure and one local resident (2%) did not mind whether the property was retained or sold. Of the 43 residents wanting to see the property retained by council, 19 (44%) would prefer to see the building retained, and 18 (42%) want to see the building demolished and returned to open space, with 6 local residents (14%) happy with either option.

This was supported through online submissions received through Your Say Onkaparinga, where 40


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(85%) of the 47 Morphett Vale residents that participated would prefer to see the property retained by council, with 22 (55%) wanting to see the building retained, 14 (35%) preferring to see the building demolished (with almost all wanting the land returned to open space), and 4 (10%) open to either option.

Residents living outside of Morphett Vale (37 respondents) were also strongly favour council retaining ownership of the property (34 people or 92%), however were more likely to want to see the building retained as a community facility (30 people or 81%).

It is important to note that participants in the community engagement may have provided feedback through more than one channel. This is most likely for the residents living close to the property who were door knocked and may have attended the on-site drop-in session in addition to providing feedback via Your Say Onkaparinga, emails and/or phone calls.

### Upcoming Wakefield Reserve upgrade

Much of the feedback on how this property should be used could be incorporated into the designs for the adjacent Wakefield Reserve upgrade. The community engagement for that project is planned for later this year, and information from this land revocation project has been passed on to the relevant staff members. Therefore, this feedback report focusses on whether or not the land and vacant building should be sold or retained by council, and – if retained – the preference for the ongoing use of the property, which will determine whether or not the building should be retained and upgraded or demolished.

## OUTCOME OF ENGAGEMENT TECHNIQUES

### Door knocking

45 homes close to the site were door knocked on Wednesday 16 March between 4-7pm:

- 21 local residents advised that they would like to see the property retained by council (with eight wanting it to be returned to open space, seven wanting the building to be retained, and six would be happy with either option).
- 1 local resident was comfortable with council selling or retaining the property.
- 10 local residents were unsure what should happen to the property and were handed a Fact Sheet and advised of the various ways they could provide feedback.
- 13 local residents were not home or did not answer the door, so staff left a 'sorry we missed you' card, directing them to the Your Say Onkaparinga page for more information and to leave feedback.

### On-site drop in

An on-site drop-in session was held at the property on Saturday 19 March from 2-4pm.

22 residents and one elected member attended and were able to view the interior of the building.

Several people provided feedback detailed in Appendix 1.

In summary all 22 people (100%) wanted to see council retain ownership of the building, with 12 people (55%) preferring that the building be retained, and 10 people (45%) preferring the building be demolished and the land returned to open space. Nobody supported council selling the property.

Most of the other feedback collected related to how the property should be used if it was retained,


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such as suggested uses/tenants for the building and ideas for the open space. The latter has been provided to staff working on the upgrade project for the adjacent Wakefield Reserve (scheduled for community engagement later this year).

### Online submissions (via Your Say Onkaparinga)

98 submissions were received via Your Say Onkaparinga. Of those, 89 people (91%) want to see council retain ownership of the property, 6 people (6%) want to see council sell the property, and 3 people (3%) were undecided or unclear.

- Of the 89 people wanting council to retain the property:
  - 65 people (73%) want to see the building retained and used as a community facility, with 50 of those people (56%) specifically nominating Puddle Jumpers as the ideal tenant.
  - 16 people (18%) want the building demolished and the land returned to open space, with 4 of those people (4%) specifically wanting to see a community garden established.
  - 5 people (6%) were open to the building being retained or demolished to return the land to open space.
  - 2 people (2%) want to see council use it for community housing.
  - 1 person (1%) wants to see council use it to put in place electric charging stations.
- Of the 6 wanting council to sell the property:
  - 3 people (50%) want to see the funds used to upgrade Wakefield Reserve or nearby Knox Park.
  - 1 person (17%) wants to see the funds used to reduce debt.
  - 2 people (33%) did not specify how the funds should be used.

### Emails

Throughout the engagement period we received 4 emails – all from Morphett vale residents. The feedback received indicated that all 4 residents (100%) preferred the property be retained by council, with 3 people (75%) wanting the building demolished and the land returned to open space, and 1 (25%) open to the building being retained or demolished to return the land to open space.

### Phone calls

4 phone calls were received, with residents asking questions and providing feedback. Only one caller was clear on their preference, which was for council to retain the property, demolish the building, and return the land to open space.

### Breakdown of participants

In total we received 160 items of feedback during the community engagement process. 109 of the 160 responses were from Morphett vale residents.

It is important to note that participants may have provided feedback on more than one occasion through the various channels. This would be most likely with local residents who were door knocked and may have attended the on-site drop-in session as well as providing feedback via Your Say, email or by phone.


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## OUTCOME OF PROMOTION

### General

The promotion included a range of channels (included above in the Engagement Techniques) and was very effective with 160 people participating in the engagement. The letters to local residents advising of the door knocking meant that many people answering their door knew why we were knocking. Most effective was the Facebook post – refer below.

### Facebook

A Facebook post promoting the engagement opportunity was posted on 1 March. The post appeared in 14,378 news feeds and reached 14,071 people. This resulted in:

- 4582 engagements (likes, shares, comments etc)
- 117 link clicks (taking people through to the Your Say Onkaparinga page)
- 248 comments
- 64 shares of the post
- 5 people hid the post from their news feed.

A copy of the Facebook post and data is provided in Appendix 2.

Comments provided via Facebook provide initial sentiment, and not informed feedback. That is, people commenting may not have viewed the relevant information in order to provide considered feedback. In addition, we have no way of knowing where people live. Therefore this feedback has not been included in the engagement statistics. This was made clear in the Facebook post so that people were aware they needed to click through to Your Say to ensure their feedback would be captured.

Amongst the Facebook interactions we noticed the CEO/Founder of Puddle Jumpers sharing and commenting on the post which may have impacted the participation from the group's supporters. This is evidenced in the Your Say participants – many of whom live outside of the City of Onkaparinga – suggesting Puddle Jumpers as potential tenants of the vacant building.

## EVALUATION

Formal evaluation of the community engagement will be undertaken once the end outcome of the land revocation process is known, and we are able to provide this information to participants. However the promotion of the engagement was very effective with 14,620 people aware of the project. Participation in the engagement was also high for a localised project:

- 353 people were **informed** about the project (downloaded the Fact Sheet or other information)
- 160 people **engaged** in the project (provided a submission or feedback).

Amongst the engaged participants were 109 Morphett Vale residents, ensuring that we can be clear on what the most affected stakeholders would like to see happen with the land and vacant building.


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## SIGN OFF

All feedback reports are to be reviewed by the Engagement unit

**Officer who prepared the document**

Name: Dale Sutton

Position Title: Property Transactions Officer

**Reviewed by the Engagement unit**

Name: Dale Sutton

Position Title: Team Leader Engagement, Grants and Events

Date: 29 March 2022

**Approved by**

Name:

Position Title:

Date:


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**Appendix 1**

## ON-SITE DROP-IN SESSION FEEDBACK

**Saturday 19 March (2-4pm)**

Attendance: 22 people, 1 elected member (and 4 staff)

Feedback options:

- Coloured dots
- Sticky notes (textas and pens)
- Submission forms

**Coloured dots**

This activity asked participants to provide feedback on the ideas we had already captured through the engagement process to date. Participants were also able to suggest new/additional ideas that others could provide feedback on. Sticky dots were used to indicate like/support (green dot) or do not like/support (red dot).

| Options provided from feedback already received: | Support (green dot) | Do not support (red dot) |
|---|---|---|
| Retain the land and building to be used as a community facility | 12 | 3 |
| Retain the land and demolish the building and incorporate it into the reserve next door (could include a community garden) | 10 | 4 |
| Retain the land and demolish the building to build affordable/community housing | 0 | 17 |
| Sell the property and use the funds for other council projects | 0 | 13 |
| I'm not sure what should happen with the land and vacant building | 0 | 0 |

| Additional ideas provided at the drop-in session: | Support (green dot) | Do not support (red dot) |
|---|---|---|
| Demolish and rebuild or extend out verandah so that community groups can hire/use it (e.g. Onkaparinga City Concert Band (Friday nights) – hire, store equipment | 0 | 0 |
| If funding is a reason to sell this area – has the unused oval area been considered? | 0 | 2 |
| BBQ area | 4 | 0 |
| TOTAL | 26 | 39 |


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### Sticky notes

Participants were able to provide any comments and suggestion and feedback by writing on a sticky note and posting it on the wall. The following comments were provided (verbatim):

- Do not remove the trees in backyard
- What a beautiful shaded area at the rear of the building. IT MUST NOT BE SOLD TO GREEDY Developers but incorporated into the adjoining Wakefield Reserve, as it was originally thanks to Mrs Wakefield perhaps upgrade toilet facilities, locked at night Use building as a community building/play area for toddlers
- BBQ WITH SHELTER & Drinking fountain
- COMMUNITY GARDEN
- AND A BETTER, OR MORE PLAYGROUND EQUIPMENT PLEASE
- MORE TREES & SHRUBS
- public facilities in park. e.g. toilets, drink fountain BBQ
- A NICE LAWNED AREA AROUND THE BBQ AREA TOILET FACILITY
- TOWNHOUSES IF SELLING LAND WILL CAUSE MORE TRAFFIC AND PARKING ISSUES
- NEED PARK AREA FOR FAMILY USE. SKATE PARK BBQ BIKE RIDING, PICNIC AREA TOILETS??
- Some Water on the playground Would Be Nice
- BASKETBALL GOAL POST & NETBALL GOAL POST
- SMALL SKATEBOARD OR SCOOTE TRACKS fOR LITTLE PEOPLE
- BBQ & Shade areas with toilets for familys and meets! :)
- LACK OF PARKING NOW MAKES USE OF BUILDING NEARLY IMPOSSIBLE
- PARKING NOW AN ISSUE

In addition to the communities' feedback an elected member attended the drop-in session and provided the following suggestions using the sticky notes:

- Pocket forest
- Japanese garden
- BBQ x 3
- Toilets

### Submission forms

While no submission forms were filled in, two residents provided hard copies of feedback they had already submitted online. Given it has already been captured we have not duplicated it here.

### Additional information

Much of the feedback on how this property should be used could be incorporated into the designs for the adjacent Wakefield Reserve upgrade. The community engagement for that project is planned for later this year, and information from this land revocation project has been passed on to the relevant staff members.

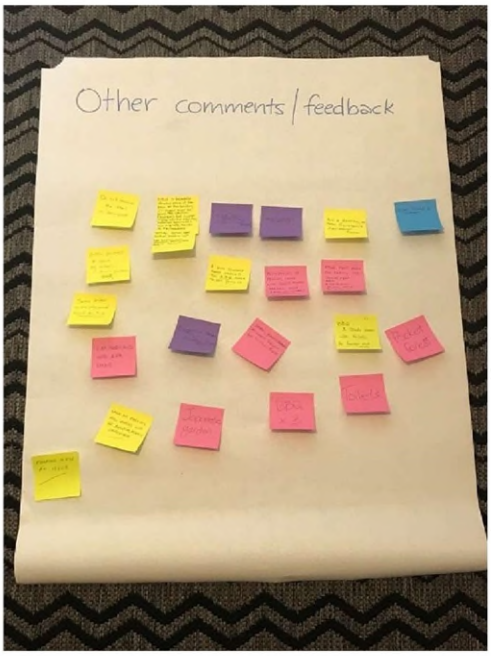

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## Images from the day









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Appendix 2

# FACEBOOK

## Facebook post (1 March 2022)



City of Onkaparinga
Published by Heather Lesley · 1 March ·

HAVE YOUR SAY AND MAKE IT COUNT!

How can I make sure my feedback is included in the report that the decision-makers review?
❌ Leave a comment on a Facebook post
✅ Fill out the feedback form on our Your Say website before 28 March 2022.

https://yoursay.onkaparinga.sa.gov.au/revocation-highway...

We are keen to hear your thoughts about what should be done with the land and vacant building located at 23 Highway Drive, Morphett Vale.

The site is approx. 2000 square metres and the building, formerly used by the Morphett Vale kindergarten, has been vacant since 2018.

We need to consider whether it is in the long-term interests of the community that the property continues to be protected (under the classification of Community Land).
If not, we may consider the sale of the property, using the proceeds of that sale for other purposes that may benefit the community more.

No decisions have currently been made and all feedback and suggestions from the community captured on our Your Say website will be an important consideration during Council's decision-making process.

You're invited to drop-in to our on-site community information session on Saturday 19 March anytime between 2pm–4pm.

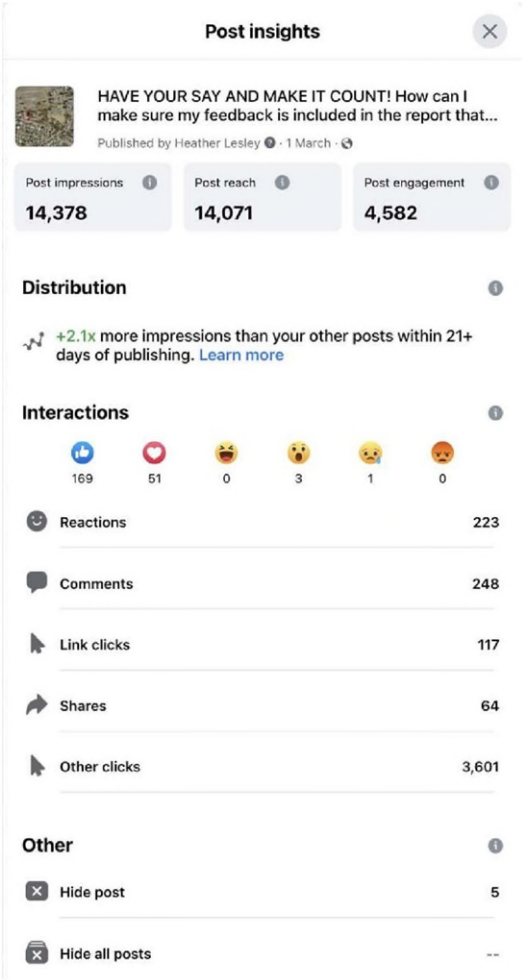
Community consultation is open until 28 March 2022.

Find out more and complete the feedback form here
https://yoursay.onkaparinga.sa.gov.au/revocation-highway...

#Onkaparinga



## Facebook data (reach of the post)



**Post insights**

HAVE YOUR SAY AND MAKE IT COUNT! How can I make sure my feedback is included in the report that...
Published by Heather Lesley · 1 March ·

| Post impressions | Post reach | Post engagement |
|---|---|---|
| 14,378 | 14,071 | 4,582 |

**Distribution**

+2.1x more impressions than your other posts within 21+ days of publishing. Learn more

**Interactions**

| 169 | 51 | 0 | 3 | 1 | 0 |
|---|---|---|---|---|---|

| | |
|---|---|
| Reactions | 223 |
| Comments | 248 |
| Link clicks | 117 |
| Shares | 64 |
| Other clicks | 3,601 |

**Other**

| | |
|---|---|
| Hide post | 5 |
| Hide all posts | -- |


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## 9.7 COROMANDEL VALLEY INSTITUTE BUILDING FUTURE OPTIONS

| Report contact | Meeting |
|---|---|
| Rochelle Redmond, Property Officer Transactions | Council |
| 0466 028 153 | |
| **Approving officer** | **Date** |
| Renee Mitchell, Director Planning and Regulatory Services | 17 May 2022 |

### 1. Purpose

1. At the Council meeting held on 21 September 2021 a Deputation at item 7.2 was presented by Graham Buxton and Michael Chalk regarding the vacant Coromandel Valley Institute building, further, a Notice of Motion from Cr Eaton at item 11.4 was considered and Council resolved (in part):

   *"That Council request a report is brought to Council to consider the future use of the vacant Coromandel Valley Institute building"*

   This Agenda report responds to this resolution.

2. This report requests Council approval to commence public consultation, to either:

   - Revoke the community land classification of the Coromandel Valley Institute to enable sale one the open market
   - Enter into a long-term commercial lease, or
   - Change the currently classified "Commercially Leased Premise" to "Services & Social Facilities" of the Council owned building.
   -

### 2. Recommendations

**That for the council owned land and building described as Allotment 44 in Filed Plan 149129 comprised in Certificate of Title Volume 5831 Folio 522 and bordered in red on Attachment 1 to the agenda report, Council:**

**1a Declares 'in principle' that the subject Council owned building is surplus to community land requirements and potentially suitable for disposing on the open market.**

**1b Approves the commencement of the revocation process to revoke the community land classification, including undertaking public consultation in accordance with the provisions of section 194(2) of the *Local Government Act 1999.***

**1c Requests a further report be presented to Council detailing the outcomes of the public consultation phase of the revocation process to enable Council to determine if the revocation and disposal should proceed.**

**OR**

**2a Approves the commencement of an Expression of Interest (EOI) process to sound the market for commercial interests wanting to invest private funds into the heritage asset in exchange for a long-term lease over the Coromandel Valley Institute, resulting in a financially sustainable and responsible commercial outcome for Council.**

**2b Requests a further report be presented to Council detailing the outcomes of the EOI process to determine if a long-term commercial lease should proceed and commence public consultation in accordance with the provisions of subsection 202(2) of the *Local Government Act 1999*.**

**OR**

**3a Acknowledges that the Coromandel Valley Institute requires substantial capital building and compliance works to be used as a facility for community use.**

**3b Approves engaging a suitably qualified consultant to provide a heritage building and asset condition report, which will be funded by the Structural Building Component Services Audits and Level 2 Component Assessments budget pending Council adoption of the 2022-23 annual budget.**

**3c Requests a further report to be presented to Council detailing the outcomes of the heritage building and asset condition report above to determine if the works required to enable the building to be compliant for community activities and pursuits should proceed and how/when the funds will be allocated.**

## 3. Executive summary

The subject council owned premises (bordered in red on Attachment 1 to this agenda report) is a state heritage listed building, located at 404b Main Road, Coromandel Valley.

It was built in 1881 and ownership was transferred from the State Governement to Council in 1987.

The previous tenant leased the Coromandel Valley Institute as an art gallery/pottery and craft workshop from April 1997 and vacated the premises in June 2020.

Council is requested in this report to provide direction on the long-term future use of the premises which may include several options as follows:

- Consider revocation and disposal of the premises on the open market to allocate the net proceeds of the sale towards Council's Long Term Financial Plan (LTFP) and annual budget target of $3 million dollars from the disposal of surplus assets; or
- Sound out the market to seek a private business operator willing to invest private funds on this public asset in exchange for a long-term lease on commercial terms, to achieve a financially sustainable outcome for Council if retention of the building is prioritised over the revocation and sale process; or
- Engage a consultant specialising in heritage preservation and conservation to draft an asset condition report detailing the building and compliance works required for the building to be used as a community facility for activities and pursuits. [A similar report was completed in 2018 and is attached for information and reference (Attachment 2)]

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **prosperity:** economically strong, environmentally thriving<br>Our community expects Council to continually review its property portfolio with a view to managing it in a responsible sustainable manner. |

| | |
|---|---|
| Policy and/or relevant legislation | *Local Government Act 1999* (SA) various section below:<br>• Section 194 - revocation of community land<br>• Section 200 – business use of community land<br>• Section 202 – lease or licence of community land |
| Who did we talk to/who will we be talking to | Internal investigations and consultation were undertaken with relevant officers within Council.<br>Council has been approached by several business operators and community groups enquiring about leasing and/or purchasing the premises. |

## 5. Discussion

The subject council owned premises (bordered in red on Attachment 1 to this agenda report) is located at 404 Main Road, Coromandel Valley, is currently vacant and was previously occupied by a commercial tenant to operate a small scale art gallery business.

The previous tenant vacated the premises in June 2020, where they were paying a gross rent of approximately $3000 per annum.

### Community Land Management Plan

The subject land is community land and was placed by Council in the "Generic Management Plan for Business Areas" Community Land Management Plan; the Coromandal Valley Institute is further sub-classifed as a "Commerically Leased Premise".

The Local Government Act requires that public consultation is undertaken ahead of changing the management of a facility from one category to another. For example, if Council wants to use the building for general community focussed activities instead of seeking a new commercial tenant to lease the premises, it will be required to undertake public consultation and make its decision having regard to the community's views.

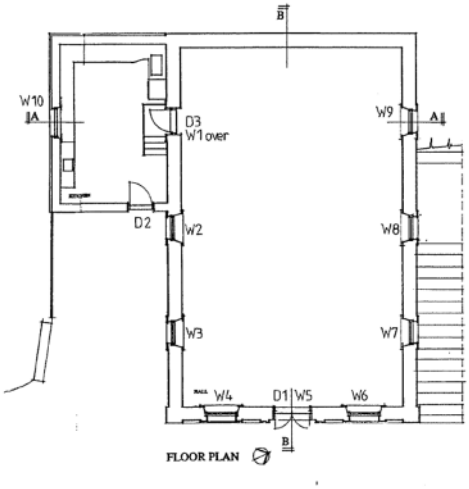
### Asset Condition

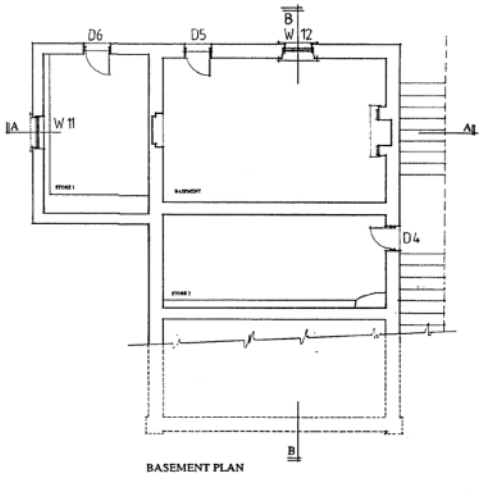
An asset condition report was commissioned by council officers in February 2018 to determine the required conservation and building maintenance works of the State Heritage listed building (refer to attachment 2).

In 2018 a high level summery of recommended works and associated costs resulted in approximately $220,000 forecasted over 10 years to bring the building to a compliant, standard fit for a commercial tenant.

Depending on the decision Council resolves, it is recommended to commission a further, updated report to identify works and costs associated with using the building for community facility activities if this is the direction of Council for the future use of the building. The building code requirements differ between community and commercial construction. The report is estimated to cost $7865, to be prepared by Swanbury Penglase incorporating Chris Sale Consultants, Trinamic Consultants and Trento Fuller Building Certifier (refer to attachment 3).

Photos of the building and its site plan are shown below and over page.




Northern room under the building



Southern room under the building



Right hand side room under building



Small main room



Large main room





## Community Facilities Study

The Community Facilities Study was undertaken in 2015 by Elton Consulting and was designed to inform a more strategic approach to the delivery of community facilities in our region. In March 2016, the Strategic Directions Committee approved the Community Facilities Guidelines (attachment 4) that include:

- Principles
- Strategic Directions (including setting a floor area service level per district and focusing council's provision at the district level of the facility hierarchy)
- Service Delivery Guidelines
- Facility Location and Design Guidelines.

The facility location and design guidelines provided 11 considerations for community facilities, which are listed below along with information relating to how these considerations apply to the Coromandel Valley Institute (CVI):

| Guideline | Description | Coromandel Valley Institute | Assessment | Possible improvements |
|---|---|---|---|---|
| Central to catchment | To maximise accessibility community facilities should be centrally located within the catchment they serve. Community access to space and services can be largely determined by the location and distribution of facilities across our region and districts. | CVI is located at the heart of its immediate local community, however catchment area is small. Existing community facility, Coromandel Community Centre, is located close by which caters for community activities and has two meeting rooms is located | Mid | None identified |

| | | | | |
|---|---|---|---|---|
| | | within 800 metres and is at 78% capacity; and Watchman House is located within 1.3kms, has one meeting room and is at 15% capacity. | | |
| Clustered | Wherever possible community facilities should be clustered with other activity generating uses such as shops, schools, childcare centres, parks, playgrounds, transport nodes and other community facilities. | CVI is not clustered with other activity generating uses and does not provide convenient access for community. | Low | None identified |
| Accessibility and visibility | The location and management of community facilities should ensure equitable access for all potential users. Facilities should be highly visible, ideally being located on a main street with ground floor street frontage. Enabling awareness of what happens inside promotes facility usage and providing adequate car parking nearby improves accessibility. | CVI will provide no exclusive carparking. The current 4 car parks are to be shared with the Sturt River Linear users. There is limited parking on the road verge. CVI is visible from the road but is on a bend, making it difficult to promote activities. | Low | Improvements to the façade of the building would increase awareness of the centre |
| Transport networks | Good access to public transport improves facility accessibility for all population groups. Ideally, community facilities should be located within 400 | CVI is located on a bus route with a bus stop situated close by. These bus services travel between Old Reynella Interchange and | Mid | None identified |

| | | | | |
|---|---|---|---|---|
| | metres walking distance of a regular public transport stop. Linking to pedestrian and cycling networks. | Westfield Marion also Darlington and Blackwood. CVI is surrounded by pedestrian and cycling networks. | | |
| Flexibility and multi-use | Community facilities should be designed to maximise flexibility of use so they can adapt as community needs and aspirations change over time. Where possible, buildings should be capable of delivering a range of services. | CVI would require significant upgrades to maximise flexibility of use and provide greater opportunities for community. | Low | If approved, building compliance upgrades will be outlined in the 'Heritage building and asset condition report' referred to in Recommendation 3b of this agenda report |
| Public realm and sense of place | Community facilities can contribute to local identity and placemaking, becoming important focal points and gathering places. Development of facilities on landmark sites and with distinctive architecture and quality design that reflects local culture can foster strong connection between a facility and its communities. Incorporating public art into building design is also an important opportunity for telling local stories. | CVI is state heritage listed and has strong local identity. The building has distinctive architecture and has a long history dating back to 1881. | High | Incorporate public art into future designs |
| Open space | Locating facilities adjacent to open space including town squares, district and neighbourhood centres and parks | CVI is adjacent to Local Passive Park within the Open Space Strategic Management Plan 2018-2023 | Mid | None identified Local Passive Parks often consist of small road reserves, drainage lines and other minor |

| | | | | |
|---|---|---|---|---|
| | increases the range of community building activities that can occur on community facilities land. | | | stormwater management sites. Sites may include small pockets of biodiversity with generally no built facilities included. |
| Potential expansion and adaptation | It is difficult to precisely predict the absolute requirements for community facilities of a future population. Assumptions about demand are based on current population growth projections, which may change and therefore affect requirements for community facilities. It is therefore important to provide some flexibility in the provision of community facility space. | Demand for activities at CVI is unknown. There is no expected growth in the immediate vicinity of CVI. Coromandel Valley Community Centre (CVCC) is located within 800 metres and is at 78% capacity and Watchman House is located within 1.3kms and is at 15% capacity. | Low | Improvements will be governed by the heritage principles that apply, the limited footprint surrounding the building and should cater for a gap in the needs of the community not already being met by CVCC and Watchman House. |
| Inclusive and welcoming | Community facilities should be welcoming and accessible to people of all ages, cultural backgrounds, abilities, income levels and interests. This can be achieved through the provision of spaces catering to different groups and through effective programming. | CVI requires significant upgrade to provide a welcoming and accessible space for all. It is not known what program might be delivered. | Low | Improvements made would need to ensure that CVI is welcoming and accessible for all. |
| Safety and security | Community facilities should provide a high degree of personal safety for | CVI provides minimal personal safety features and is isolated | Mid | Improvements made will need to consider improving |

| | | | | |
|---|---|---|---|---|
| | people entering and leaving buildings, especially at night. | from other facilities. Vehicles passing CVI provides some safety and security measures. | | personal safety for attendees. |
| Harmony with neighbouring uses | Urban planning processes in newly developing or regenerating areas provide an opportunity to locate community facilities where impacts on residential and other uses can be managed through careful design. Building orientation is also an important consideration. | CVI is located at the heart of its local community. | High | None identified |

Assessing CVI against our Community Facility Guidelines (CFG) has identified that CVI does not reasonably meet council's expectation for a community facility in line with these guidelines without potential substantive investment. Even after investment, CVI would still not fully meet the identified considerations set out in the CFG.

**Neighbouring facilities**

The Community Facilities Study grouped centres into four districts (Northern, Central North, Central South and Southern) with the Northern District covering suburbs such as Coromandel Valley, Cherry Gardens, Flagstaff Hill, Aberfoyle Park, Happy Valley and Chandlers Hill.

A review of the current usage of facilities close to CVI undertaken in November 2021 within the Northern District has indicated that current supply meets current demand as follows:

| Centre | Distance from CVI | Number of rooms available | Current centre use (Nov 2021) |
|---|---|---|---|
| Coromandel Valley Community Centre | 800m | Two | 78% |
| Watchman House (Coromandel Valley) | 1.3km | One | 15% |
| Aberfoyle Community Centre | 7km | Six | 44% |
| The Hub Library | 6.5km | One | 29% |
| Byards Community Hall (Happy Valley) | 10km | One | 86% |
| Old Cottage Playgroup (Happy Valley) | 10.6km | One | 79% |

### Population growth

Facility demand is expected to increase as the population grows in the Northern District with population growth expected to increase 42,798 by 2036. (Population growth data for the Reynella East area was not available at the time of producing this report.)

| Area | 2026 | 2031 | 2036 |
|---|---|---|---|
| Happy Valley – Happy Valley Reservoir | 13,999 | 14,099 | 14,252 |
| Flagstaff Hill | 11,372 | 11,782 | 12,048 |
| Coromandel Valley | 4,408 | 4,447 | 4,546 |
| Aberfoyle Park | 11,776 | 11,858 | 11,952 |
| **Total** | **41,555** | **42,186** | **42,798** |

### Community interest in the building

The Property Transaction Team has been approached from a number of interested members of the community, including professional businesses keen to establish a presence on Main Road, detailed as follows:

Lease with the option of purchase

- Professional business which has the capacity to update and maintain the building long term and would like the option to purchase in the future.

Commercial lease

The Property Transaction Team has had in total nine enquiries since 2020 regarding the prospect of a commercial lease. A sample of the enquiries are as follows.

- bookstores and coffee shops – carparking may be an issue for customers as there are four car parks that will need to be shared with the Sturt River Linear users. There is no street parking around the building on Main Road. (Photos of car park overpage.)
- art gallery
- craft or hobbyist space.

Car Park



Main road heading north



Main road heading south



## 6. Financial implications

| Item | $ | Comment |
|---|---|---|
| **Current budget** | | |
| Current budget allocation | nil | There is no budget allocation for the subject commerical premises. |

### Revocation and disposal

It is proposed if Council approves the Coromandel Valley Institute to be revoked and disposed of, the net proceeds (gross proceeds less disposal costs) from the sale of the subject building be assigned to the annual $3 million dollar budgeted revenue to be raised from the sale of surplus assets, in accordance with the Long-Term Financial Plan and the 2021-22 budget, to assist with the funding of future strategic land acquisitions and other community projects.

Disposal of the subject land will remove Council's ongoing financial obligations in respect to maintenance and risk associated with the building.

Sale of the land will be at no less than the market value of the land, as determined by an independent professional land valuer.

### Change the land use to community for a community facility

There is no budget allocation for the subject commerical premises for a change of land use or the capital works that will be required for the building compliance.

### Long term lease

There is no budget allocation for the subject commerical premises for the capital works that will be required for the building compliance. It is proposed that the building will be leased as is, for the incoming tenant to address compliance issues to suit their intended use of the building. A long term lease is recommended to be offered to an incoming tenant for them to amortise their investment into the building over time.

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Non-Compliance | The building is not compliant in its current state; on last review it was estimated to cost $220,000 for works, however the end use will impact the final costs. |
| Anti-social behaviour | This is a state heritage listed building that already needs a lot of attention. Disposal or long-term lease of the premises reduces council's risk of anti-social behaviour associated with the vandalism of vacant buildings. |
| Political | The subject premises is listed in the SA Heritage Register and remaining vacant for a long period of time may draw negative attention from the public if not managed. |
| Financial/business sustainability | Removing Council as the land and building owner will allow council to fund projects that will benefit the community. |
| Environment | The occupation of a Lessee will increase the safety of the building, and restoration costs (borne by the Lessee not council) will ensure the building lasts for many years to come. |
| Compliance/legal | The building is not compliant in its current state. It is proposed that the building will be leased as is, for the incoming Lessee to address any compliance issues to suit their intended use of the building.<br>Leasing or disposal of the premises reduces council's risk of anti-social behaviour. |

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| A new business or not for profit organisation occupies the premises | The disposal or leasing (commercial or community lease) of the premises will provide the community or local business owner with a new use and generate opportunity for revenue and employment. |
| Attracting private investment | Council has an opportunity to sound the market for a commercial tenant who is committed to spending money on our asset in lieu of reduced rent over a long-term period. |

## 8. Next steps

The following next steps accord with the options provided in the recommendations of the agenda report:

1. Public consultation to revoke the land from its community land classification for disposal on the open market, followed by a subsequent report to Council to consider the community feedback.
2. Expression of Interest (EOI) process to seek a long-term commercial tenant willing to invest private funds into our heritage building and receive a return on their investment over a long-term lease.

   Following the closure of the EOI process, a summary of the applicants received, with a recommendation to select a Lessee will be included in a report to Council. At this time, we will request Council's approval to commence the public consultation required to enter into a long-term lease and amend the Community Land Management Plan to include the long-term lease details.
3. Change of management use for this parcel of community land from Business Use to Services & Social Facility; a consultant will be engaged to complete the condition report, followed by a subsequent report to Council.

## 9. Attachments

Attachment 1 – Aerial (1 page)

Attachment 2 – 2018 Condition Report (29 pages)

Attachment 3 – Condition Report Quote (2 pages)

Attachment 4 – Community Facilities Guidelines (6 pages)

Attachment 5 – Deputation and Notice of Motion (7 pages)

- END OF REPORT –




| | | | | |
|---|---|---|---|---|
| CITY OF ONKAPARINGA | The City of Onkaparinga does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Onkaparinga shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information. | **Property Mapping System**<br>Coromandel Valley Institue | Scale: 1:1129<br>Projection: GDA94 / MGA zone 54<br>Date: 9/21/2020 | N |

swanbury
penglase
architects of
human space

# Coromandel Valley Institute
# Condition Report

March 2019, ref 16142

## Document Register

| Revision | Description | Issue Date |
|---|---|---|
| 1 | DRAFT | 28 April 2017 |
| 2 | FINAL | 15 March 2019 |

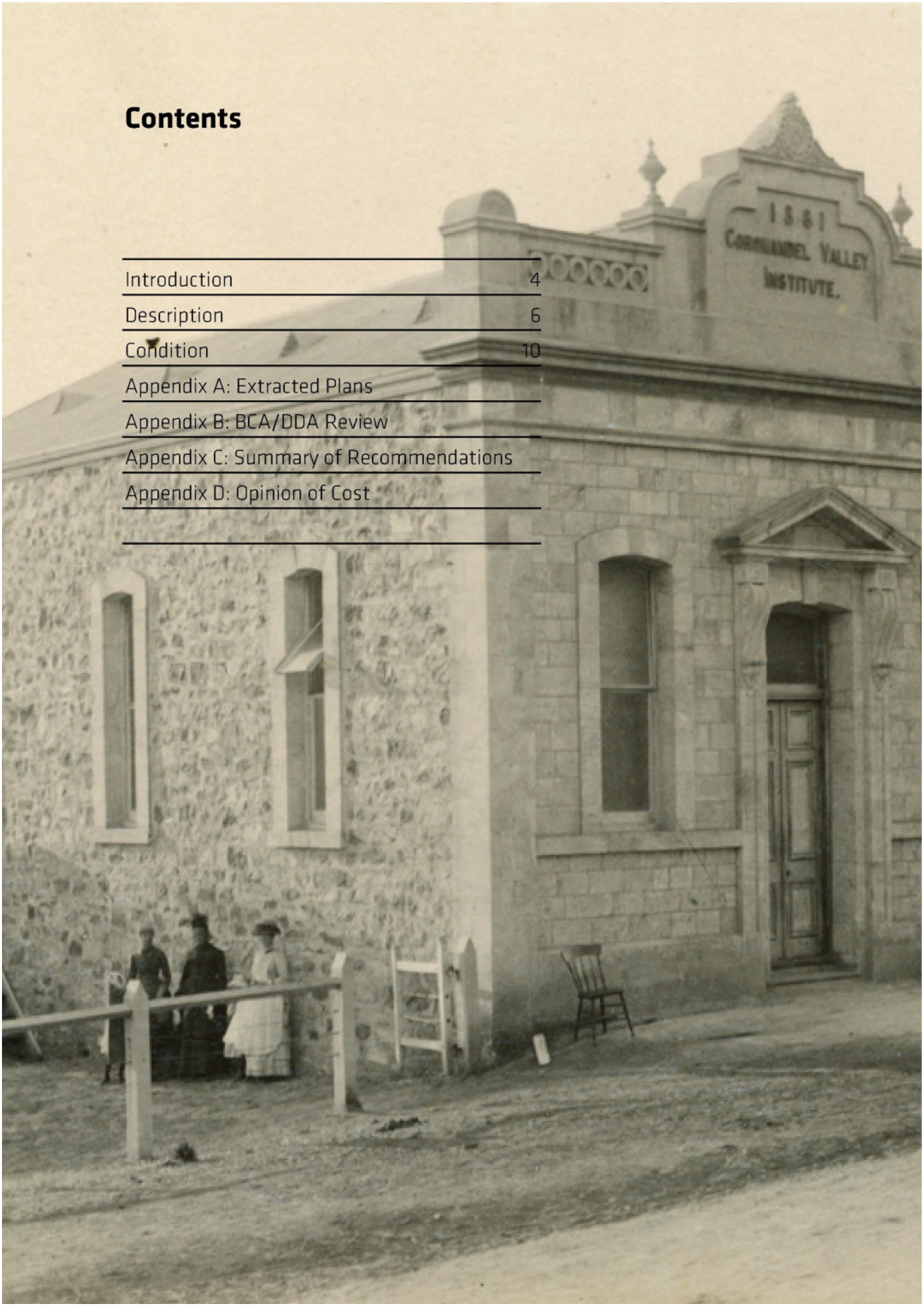
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Image to page 3: *State Library of South Australia* B 1669

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| Appendix C: Summary of Recommendations | |
| Appendix D: Opinion of Cost | |

# Introduction

Swanbury Penglase Architects were commissioned in August 2016 to inspect and report on the current physical condition of the Coromandel Valley Institute as part of a wider initiative to achieve the strategic management of Council owned heritage assets. The purpose of this study was to review the findings of the earlier Conservation Plan, prepared in 1992, to determine if there was any change in the status of the issues identified at that time, and update the recommendations to address these issues.

The project team included the following;
**Swanbury Penglase** – Project management and heritage architect
**Trento Fuller** – Building Certifiers & Consultants
**Chris Sale Consulting** – Cost manager

The principal authors of the study are Stephen Schrapel (PhD, BArch, M.ICOMOS), Andrew Klenke (BArch. M.ICOMOS) and Luke Trento (B. Construction Management & Economics, Registered Private Certifier).

This report and its recommendations is the result of inspections carried out on 5 September 2016 with subsequent analysis of the associated findings.

The findings with respect to BCA and disability access compliance are included as Appendix B.

**Location**
The Coromandel Valley Institute is located at 404B Main Road, Coromandel Valley on Plan Parcel F149129 A44 with Land Title CT 5831/522

**Resources**
This report has referred to the following documents:

State Heritage Unit, Department of Environment, Water & Natural Resources, file extracts:

- *SHR 12410: Coromandel Valley Institute*

Conservation Management Plan:

- *Coromandel Valley Institute Conservation Plan, Flightpath Architects (August 1992)*

Onkaparinga Council Development Application Records:

| DA Number | Description | Date lodged |
|---|---|---|
| N/A | N/A | N/A |

Interviews:

- An interview with Council's heritage adviser, Andrew Stevens, was carried out 11 August 2016.

**Heritage Status**
The *Coromandel Valley Institute* is included on the South Australian Heritage Register (File No.12410).

**Current Use**
The City of Onkaparinga is the current owner and manager of the property. The former institute is currently leased by a glass artist as a studio and gallery.

**Condition/Urgency ratings & Costings**
The City of Onkaparinga have supplied condition and priority ratings as described below. It is understood that these have been designed to correspond to Council's asset management system.

A spreadsheet summarising the recommendations of this report and costings is included as Appendix A.

Condition Rating
1 – Excellent
2 – Satisfactory
3 – Fair
4 – Poor
5 – Very Poor

Priority grades recommended within a ten-year planning period:
Priority 1 – Work that will require immediate attention Immediate (Years 0-1)
Priority 2 – Work that will require attention Short (Years 1-2)
Priority 3 – Work that will require attention Medium (Years 3-5)
Priority 4 – Work that will require attention Long (Years 6-10)

**Relative Heritage Significance**
This study has focused its effort on recording the condition of all structures associated with the heritage places, without further analysis of the relative significance that may exist between individual structures or elements. In considering the above priorities and in the planning of work, further heritage advice should be sought to align the works to deliver the greatest benefit to conserving elements and spaces of primary significance, not just the apparent urgency of the work itself.

The conservation policies and recommendations contained within the conservation management plan take precedence over maintenance recommendations for the building fabric and the plan should be consulted prior to scheduling works.

**Avoiding ad-hoc Repairs**
In the scheduling of works, all priority levels should be surveyed for compatible areas of work such that work is ordered according to best conservation practice, and sensibly arranged into trade packages that deliver best use of resources. Work to the external fabric such as roofs and stormwater goods should proceed internal work, although they appear as equal priority. Equally, work to the roof should also consider other roof work that may be of a lower priority.

Many of the areas where works would sensibly be combined with others are identified in this report as "work should be undertaken in conjunction with".

**Building Code of Australia (BCA)/Disability Discrimination Act (DDA) and Heritage Impacts**
In many situations, there are uncontrollable barriers which prevent full compliance with building rules or the DDA, created by the original design of the building and its construction in a less sympathetic era. Making the building comply may affect heritage significance by loss of heritage fabric or disfigure its appearance. For example, entry doors in older buildings are often undersized and would require demolition of the entire doorway to comply. Where a conflict exists between BCA and DDA compliance and the heritage fabric of a place, further heritage advice should be sought to guide the works.

For further information, also refer to the following advice:

https://www.dpti.sa.gov.au/__data/assets/pdf_file/0008/176525/Managing_Building_Compliance_Obligations_Existing_Buildings_G144.pdf

**Seeking Approvals**
Any works undertaken to a building listed on the South Australian Heritage Register, including maintenance, if it affects the building fabric (e.g. painting, replacing rainwater goods, integration of services etc.), is deemed development under the *Development Act 1993* and requires Development Approval.

# Description[1]

**Site**
The former Coromandel Valley Institute building, built in 1881, fronts to Main Road at a prominent bend in the picturesque rural road passing through the village. The land slopes to the west, towards the Sturt River, and advantage was taken of the fall of the ground to accommodate rooms under the back part of the hall. In 1898, a lean-to kitchen was added to the south of the hall.

Behind the hall, at the lower level, is a toilet block structure of concrete block construction.

The original post and wire fencing has since been replaced with a steel pipe rail on timber posts and heavy timber bollards line the front of the building against the road edge. Between the road edge and front façade unit paving has been installed, and continues into parking bays to the north.

**Form and Construction**
The 1881 Institute is a two-storey gabled Victorian style building, designed by architect James Cummings. The original building consisted of the Hall measuring 25 x 40 feet and 18 feet in height at road level and below this are the Reading Room 16 ft. x 25 ft. by 11 ft. high and two Stores. The later lean-to kitchen is constructed of face red brick over a stone base and although it is of no architectural significance, does not detract from the place's character.

**Roof**
Hall
Roof structure is presumed to consist of five timber trusses. As is evident in early photographs, the building was constructed without eaves. Later on, rafter extensions have presumably been spliced next to the truss top chords to form 450 mm eaves to the north and south. Later fascias are beaded Oregon. The fascia is let into the ends of rafter extension. Eaves are not lined. There are four corrugated iron gabled vents to each side of roof.

The short sheet galvanised roof cladding identified as failing in 1992 was reportedly replaced with long sheet unpainted galvanised corrugated steel prior to 1999.

Kitchen
Skillion corrugated iron roof cladding and lined to underside of rafters. Beaded oregon fascia and barges.

**Stormwater goods**
Galvanised D eaves gutters and circular downpipes.

[1] The Description section of this report is largely extracted and summarised from Flightpath Architects, *Coromandel Valley Institute Conservation Plan,* August 1992, with additional commentary where appropriate, to record changes to the locality and fabric since the Flightpath report was prepared.





**Figure 1** (above) – Coromandel Valley Institute c.1889, taken eight years after opening. *(State Library of South Australia - B 1669).* Note the lack of an eaves overhang.

**Figure 2** (above right) - Coromandel Valley Institute c.1912, showing later 1898 kitchen addition to the south. *(State Library of South Australia - B 28528).*



**Figure 3** (right) - Coromandel Valley Institute 2016, with eaves. Note decorative urns missing from parapet.

**External Walls**

Hall

The street (east) façade is constructed of punch faced squared coursed sandstone generally with dressed sandstone pilasters, string courses, window and door trimmings and door pediment. The parapet above cornice is cement stuccoed masonry, over brickwork. Possibly cast cement detail.

Slate step and hardwood threshold to main entry door.

The north, west and south walls of the hall are un-coursed rubble stonework of local stone with lined lime mortar pointing. Dressed sandstone pilasters and window trimmings. Ceramic sub-floor vents.

Kitchen

Face red brickwork over rubble stonework with unlined joints.



**Figure 4**– Concrete block toilet block to the rear of the hall. *(Trento Fuller 2016).*



**Figure 5** - 1898 brick kitchen addition to the south of the hall. *(Swanbury Penglase Architects 2016).*

**Chimney**
Cement stuccoed masonry, presumably brickwork. The flue is carried up within the thickness of the stone wall.

**Doors**
Framed and panelled timber doors generally. Door reveals are timber lined with moulded architraves.

The main east entry doors are paired three panel doors.

**Windows**
Windows are centre pivot upper sashes operated by sash cord loop and cleats. Rendered splayed reveals internally generally. Original glass generally remains. Nosed timber sill boards.

**Paintwork**
Oil based paints to stonework and external timber.

**Floors**
Hall
Jarrah tongue and groove strip flooring on oregon joists. Flooring trimmed at walls with quarter round trim. Floor to hall is finished with coir matting throughout.

The lower level Reading Room has timber floors. Stores have recent concrete floors.

Kitchen
Suspended timber tongue and groove floor. Sheet vinyl finish.

**Internal Walls**
Hall
Plaster finish to walls and window reveals. Painted dado line at 1800mm height. Reading Room: Plaster finish to walls.

Kitchen
Plaster finish to walls.

**Ceilings**
Hall
Beaded timber match boarding on joists to the underside of the truss bottom chord. Paint finish. Moulded timber scotia as cornice. Small circular openable metal vents to roof space and an access hatch remain. Hooks and timber mounting roses for kerosene lamps remain.

Reading Room
Beaded timber match boarding to underside of floor joists. No cornice trims. Paint finish.

Kitchen
Small fluted galvanised sheet steel.

Stores 1 and 2
Ceiling formed by flooring to rooms above.

**Fixtures and Fittings**
Internal mezzanine
A timber framed mezzanine floor through a large part of the hall has been installed by the current tenant. The floor is intrusive on the appreciation of the whole room, but is suitable to the current use and could easily be reversed later.

Skirtings
Quarter round trim to floor edges with walls.

Reveals
Opening reveals throughout are plastered.

Windows
Windows are furnished with painted timber sills.

Contents
Furniture described in the 1992 Flightpath report, notably five wooden chairs, kitchen table, forms and a photograph of Alexander Murray appear to have been removed from the building.

**Services**
Power supply to the building is via overhead cables from Main Road. A meter and distribution box is located inside the front door. All cabling and fixtures are surface mounted on walls or concealed in the main roof space.

Lighting to the hall is a mix of surface mounted fluorescent batten and track spot fittings to the ceiling, as well as ad-hoc suspended fluorescent fittings.

The current tenant installed a stove, flued to the original chimney. The tenant reports that environmental control in the building is difficult. A future use may need to consider the provision of heating and cooling services. The store rooms below present an opportunity for concealed integration.

**Interior Decoration**
The interior current colour scheme is in neutral heritage colours. The original colour scheme is included as an Appendix to the Flightpath Conservation Plan.

# Condition

**External paving**
Impervious external paving exists to the north, east and west sides of the building. A poorly constructed driveway ramp has been installed to the south side and site drainage to this side is uncertain. Seasonal wetting and drying out of soils adjacent to footings may be leading to rising damp and structural movement to the south.

Recommendations

**Priority 2** Demolish the poorly constructed driveway ramp to the south side of the hall and install minimum 900-wide perimeter paving at a lower level. As part of this work, the site levels should be investigated and site drainage formalised to ensure that surface water is being adequately drained away from the base of walls.






**Figure 6** (left)– Poorly constructed driveway ramp and materials stored against the external wall of kitchen. Extensive mold growth and damaged mortar to south wall suggests that storm water system is not functioning. *(Swanbury Penglase Architects 2016).*

**Figure 7** (above) – Threshold of east door to kitchen showing rot to timber threshold and bricks falling out to reveals due to rising damp. *(Trento Fuller 2016).*

**Roof**
The roof appears to be mostly watertight at present and the roof sheets are in good condition.

Galvanised ridge capping and barge flashing appears in watertight and fair condition.

**Stormwater disposal**
'D' profile eaves gutters (non-original), circular painted downpipes in fair condition connected to an underground stormwater system. Gutters have isolated patches of rust to underside, suggesting that there is consistently water sitting in the gutter. The amount of biological growth to south wall to kitchen addition suggests that the gutter over consistently overflows. The overhanging tree is likely to contribute to regular blockages.

The downpipe to the kitchen discharges at the base of the wall and the additional moisture is likely to exacerbate structural movement and rising damp.

The downpipe to the west (rear) wall is open at the base and has an open inspection hole, and appears blocked.

Future replacement of gutters should reinstate Ogee profile.

Recommendations

**Priority 1** Clean gutters and check that underground stormwater is connected either to the street water table, or other discharge that disposes of the roof water a distance from the building, and is functioning correctly.

**Priority 1** Repair downpipe to west wall and ensure that it is functioning correctly.

**Priority 1** Connect kitchen downpipe to south wall to underground stormwater and ensure that it is functioning correctly. At a minimum, add a leg to the bottom of the downpipe so that it discharges at least 1m away from the base of the wall.



**Figure 8**– Downpipe to kitchen addition discharging at the base of south wall. *(Swanbury Penglase Architects 2016).*



**Figure 9** – Downpipe to south wall open at base and appears blocked. *(Swanbury Penglase Architects 2016).*

**Stonework generally, building movement, and external wall cracking**

The stone walls overall are generally in sound condition. Past patch repairs however are of a poor standard of workmanship with respect to the matching of existing pointing in colour and finish and the pointing materials appear to be of a harder mortar than was used originally.

Arched stone voussoirs over window to eastern most window to north wall have been replaced with brickwork. The work is intrusive and should be replaced to match the original detail.

There is damage to the pediment over the entry door from falling damp and physical impact damage. Two stones are broken at corners. Apply lime only shelter coat to top of pediment and install bird spikes.

A woody plant has established itself to the parapet, and there is generally biological growth to parapet, copings and string courses.

Recommendations

**Priority 2** Repair open joints to entry door pediment, clean biological growth, and apply lime only shelter coat to top of pediment. Remove chicken wire mesh and install bird spikes to top of string course within pediment and top of pediment.

**Priority 2** Remove woody growth from parapet. Clean off biological growth to stucco copings and string courses. Treat with fungicide (Boracol, or similar) and re-paint stucco with Keim, or similar approved mineral silicate based paint.

**Priority 3** Rake out hard cement rich pointing repairs and repoint using soft mortar to match composition and style of the original lime only pointing.

**Priority 4** Monitor pointing to stone work for salt attack.

**Damaged brickwork to kitchen**

Falling damp from failing stormwater disposal has damaged the mortar to the south wall of the kitchen addition.

Recommendations

**Priority 3** Following repairs to kitchen gutters and downpipe (refer stormwater repairs), clean the brick walls of biological growth and treat with fungicide (Boracol, or similar) to prevent further mold growth. Patch repoint brickwork with lime only mortar to match adjacent mortar in colour and style.

**Rising dampness**
There is no damp proof course evident in the original construction. Stone units to the east façade are badly damaged by salt attack and rising damp, particularly around the main entry door, as are bricks and mortar to east wall of kitchen.

It may be necessary to install a chemical (mineral silicate) damp proof course along the east façade in conjunction with replacing damaged and salt laden stones.

Recommendations

**Priority 2** Replace badly damaged stones to east façade to match original stones and pointing detail and install chemical damp proof course. Verify extent of stone replacement and damp-proof course with heritage supervisor prior to commencing work.

**Priority 2** Following work to establish new paving and levels adjacent to the east wall of kitchen, reset brickwork using lime only mortar to match adjacent mortar in colour and style.. Verify extent of stone replacement and damp-proof course with heritage supervisor prior to commencing work.

**Priority 4** Monitor stonework for salt attack. Re-point as necessary.








**Figure 10** (above) – Salt attack damage to lower stones to east façade walls and entry door reveals. *(Swanbury Penglase Architects 2016)*

**Figure 11** (above right) – Detail of original pointing to east façade. Script to foundation stone – indicated – entirely eroded. *(Swanbury Penglase Architects 2016)*

**Figure 12** (right) – Damaged pediment over main entry door, and woody growth visible to parapet. *(Trento Fuller 2016)*

**Chimney**
Chimney is in good condition from ground level inspection, although paint is in poor condition.

Recommendations

**Priority 3** Repaint chimney using a mineral silicate based paint system in stone colour.

**Timberwork**
The external timberwork generally is in fair condition, including fascias, exposed rafters, doors and windows.

**Paintwork**
Paintwork to the external timberwork, excluding timber doors and windows is generally is in fair condition.

Paintwork to windows and doors is in poor condition and the underlying timber is exposed and at risk.

Recommendations
**Priority 1** Re-paint external timber doors and windows using a high gloss oil-based enamel. Consideration should be given to a colour scheme more in keeping with the building.
**Priority 4** Re-paint external downpipes, timberwork, door, windows, and rendered window sills at regular (5-10 year) intervals.

## Interior

**Floors**
The timber flooring is covered by coir matting throughout the main hall and therefore no visual inspection was possible. The current tenant did not report any issues.

The floor to the kitchen is covered by vinyl throughout the main hall and therefore no visual inspection was possible and underfloor spaces were not accessible. The current tenant did not report any issues.

The timber floor to the library is in fair condition.

Recommendations
**Priority 4** Regularly inspect underfloor spaces for termite activity.

**Walls**
The wall construction is solid masonry with no allowance in the walls for structural movement.

The interior plaster to walls to the hall is generally in good condition with minor cracks above windows.

Recommendations
**Priority 3** Rake out cracks to internal walls and repair using a lime only mortar mix to match the original detail.

**Paintwork**
The interior paintwork to walls generally is quite sound.

Paintwork to timber windows is in fair condition.

**Services**
Surface mounted fluorescent light fittings detract from the visual appearance of the hall. These should be replaced with unobtrusive, simply designed pendant fittings better suited to the use of the space.

Recommendations
**Priority 3** Replace surface mounted fluorescent batten fittings with simply designed modern pendants.

**BCA/DDA**
The following items were identified:

| BCA CLAUSE | BCA ITEM | UPGRADE REQUIRED |
|---|---|---|
| BCA-C1.1 | BCA – FIRE RESISTANCE & STABILITY | The mezzanine appears to be in excess of 1/3 of the floor area of the room and as a result included as a storey. The building would then be considered a 3-storey building of Class 6, 8 and 7b classification which increases the Type of Construction from Type C to Type B. This would require floors between storeys to be fire rated or for a detection system to be installed (as an alternative solution) and interconnected within all rooms and spaces. |

| | | |
|---|---|---|
| BCA-D1.4 | BCA – ACCESS & EGRESS (ESCAPE) | The Exit doors swinging inwards will need to be provided with a hold open device. |
| BCA-D1.6 | BCA – ACCESS & EGRESS (ESCAPE) | The storage areas and equipment was encroaching into the 1 metre clear width required to Exits. |
| BCA-D2.16 | BCA – ACCESS & EGRESS (EXITS) | The stair, stair balustrade, mezzanine and mezzanine balustrade did not appear to be structurally sound. Mezzanine balustrade missing in areas. |
| BCA-D2.21 | BCA – ACCESS & EGRESS (EXITS) | The door hardware to the Exit door and in paths of travel was non-compliant (latch device and height) |
| BCA-D3.2 | BCA – ACCESS FOR PEOPLE WITH DISABILITIES | Principal pedestrian entrance non-compliant (step and deficient door width) |
| BCA-D3.3 | BCA – ACCESS FOR PEOPLE WITH DISABILITIES | Only stair access provided to the ground floor store/studio room – ramp required. |
| BCA-D3.5 | BCA – ACCESS FOR PEOPLE WITH DISABILITIES | Accessible carparking bay non-compliant – bollard and line marking required. |
| BCA-E1.6 | BCA – SERVICES & EQUIPMENT | Insufficient extinguishers provided. |
| BCA-E4.2 | BCA – SERVICES & EQUIPMENT | Additional Exit signage and emergency lighting is required to be installed. |
| BCA-F2.3 | BCA – HEALTH & AMENITY (SANITARY FACILITIES) | An external toilet was provided however no facilities were available for people with disabilities (see BCA Table D3.1). |

Recommendations

| | |
|---|---|
| **Priority 2** | Fire rate the floors and structural columns. This is likely to have a heritage impact to the basement level and should be done in consultation with a heritage consultant. |
| **Priority 3** | Provide a hold-open device to principal entry doors. |
| **Priority 1** | Declutter paths of travel to exits to maintain 1 metre clear paths. |
| **Priority 1** | Assess stair and balustrade fixing and design for structural stability and make good if necessary. No heritage impact as the mezzanine is a later addition. It could be removed entirely. |
| **Priority 2** | Upgrade door hardware to comply with code requirements. |
| **Priority 3** | Upgrade principal entrance by way of local ramps. Door width is unlikely to be resolved at the front entrance without a major heritage impact. Undertake in consultation with a heritage architect. |
| **Priority 3** | Provide ramps between floor levels – between hall and kitchen, and between hall and lower level studio. Unlikely to be resolved at the front entrance without a major heritage impact. Undertake in consultation with a heritage architect. |
| **Priority 3** | Provide bollards and appropriate line marking to accessible car parking bay. |
| **Priority 2** | Install additional extinguishers. |
| **Priority 1** | Install Exit and Emergency lighting as appropriate. |
| **Priority 3** | Install an external or internal accessible sanitary facility |









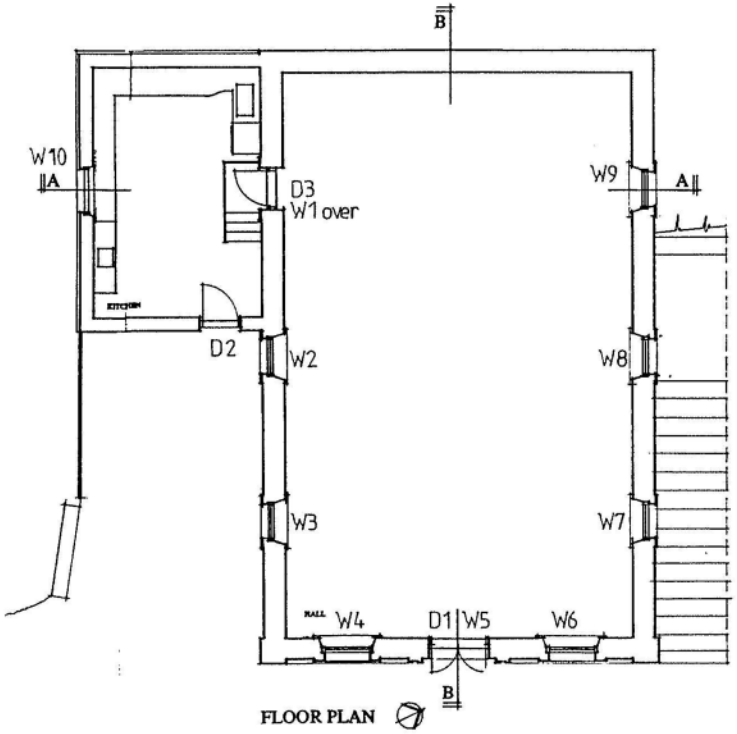
**Figure 11** (above) – Door from hall to kitchen addition. The hall is cluttered and informal electrical wiring hangs throughout the space. *(Trento Fuller 2016)*

**Figure 12** (above right) – Timber matchboard ceiling to hall viewed from later installed mezzanine floor. A mixture of light fittings is intrusive and they do not light the room well. *(Swanbury Penglase Architects 2016)*

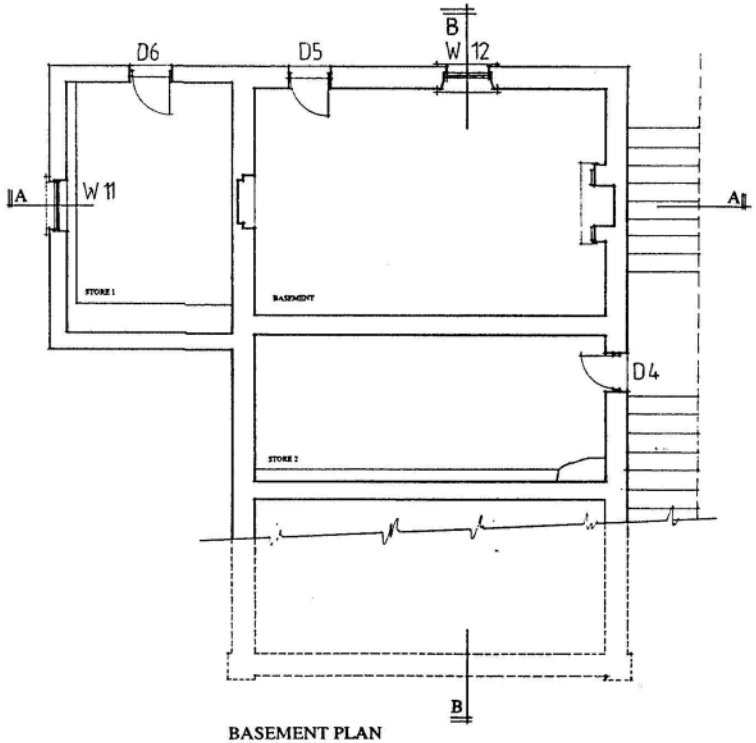
**Figure 13** (right) – Ad hoc installation of stove to north wall of hall. *(Swanbury Penglase Architects 2016)*

# Appendix A

**Extracted Plans**




FLOOR PLAN




BASEMENT PLAN

Key to Window and Door Numbers

# Appendix B

**BCA & Disability Access Review**

TRENTO FULLER
Building Certifiers & Consultants

Trento Fuller Pty Ltd
Suite 410
147 Pirie Street
Adelaide SA 5000

+61 8 7071 7106 tel
+61 8 7071 7009 fax
ABN 47 160 056 397
www.trentofuller.com.au

## COROMANDEL VALLEY INSTITUTE

| BCA Clause | BCA Item | Upgrade Required | Cost of Upgrade |
|---|---|---|---|
| BCA-C1.1 | BCA – FIRE RESISTANCE & STABILITY | The mezzanine appeared to be in excess of 1/3 of the floor area of the room and as a result included as a storey. The building would then be considered a 3-storey building of Class 6, 8 and 7b classification which increases the Type of Construction from Type C to Type B. This would require floors between storeys to be fire rated or for a detection system to be installed (as an alternative solution) and interconnected within all rooms and spaces. | |
| | | | **Sub-Total:** |
| BCA-D1.4 | BCA – ACCESS & EGRESS (ESCAPE) | The Exit doors swinging inwards will need to be provided with a hold open device | |
| BCA-D1.6 | BCA – ACCESS & EGRESS (ESCAPE) | The storage areas and equipment was encroaching into the 1 metre clear width required to Exits | |
| BCA-D2.16 | BCA – ACCESS & EGRESS (EXITS) | The stair, stair balustrade, mezzanine and mezzanine balustrade did not appear to be structurally sound. Mezzanine balustrade missing in areas. | |
| BCA-D2.21 | BCA – ACCESS & EGRESS (EXITS) | The door hardware to the Exit door and in paths of travel was non-compliant (latch device and height) | |
| | | | **Sub-Total:** |
| BCA-D3.2 | BCA – ACCESS FOR PEOPLE WITH DISABILITIES | Principal pedestrian entrance non-compliant (step and deficient door width) | |
| BCA-D3.3 | BCA – ACCESS FOR PEOPLE WITH DISABILITIES | Only stair access provided to the ground floor store/studio room – ramp required. | |
| BCA-D3.5 | BCA – ACCESS FOR PEOPLE WITH DISABILITIES | Accessible carparking bay non-compliant – bollard and line marking required. | |
| | | | **Sub-Total:** |
| BCA-E1.6 | BCA – SERVICES & EQUIPMENT | Insufficient extinguishers provided. | |
| BCA-E4.2 | BCA – SERVICES & EQUIPMENT | Additional Exit signage and emergency lighting is required to be installed. | |
| | | | **Sub-Total:** |
| BCA-F2.3 | BCA – HEALTH & AMENITY (SANITARY FACILITIES) | An external toilet was provided however no facilities were available for people with disabilities (see BCA Table D3.1). | |
| | | | **Sub-Total:** |
| | | | **TOTAL:** |

TRENTO FULLER
Building Certifiers & Consultants

Trento Fuller Pty Ltd
Suite 410
147 Pirie Street
Adelaide SA 5000

+61 8 7071 7106 tel
+61 8 7071 7009 fax
ABN 47 160 056 397
www.trentofuller.com.au

**COROMANDEL VALLEY INSTITUTE**

| Title | Risk Description | Likelihood | Consequence | Unmitigated Risk Rating | Mitigation Plan | Cost of Mitigation | Likelihood After Treatment | Consequence After Treatment | Final Risk Rating |
|---|---|---|---|---|---|---|---|---|---|
| FIRE RESISTANCE & STABILITY | The mezzanine increases rise in storeys to 3 which requires floors to be fire rated to prevent the spread of fire in the building | D | 4 | H | Fire rate the floors and structural columns, or | | A | 1 | L |
| | | | | H | Consider installation of smoke detectors | ? | A | 4 | M |
| ACCESS & EGRESS (ESCAPE) | The Exit doors swinging inwards will need to be provided with a hold open device | B | 4 | M | Provide a hold-open device | ? | A | 1 | L |
| ACCESS & EGRESS (ESCAPE) | The storage areas and equipment was encroaching into the 1 metre clear width required to Exits | D | 4 | H | Maintain 1 metre clear paths of travel | Nil | A | 1 | L |
| ACCESS & EGRESS (EXITS) | The stair, stair balustrade, mezzanine and mezzanine balustrade did not appear to be structurally sound. Mezzanine balustrade missing in areas. | C | 4 | H | Assess stair and balustrade fixing and design – make good if necessary | ? | A | 1 | L |
| ACCESS & EGRESS (EXITS) | The door hardware to the Exit door and in paths of travel was non-compliant (latch device and height) | B | 5 | H | Upgrade door hardware to comply with code requirements | ? | A | 1 | L |
| ACCESS FOR PEOPLE WITH DISABILITIES | Principal pedestrian entrance non-compliant (step and deficient door width) | D | 3 | M | Upgrade entrance by way of local ramps | ? | B | 3 | L |
| ACCESS FOR PEOPLE WITH DISABILITIES | Only stair access provided to the ground floor store/studio room – ramp required. | D | 2 | M | Provide ramp to level change | ? | B | 2 | L |
| ACCESS FOR PEOPLE WITH DISABILITIES | Accessible carparking bay non-compliant – bollard and line marking required. | C | 3 | M | Provide bollards and appropriate linemarking | ? | A | 1 | L |
| SERVICES & EQUIPMENT | Insufficient extinguishers provided. | B | 4 | M | Install additional extinguishers | ? | A | 1 | L |
| SERVICES & EQUIPMENT | Additional Exit signage and emergency lighting is required to be installed. | D | 5 | E | Install Exit and Emergency lighting as appropriate | ? | A | 1 | L |
| HEALTH & AMENITY (SANITARY FACILITIES) | An external toilet was provided however no facilities were available for people with disabilities (see BCA Table D3.1). | C | 3 | M | Install an external accessible sanitary facility | ? | A | 1 | L |

| Cost of Mitigating (E) | Cost of Mitigating (H) | Cost of Mitigating (M) | Cost of Mitigating (L) |
|---|---|---|---|
| $0.00 | $0.00 | $0.00 | $0.00 |

# Appendix C

**Summary of Recommendations**

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# Coromandel Valley Institute
## Review of Conservation/BCA Priorities

Date: 19/Mar/19

**Condition Rating**
**1** - Excellent
**2** - Satisfactory
**3** - Fair
**4** - Poor
**5** - Very Poor

**Priority grades recommended within a ten year planning period:**
**Priority 1 -** Work that will require immediate attention "Immediate (Years 0 - 1)"
**Priority 2 -** Work that will require attention "Short (Years 1 - 2)"
**Priority 3 -** Work that will require attention "Medium (Years 3-5)"
**Priority 4 -** Work that will require attention "Long (Years 6-10)"

**Key**

| | | |
|---|---|---|
| Mechanical | Fire | Lift |
| Electrical | Hydraulics | Structural / Civil |
| BCA | DDA | Architectural |

## Conservation Works

| Element | Sub-element | Condition | Current Condition Rating | Remedial Works Required | CAP / R&M / BCA / DDA | Photograph | Approx m2/lm | Priority | Probable CAPEX & Maintenance Costs ($) excl GST: Replacement Date & Cost – Immediate Action (Years 0-1) | Short (Years 1-2) | Medium (Years 3-5) | Long (Years 6-10) | Total Budget (excludes per annum) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| **ARCHITECTURAL** | | | | | | | | | | | | | |
| Stormwater | Gutters | D' profile gutters (non-original), Circular painted downpipes in sound condition connected to an underground stormwater system. | 2 | Clean gutters and regularly check that underground stormwater is functioning. Replace with ogee profile gutters at end of life. | R&M | | | 1 | | | | | |
| Stormwater | Downpipes | The downpipe to the kitchen lean-to discharges at the base of the wall and the additional moisture is likely to exacerbate structural movement and rising damp. | 4 | Connect kitchen downpipe to south wall to underground stormwater and ensure that it is functioning correctly. At a minimum, add a leg to the bottom of the downpipe so that it discharges a minimum 1m away from the base of the wall. | R&M | | | 1 | | | | | |
| Stormwater | Downpipes | The downpipe to the west (rear) wall is open at the base and has an open inspection hole, and appears blocked. | 4 | Repair downpipe to west wall and ensure that it is functioning correctly. | R&M | | | 1 | | | | | |
| Walls | Generally | Past patch repairs however are of a poor standard of workmanship with respect to the matching of existing pointing in colour and finish and the pointing materials appear to be of a harder mortar than was used originally. | 3 | Rake out hard cement rich pointing repairs and repoint using soft mortar to match composition and style of the original lime only pointing. Patch open joints and re-point missing pointing to lower sections of wall using soft mortar to match composition and style of the original lime only pointing. | R&M | | | 3 | | | | | |
| Walls | Parapet, coping and string courses | A woody plant has established itself to the parapet, and there is generally biological growth to parapet, copings and string courses. | 3 | Remove woody growth from parapet. Clean off biological growth to stucco copings and string courses. Treat with fungicide (Boracol, or similar) and re-paint stucco with Keim, or similar approved mineral silicate based paint. | R&M | | | 2 | | | | | |
| Walls | Coping & String Courses | Biological growth to copings and string courses indicating that these are staying wet for long periods. | 3 | Clean off biological growth to copings and string courses: Treat with fungicide (Boracol, or similar). This work should be done in conjunction with roof works. | R&M | | | 2 | | | | | |
| Walls | East façade | Stone units to the east façade are badly damaged by salt attack and rising damp, particularly around the main entry door, as are bricks and mortar to east wall of kitchen. | 4 | Replace badly damaged stones to east façade to match original stones and pointing detail and install chemical damp proof course. Verify extent of stone replacement and damp-proof course with heritage supervisor prior to commencing work. | R&M | | | 2 | | | | | |
| Walls | East wall to kitchen | Brick units to the east façade are badly damaged by salt attack and rising damp. | 3 | Following work to establish new paving and levels adjacent to the east wall of kitchen, reset brickwork using lime only mortar to match adjacent mortar in colour and style. Verify extent of stone replacement and damp-proof course with heritage supervisor prior to commencing work. | R&M | | | 2 | | | | | |
| Walls | Brickwork | Falling damp from failing stormwater disposal has damaged the mortar to the south wall of the kitchen addition. | 3 | Following repairs to kitchen gutters and downpipe (refer stormwater repairs), clean the brick walls of biological growth and treat with fungicide (Boracol, or similar) to prevent further mold growth. Patch repoint brickwork with lime only mortar to match adjacent mortar in colour and style. | R&M | | | 3 | | | | | |
| Internal walls | Internal walls | The interior plaster to walls to the hall is generally in good condition with minor cracks above windows. | 2 | Rake out cracks to internal walls and repair using a lime only mortar mix to match the original detail. | R&M | | | 4 | | | | | |
| Chimney | | Chimney is in good condition from ground level inspection, although paint is in poor condition. | 2 | Repaint chimney using a mineral silicate based paint system in stone colour. | R&M | | | 3 | | | | | |
| Timberwork | | The external timberwork generally is in fair condition, including fascias, exposed rafters, doors and windows. | 2 | Maintain and re-paint regularly | R&M | | | 4 | | | | | |
| Painting | External timberwork | Paintwork to the external timberwork, excluding timber doors and windows is generally is in fair condition. | 3 | Re-paint external timberwork at regular intervals (6-10yrs) | R&M | | | 4 | | | | | |
| Painting | Windows | Paintwork to windows and doors is in poor condition and the underlying timber is exposed and at risk. | 4 | Replace timber threshold to kitchen door. Re-paint external timber doors and windows using a high gloss oil-based enamel. Consideration should be given to a colour scheme more in keeping with the building. | R&M | | | 1 | | | | | |
| Painting | External | Paint to downpipes and rendered windows sills | 2 | Re-paint downpipes and rendered window sills at regular (6-10 years) intervals. | R&M | | | 4 | | | | | |
| Painting | Internal walls | Internal paint in sound condition | 2 | Re-paint internal walls with lime based paint following plaster repairs | R&M | | | 4 | | | | | |
| Floor | | Timber floor in sound condition | 2 | No work required - maintain & regularly inspect for termites | R&M | | | 4 | | | | | |
| Ceiling | | Pressed metal ceiling in sound condition | 2 | Re-paint ceiling as per other internal finishes | R&M | | | 4 | | | | | |
| **MECHANICAL** | | | | | | | | | | | | | |
| Heating/Cooling | | Heating is provided by wood fired stove, flued to chimney, replacing an earlier fireplace. Use o the space could be improved by installing airconditioning. | 2 | A change of use of the building would likely require a heating/cooling upgrade. This should be done in consultation with a heritage consultant. | CAP | | | 4 | | | | | |
| **ELECTRICAL** | | | | | | | | | | | | | |
| Lighting | General lighting | Existing surface mounted fluorescent battens are intrusive | 1 | Replace intrusive surface mounted fluorescent batten fittings with simply designed modern pendants. | CAP | | | 4 | | | | | |
| **BCA/DDA** | | | | | | | | | | | | | |
| Fire Resistance | | The mezzanine appears to be in excess of 1/3 of the floor area of the room and as a result included as a storey. The building would then be considered a 3-storey building of Class 6, 8 and 7b classification which increases the Type of Construction from Type C to Type B. This would require floors between storeys to be fire rated or for a detection system to be installed (as an alternative solution) and interconnected within all rooms and spaces. | N/A | Fire rate the floors and structural columns. This is likely to have a heritage impact to the basement level and should be done in consultation with a heritage consultant. | BCA | | | 2 | | | | | |
| Access and Egress (Exits) | | The Exit doors swinging inwards will need to be provided with a hold open device. | N/A | Provide a hold-open device to principal entry doors. | BCA | | | 3 | | | | | |
| Access and Egress (Exits) | | The storage areas and equipment was encroaching into the 1 metre clear width required to Exits. | N/A | Declutter paths of travel to exits to maintain 1 metre clear paths. | BCA | | | 1 | | | | | |
| Access and Egress (Exits) | | The stair, stair balustrade, mezzanine and mezzanine balustrade did not appear to be structurally sound. Mezzanine balustrade missing in areas. | N/A | Assess stair and balustrade fixing and design for structural stability and make good if necessary. No heritage impact as the mezzanine is a later addition. It could be removed entirely. | BCA | | | 1 | | | | | |
| Access and Egress (Exits) | | The door hardware to the Exit door and in paths of travel was non-compliant (latch device and height) | N/A | Upgrade door hardware to comply with code requirements. | BCA | | | 2 | | | | | |
| Fire Extinguishers | | Insufficient extinguishers provided. | N/A | Install additional extinguishers. | BCA | | | 2 | | | | | |
| Exit signage | | Additional Exit signage and emergency lighting is required to be installed. | N/A | Install Exit and Emergency lighting as appropriate. | BCA | | | 1 | | | | | |
| Disability access | | Access way non-compliant from allotment boundary to building (step between footpath and site). | N/A | Provide bollards and appropriate line marking to accessible car parking bay. | BCA | | | 3 | | | | | |
| Disability access | | Only stair access provided to the ground floor store/studio room – ramp required. | N/A | Provide ramps between floor levels – between hall and kitchen, and between hall and lower level studio. Unlikely to be resolved at the front entrance without a major heritage impact. Undertake in consultation with a heritage architect. Upgrade would be triggered by change of use. | BCA | | | 3 | | | | | |
| Disability access | | Principal pedestrian entrance non-compliant (further set of steps at door entrance and deficient clear opening door width) | N/A | Upgrade principal entrance by way of local ramps. Door width is unlikely to be resolved at the front entrance without a major heritage impact. Undertake in consultation with a heritage architect | BCA | | | 3 | | | | | $0.00 |
| Disability access | | An external toilet was provided however no facilities were available for people with disabilitie (see BCA Table D3.1). | N/A | Provide disability access toilet. Undertake in consultation with a heritage architect. Would be triggered by change of use or upgrade to current toilets. | DDA | | | 3 | | | | | |
| **STRUCTURAL/CIVIL** | | | | | | | | | | | | | |
| Perimeter paving | | A poorly constructed driveway ramp has been installed to the south side and site drainage to this side is uncertain. Seasonal wetting and drying out of soils adjacent to footings may be leading to rising damp and structural movement to the south. | 4 | Demolish the poorly constructed driveway ramp to the south side of the hall and install minimum 900-wide perimeter paving at a lower level. As part of this work, the site levels should be investigated and site drainage formalised to ensure that surface water is being adequately drained away from the base of walls. | CAP | | | 2 | | | | | $0.00 |
| | | | | **Total** | | | | | $ - | $ - | $ - | $ - | $ - |
| | | | | **Total Capital Expenditure** | | | | | $ - | $ - | $ - | $ - | $ - |
| | | | | **Total Repairs and Maintenance** | | | | | $ - | $ - | $ - | $ - | $ - |
| | | | | **Total Compliance with Building Code of Australia** | | | | | $ - | $ - | $ - | $ - | $ - |

$0.00

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# Appendix D

**Opinion of Cost**

CHRIS SALE
consulting

# Elemental Report - DRAFT

**Project:** City of Onkaparinga - Heritage **Building:** Coromandel Valley Institute
**Project No:** 161129 **Date:** February 2018
**GFA:** 0

| Elem. Code | Elemental Description | % of Total | GFA | Unit | Cost/m2 | Total |
|---|---|---|---|---|---|---|
| | **Heritage Works - Coromadel Valley Institute** | | | | | |
| | Basis of Estimate | 0.00% | | Notes | | 0 |
| | Architectural | 19.26% | | Item | | 44,460 |
| | BCA / DDA | 44.72% | | Item | | 103,250 |
| | Structural / Civil | 4.55% | | Item | | 10,500 |
| | **Sub-Total** | **68.52%** | | Item | | **158,210** |
| CT | Design Development Contingency (10%) | 6.93% | | Note | | 16,000 |
| PR | Builder's Preliminaries & Margin (15%) | 15.16% | | Item | | 35,000 |
| ST | CITB Levy (0.25%) | 0.31% | | Item | | 700 |
| | **Total Building Works** | **90.91%** | | Item | | **209,910** |
| CT | Construction Contingency (10%) | 9.10% | | Item | | 21,000 |
| PF | Professional Fees | 0.00% | | Note | | Excl. |
| ES | Escalation | 0.00% | | Note | | Excl. |
| GST | GST | 0.00% | | Note | | Excl. |
| | **Total Cost (Excl. GST)** | **100.00%** | | Item | | **230,910** |

CHRIS SALE consulting

# Elemental Report - DRAFT

| | | | |
|---|---|---|---|
| **Project:** | City of Onkaparinga - Heritage | **Building:** | Coromandel Valley Institute |
| **Project No:** | 161129 | **Date:** | February 2018 |
| **GFA:** | 0 | | |

| Code | Description | Quantity | Unit | Rate | Total |
|---|---|---|---|---|---|
| | **Basis of Estimate** | | | | |
| | **General** | | | | |
| | This Elemental Cost plan provides an Order of Cost Estimate for proposed restoration works to the Coromandel Valley Institute | | | | |
| | This estimate is based on measured quantities from the documentation as listed below to which we have applied rates and conditions we believe applicable based on projects of a similar type and scale. | | | | |
| | | | | | |
| | **This Estimate is based on the following information provided by Swanbury Penglase:** | | | | |
| | - Draft Condition Report dated June 2017, ref 16142 | | | | |
| | | | | | |
| | **This Estimate includes the following items:** | | | | |
| | - Design Development Contingency | | | | |
| | - Builder's Preliminaries and Margin | | | | |
| | - Construction Contingency | | | | |
| | - Scaffolding and Access | | | | |
| | - Professional Fees | | | | |
| | - Escalation | | | | |
| | - CITB Levy | | | | |
| | | | | | |
| | **This Estimate specifically excludes the following items:** | | | | |
| | - Asbestos removal | | | | |
| | - Contaminated material removal | | | | |
| | - Staging / phasing | | | | |
| | - Work outside nominated site boundaries | | | | |
| | - Escalation | | | | |
| | - GST | | | | |
| | - Out of hours works | | | | |
| | | | | | |
| | **Assumptions** | | | | |

CHRIS SALE consulting

# Elemental Report - DRAFT

| | | | |
|---|---|---|---|
| **Project:** | City of Onkaparinga - Heritage | **Building:** | Coromandel Valley Institute |
| **Project No:** | 161129 | **Date:** | February 2018 |
| **GFA:** | 0 | | |

| Code | Description | Quantity | Unit | Rate | Total |
|---|---|---|---|---|---|
| | The following assumptions have been adopted in our estimate: | | | | |
| | - The works will be completed during standard operating hours | | | | |
| | - Works will be tendered amongst suitable contractors on a lump sum basis | | | | |
| | - Assumes all the work will be completed as a single package | | | | |
| | | | | **Basis of Estimate Total** | **$ 0** |
| | **Architectural** | | | | |
| | **Roof** | | | | |
| 1 | No allowance for roof works - in good condition | | Note | | Excl. |
| | | | | | |
| | **Stormwater** | | | | |
| 2 | Clean gutters and check that the underground stormwater is connected either to the street water table or other discharge that disposes of the roof water a distance from the building | | Item | | 750 |
| 3 | Repair downpipe to west wall and ensure that it is functioning correctly | | Item | | 450 |
| 4 | Connect downpipe to south wall of kitchen to underground stormwater and ensure that it is functioning correctly | | Item | | 350 |
| 5 | Clean gutters and line with a bituminous paint membrane, if full replacement, replace with Z600 galvanised Ogee profile (extent to be concerned) | | Item | | 4,000 |
| 6 | Connect kitchen downpipe to underground stormwater | | Item | | 250 |
| | | | | | |
| | **Stonework generally** | | | | |
| 7 | Clean biological growth, repair open joints to entry door pediment and apply lime only shelter coat to top of pediment | | Item | | 1,350 |
| 8 | Remove chicken wire mesh and install bird spikes | | Item | | 475 |
| 9 | Remove woody growth from parapets | | Item | | 300 |
| 10 | Clean off biological growth to stucco copings and string courses and treat with fungicide (Barocol or similar) | | Item | | 400 |
| 11 | Repaint stucco with Keim, or similar approved mineral silicate based paint | | Item | | 750 |
| 12 | Rake out hard cement rich pointing repairs and repoint using soft mortar to match composition and style of the original lime only pointing (extent to be confirmed - allowed 3 days) | | Item | | 2,400 |
| 13 | Monitor pointing to stonework for salt attack | | Item | | 300 |
| | | | | | |

CHRIS SALE consulting

# Elemental Report - DRAFT

| | | | |
|---|---|---|---|
| **Project:** | City of Onkaparinga - Heritage | **Building:** | Coromandel Valley Institute |
| **Project No:** | 161129 | **Date:** | February 2018 |
| **GFA:** | 0 | | |

| Code | Description | Quantity | Unit | Rate | Total |
|---|---|---|---|---|---|
| | **Damaged brickwork to Kitchen** | | | | |
| 14 | Clean the brick walls of biological growth and treat with fungicide (Boracol or similar) to prevent further growth | | Item | | 400 |
| 15 | Patch repoint brickwork with lime only mortar to match adjacent mortar in colour and style | | Item | | 1,350 |
| | | | | | |
| | **Rising Dampness** | | | | |
| 16 | Replace badly damaged stone to east facade to match original stones and pointing detail and install chemical damp proof course (extent TBC) | | Item | | 7,500 |
| 17 | Reset brickwork to the east wall of kitchen using lime mortar only to match adjacent mortar in colour and style (extent TBC) | | Item | | 750 |
| 18 | Monitor pointing to stonework for salt attack | | Item | | 300 |
| 19 | No allowance for future re-pointing as necessary | | Note | | Excl. |
| | | | | | |
| | **Chimney** | | | | |
| 20 | Repaint chimney using a mineral silicate based paint system in stone colour | | Item | | 2,500 |
| | | | | | |
| | **Timberwork** | | | | |
| 21 | Replace timber sill in ceiling access opening to west gable and paint | | Item | | 650 |
| 22 | Treat timber lintel with fungicide (Boracol or similar) and coat with pine tar | | Item | | 400 |
| | | | | | |
| | **Paintwork** | | | | |
| 23 | Repaint external downpipes, timberwork, door, windows, and rendered window sills at regular (5-10 year) intervals | | Item | | 5,000 |
| | | | | | |
| | **Doors** | | | | |
| 24 | Maintain door, check and repair door and hardware, repaint timber door and frame | 1 | No | 585.00 | 585 |
| | | | | | |
| | **Floors** | | | | |
| 25 | Allowance for termite inspection | | Item | | 750 |
| | | | | | |

CHRIS SALE
consulting

# Elemental Report - DRAFT

| | | | |
|---|---|---|---|
| **Project:** | City of Onkaparinga - Heritage | **Building:** | Coromandel Valley Institute |
| **Project No:** | 161129 | **Date:** | February 2018 |
| **GFA:** | 0 | | |

| Code | Description | Quantity | Unit | Rate | Total |
|---|---|---|---|---|---|
| | **Walls** | | | | |
| 26 | Rake out cracks to internal walls and repair using a lime only mortar mix to match the original detail | | Item | | 2,500 |
| | | | | | |
| | **Services** | | | | |
| 27 | PC sum to replace surface mounted fluorescent light fittings with simple designed modern pendants | | Item | | 10,000 |
| | | | | **Architectural Total** | **$ 44,460** |

**BCA / DDA**

| | | | | | |
|---|---|---|---|---|---|
| 28 | Install exit and emergency lighting as appropriate (extent to be confirmed) | | Item | | 5,000 |
| 29 | Fire rate the floors and structural columns (extent to be confirmed) | | Item | | 25,000 |
| 30 | De-clutter paths of travel to existing to maintain 1 meter clear paths | | Item | | 2,000 |
| 31 | Access stair and balustrade fixing and design for structural stability and make good if necessary | | Item | | 500 |
| 32 | Upgrade door hardware to comply with code requirements | | Item | | 1,500 |
| 33 | Provide a hold open device to principal entry doors | | Item | | 750 |
| 34 | Upgrade principal entrance by way of local ramps | | Item | | 5,000 |
| 35 | Provide ramps between floor levels - between hall and kitchen, and between hall and lower studio | | Item | | 10,000 |
| 36 | Provide bollards and appropriate line marking to accessible car parking bay | | Item | | 2,500 |
| 37 | Install additional extinguishers | | Item | | 1,000 |
| 38 | Install an external or internal accessible sanitary facility (assumed internal and local drainage, supplies - extent to be confirmed) | | Item | | 50,000 |
| | | | | **BCA / DDA Total** | **$ 103,250** |

**Structural / Civil**

| | | | | | |
|---|---|---|---|---|---|
| | **Perimeter paving** | | | | |
| | *Demolition* | | | | |
| 39 | Demolish poorly constructed driveway ramp and dispose | | Item | | 2,500 |
| | | | | | |
| | *Roads, Footpaths & Paved Areas* | | | | |
| 40 | 900mm wide concrete paving to perimeter including excavation, compacted sub base, concrete paving complete (extent to be confirmed) | 25 | m2 | 180.00 | 4,500 |

CHRIS SALE consulting

# Elemental Report - DRAFT

| | | | |
|---|---|---|---|
| **Project:** | City of Onkaparinga - Heritage | **Building:** | Coromandel Valley Institute |
| **Project No:** | 161129 | **Date:** | February 2018 |
| **GFA:** | 0 | | |

| Code | Description | Quantity | Unit | Rate | Total |
|---|---|---|---|---|---|
| 41 | No allowance for retaining structures | | Note | | Excl. |
| | | | | | |
| | **Site Drainage** | | | | |
| | *External Stormwater Drainage* | | | | |
| 42 | PC Sum allowance to investigate and repair levels and site drainage | | Item | | 3,500 |
| | | | | **Structural / Civil Total** | **$ 10,500** |
| **CT** | **Design Development Contingency (10%)** | | | | |
| 43 | Allowance for Design Development Contingency at 10% | | Item | | 16,000 |
| | | | | **Design Development Contingency (10%) Total** | **$ 16,000** |
| **PR** | **Builder's Preliminaries & Margin (15%)** | | | | |
| 44 | Allowance for Builder's Preliminaries and Margin at 15% | | Item | | 28,000 |
| 45 | Allowance for scaffolding and access | | Item | | 7,000 |
| | | | | **Builder's Preliminaries & Margin (15%) Total** | **$ 35,000** |
| **ST** | **CITB Levy (0.25%)** | | | | |
| 46 | Allowance for CITB Levy at 0.25% | | Item | | 700 |
| | | | | **CITB Levy (0.25%) Total** | **$ 700** |
| **CT** | **Construction Contingency (10%)** | | | | |
| 47 | Allowance for Construction Contingency at 10% | | Item | | 21,000 |
| | | | | **Construction Contingency (10%) Total** | **$ 21,000** |
| | | | | **Construction Total** | **$ 230,910** |

Swanbury Penglase

214 Gilbert Street
Adelaide SA 5000
+61 8 8212 2679
space@
swanburypenglase.com
ABN 36 008 202 775

18 February 2022
Ref: 22028

Property Officer | Transactions
Planning and Regulatory Services
City of Onkaparinga

Attention: Ms Rochelle Redmond
Email: Rochelle.Redmond@onkaparinga.sa.gov.au

Dear Rochelle

**RE: Coromandel Valley Institute Condition Report Upgrade – Fee Proposal**

Thank you for the opportunity to submit a proposal for the above project.

Further to our recent discussions, we provide the below proposal to assist Council to understand the compliance implications for the proposed use options for the Institute building. We have significant experience with the refit and adaptation of heritage buildings.

**Profile of Services**

Based on our understanding of the project and associated discussions, we propose the following scope of service:

- Attend the site and inspect the building's current condition, with reference to the previously prepared condition report.
- Consult further with Council about the two options for future commercial or community use.
- Engage a building certifier (Trento Fuller) to provide expert advice on potential building rules and disability access matters that are triggered by the two future use options.
- Engage specialist services engineers Trinamic Consultants to undertake a site investigation of existing services (Electrical/Mechanical/Fire/Hydraulic), assess the capacity and suitability of existing utility supplies for the proposed use, and liaise with utility providers as necessary.
- Engage Chris Sale Consulting to prepare a costing for two options for re-use.
- Prepare a written and illustrated addenda to the 2019 report summarising the findings of our investigations.

**Insurances**

Swanbury Penglase holds $20M public liability and $20M Professional Indemnity Insurance.

**Fee offer**

| | | |
|---|---|---|
| Swanbury Penglase (fixed) | $ | 3,000.00 |
| Chris Sale Consulting (fixed) | $ | 1,250.00 |
| Trinamic Consultants (Mech/Hyd/Elec/Fire) (allowance) | $ | 2,000.00 |
| Trento Fuller Building Certifier (fixed) | $ | 900.00 |
| Sub Total | $ | 7,150.00 |
| GST | $ | 715.00 |
| **TOTAL** | **$** | **7,865.00** |

**Exclusions**

Please note the above excludes the following:

- There is no allowance for structural advice. In this stage, the requirement for structural upgrades and changes will be identified but not investigated. These will be tested in a future concept design phase.
- Energy efficiency (Section J) requirements of the BCA. As structural advice, energy efficiency upgrades to achieve compliance will be identified, but not further investigated. These will be investigated and tested in a concept design phase.
- Site contamination testing.
- The condition of active network equipment, computers and peripherals, telephone systems and telephone handsets, office equipment, kitchen equipment, cool room refrigeration plant or cool room services, audio-visual equipment/systems, television, and sound systems.

We trust this submission provides the information required.

If you have any queries or would like to discuss any of the above, please do not hesitate to contact us.

Yours faithfully



Stephen Schrapel
**Associate**
**SWANBURY PENGLASE**

Attachment 4

# Community Facilities Guidelines March 2016

Community facilities provide important gathering places that contribute to the achievement of our vision of strong vibrant communities.

We maximise the functionality, amenity and community responsiveness of our community facilities in ways that are suited to their purpose, are socially, environmentally and financially sustainable and that develop vibrant and active places for our communities.

We recognise that our community facilities are located on land traditionally owned by the Kaurna people and acknowledge Kaurna's significant ongoing connection with country.

These guidelines are an output of the Community Facilities Study and inform our strategic approach to community facilities in our region across the four key areas of provision, management, coordination and utilisation.

The aim of the guidelines is to inform an effective, efficient and highly utilised region-wide network of community facilities with district level coordination and community involvement in governance, management, program planning and service delivery.

Sections


1. Council principles.....2
2. Strategic directions.....3
3. Service delivery guidelines.....4
4. Facility location and design guidelines.....5




Woodcroft Community Centre (Woodcroft District Community Hub)


Document Set ID: 3962191
Version: 3, Version Date: 22/05/2019

## 1. Council principles

The seven Principles from our Community Plan 2035 influence our provision of community facilities, as shown below (adapted from Elton Consulting 2015).

| Principle | | Community facilities and services application of principle |
|---|---|---|
| **People first** | Focusing on needs and aspirations | Planned in response to community needs and aspirations and flexible enough to respond as these evolve over time |
| | Promoting leadership, participation and service | Programs, activities, services and management that build community capacity by encouraging involvement |
| | Building personal safety and promoting choices for healthy living | Located and designed for safe access<br>Programs, activities and services that promote health and wellbeing |
| **Equity** | Access to opportunities and services for all our communities | Spatially distributed throughout the city to maximise community member access<br>A range of services, programs and activities that address the needs and aspirations of broad communities |
| **Strengths** | Understanding, protecting, celebrating and building on strengths | Vibrant, positive places that help to further develop local strengths and community assets |
| **Understanding** | Input from genuine community and stakeholder engagement | Program planning includes engagement of community members and key stakeholders to determine priorities |
| | Utilising the best available knowledge | Planning and management are evidence based, including information on facility utilisation rates |
| **Resourcefulness** | Using land, energy, resources, infrastructure and facilities more efficiently | Planned, designed, programmed and managed to promote maximum efficiency, including facility models that promote multi-use and flexibility |
| **Investment** | Recognising the strengths of the private and non/other government sectors | Council community facilities are part of a broader network of community spaces through collaboration with the private, government and non-government sectors |
| **Strategic approach** | An approach that sees the bigger picture, understands longer term implications, anticipates opportunity and determines policy to guide activity | Planned strategically as part of a hierarchical city-wide network with district level coordination allowing response to population growth and change<br>The Community Facilities Guidelines inform our decision making |



Document Set ID: 3962191
Version: 3, Version Date: 22/05/2019

## 2. Strategic directions

| | |
|---|---|
| **District by District Approach** | The needs, aspirations and strengths of our communities are considered by looking at our region in seven districts. Applying this district approach to our activities relating to the provision, management, coordination and utilisation of community facilities enables both local responsiveness and region-wide cohesion.<br>Our community facilities solution per district considers other council and non-council facilities including libraries, sport and active recreation facilities, schools and churches. |
| **Variable Service Level** | We respond to the different needs, aspirations, strengths and availability of facilities in our districts by setting a service level that guides how much facility floor area we provide in each district and offers options around programming and coordination at the district level.<br>The floor area service level in each district guides our provision of district, neighbourhood and local facilities in that district. |
| **Facility Hierarchy** | A hierarchy strategically guides the provision, development and purpose of our community facilities at the following levels:<br>• Regional<br>• District<br>• Neighbourhood and Local. |
| **Council's Role** | Our role is focussed at the district level of the facility hierarchy by providing and operating multi-use district community hubs. These hubs have high visual presence and an identifiable sense of place. They activate their locations and act as a base for coordinating a network of linked neighbourhood and local level facilities within their districts.<br>We also have some responsibility for the direct provision of regional, neighbourhood and local level facilities. This provision is guided by the floor area service level set in each district and the facility hierarchy.<br>We have a responsibility to ensure broad community member access to facilities.<br>Our Leasing Framework helps to achieve social outcomes by encouraging community involvement in the management of neighbourhood and local level facilities.<br>We support volunteering as an integral element of sustainable programming and service delivery at each level of the facility hierarchy and facility management at the neighbourhood and local level. |
| **Multi-use Facilities** | Sharing of facilities by multiple user groups is essential in having the capacity to respond to the wide range of needs and aspirations in our communities in a sustainable manner. |
| **Community ownership** | Local pride in our facilities and a sense of community ownership are critical to the acceptance and success of facilities in our communities. |
| **Provision Sustainability** | In effectively meeting our variable service level per district there may be a need to consider facility rationalisation, improvement or development. Any facility rationalisation process will involve affected user groups in negotiating suitable relocation. Facility development and improvement will be focused at the district level of the hierarchy. |



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## 3. Service delivery guidelines (adapted from Elton Consulting 2015)

| | |
|---|---|
| **Community needs & aspirations** | Community services and the activities undertaken and available at our community facilities should address the identified needs and aspirations of their local communities and/or district. An evidence base that includes demographic data, needs analysis and direct engagement with residents and other stakeholders should be used to identify community priorities and inform activities and service delivery. |
| **Flexibility & adaptability** | For services to be responsive to community needs and aspirations they need to change and adapt as communities grow and change over time. Services should regularly monitor and report on their activities and evaluate them against an up to date understanding of community needs and aspirations. |
| **Equitable access** | Community services should ensure that all residents of their communities are treated fairly and have equitable access to services. While some services will be specifically targeted, overall the service network in any district should be welcoming and easily accessed by people of all ages, backgrounds, abilities, income levels and interests. |
| **Breadth of offer** | The community service network should reflect the diversity of the district it is intended to serve. It is necessary to ensure that the full breadth of community needs and aspirations are considered. As mentioned above, identification of community priorities should guide the range of services, activities and programs offered. |
| **Community cohesion** | While recognising that there will be some services that target specific groups, services should play a role in bringing various community cohorts together. The way services are delivered, including collaboration among different services, can help to facilitate social inclusion and nurture links among groups and individuals in our communities. Diverse needs should be considered in deciding how a community facility is presented/furnished/decorated/activated. |
| **Collaboration** | An effective community services network requires the collaboration and coordination of a range of different partners. Regular interagency communication including periodic (usually yearly) joint planning can help ensure greater integration of various aspects of service delivery and explore opportunities for partnerships and collaborative projects. |
| **Accountability** | Support provided to community organisations and service providers should help achieve intended outcomes. Monitoring, evaluation and reporting to ensure that identified community needs and aspirations are being met is essential. Accurate and timely capture and reporting of utilisation data is critical to ensuring an effective and efficient network. |
| **Transparency** | Support for community services should be provided in a clear and transparent manner. Processes for the provision of grants, rental subsidies and access to facilities should be clearly defined, accessible to the public and clearly linked to community needs and aspirations. |
| **Strong profile** | Services that are provided through community facilities need to be well promoted to raise awareness and encourage high levels of usage. |



Document Set ID: 3962191
Version: 3, Version Date: 25/05/2016

**4. Facility location and design guidelines** (adapted from Elton Consulting 2015)

| | |
|---|---|
| **Central to catchment** | To maximise accessibility community facilities should be centrally located within the catchment they serve. Community access to space and services can be largely determined by the location and distribution of facilities across our region and districts. Planning for population growth areas provides an opportunity to integrate community facilities with our urban structure, including activity centres and transport routes. |
| **Clustered** | Wherever possible community facilities should be clustered with other activity generating uses such as shops, schools, child care centres, parks, playgrounds, transport nodes and other community facilities to form a community hub that provides convenient access and a focal point for community activity. Co-location can involve shared or joint use of facilities and often enables the integrated delivery of some services. |
| **Accessibility & visibility** | The location and management of community facilities should ensure equitable access for all potential users. Facilities should be highly visible, ideally being located on a main street with ground floor street frontage. Enabling awareness of what happens inside promotes facility usage and providing adequate car parking nearby improves accessibility. |
| **Transport networks** | Good access to public transport improves facility accessibility for all population groups. Ideally community facilities should be located within 400 metres walking distance of a regular public transport stop. Linking to pedestrian and cycling networks further improves the accessibility of facilities and encourages sustainability and healthy, active lifestyles. |
| **Flexibility & multi-use** | Community facilities should be designed to maximise flexibility of use so they can adapt as community needs and aspirations change over time. Where possible, buildings should be capable of delivering a range of services rather than be dedicated for single uses or specific target groups that may quickly become out-dated. Multi-purpose facilities better ensure maximum use and optimisation of space. |
| **Public realm & sense of place** | Community facilities can contribute to local identity and placemaking, becoming important focal points and gathering places. Development of facilities on landmark sites and with distinctive architecture and quality design that reflects local culture can foster strong connection between a facility and its communities. Incorporating public art into building design is also an important opportunity for telling local stories and creating places that are recognised and valued. |
| **Open space** | Locating facilities adjacent to open space including town squares, district and neighbourhood centres and parks increases the range of community building activities that can occur on community facilities land. This can also help ensure that facilities integrate effectively with their surrounding physical environments, helping them to become part of their local communities. |
| **Potential expansion &** | It is difficult to precisely predict the absolute requirements for community facilities of a future population. Assumptions about demand are based on current population growth projections, which may change and therefore affect requirements for community facilities. It is therefore important to provide some flexibility in the provision of community facility space. |



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| adaptation | |
|---|---|
|  **Inclusive & welcoming** | Community facilities should be welcoming and accessible to people of all ages, cultural backgrounds, abilities, income levels and interests. This can be achieved through the provision of spaces catering to different groups and through effective programming to ensure that activities and services are provided for a broad range of people, aiming to bring together various community cohorts. Allowing a level of local community ownership and agency in the 'feel' of a facility is important to creating a welcoming atmosphere. This can be achieved through design, maximising space for demonstrating community life, and through management practices allowing local community life to be readily visible in the facility. |
|  **Safety & security** | Community facilities should be designed in accordance with Crime Prevention through Environmental Design (CPTED) principles. They should provide a high degree of personal safety for people entering and leaving buildings, especially at night. Safety and security can be enhanced by involving community members in the design of community spaces, strategically positioning lighting, trees, and meeting places and using barriers to guide pedestrians and vehicles. |
|  **Harmony with neighbouring uses** | Urban planning processes in newly developing or regenerating areas provide an opportunity to locate community facilities where impacts on residential and other uses can be managed through careful design. Locating facilities to incorporate some form of buffering from residential areas or well-planned integration is an important consideration in minimising any potential future conflict. Building orientation is also an important consideration. |



Document Set ID: 3962191
Version: 3, Version Date: 25/05/2019

CITY OF ONKAPARINGA

## 7.2 Deputation – Graham Buxton and Michael Chalk – Coromandel Valley Institute Building

Request shown below.

**DEPUTATION REQUEST TO City of Onkaparinga September 2021**

**Coromandel Valley Institute Building**

A community group has become aware of considerations by Council about the future of the Coromandel Valley Institute Building.

The group consist of people who have enquired of the Coromandel Valley & Districts National Trust Branch over the past 12 moths as to what is being proposed for the now vacant building. The National Trust certainly has an interest and (without prejudice) has taken the initiative to facilitate discussions with these people to collate the various ideas that have been put forward. I point out that this is not a National Trust committee.

No conclusion has been drawn as we await the outcome of Council's situation report that we have been told has been carried out.

**The group has put together ideas for activities that would suit the place and feel that our outlook should be put forward as part of the considerations.**

To this end a deputation to Council is sought to put forward our contribution. I believe that the Institute matter is on the agenda for Tuesday 21st September.

Attached are four brief background notes for provision to Councillors prior to the meeting date.

The presentation will include a short PowerPoint slide show.

Speakers will be Graham Buxton and Michael Chalk.

Trevor Conlon OAM

On behalf of the community group.

September 2021

Hello Councillors and other parties.

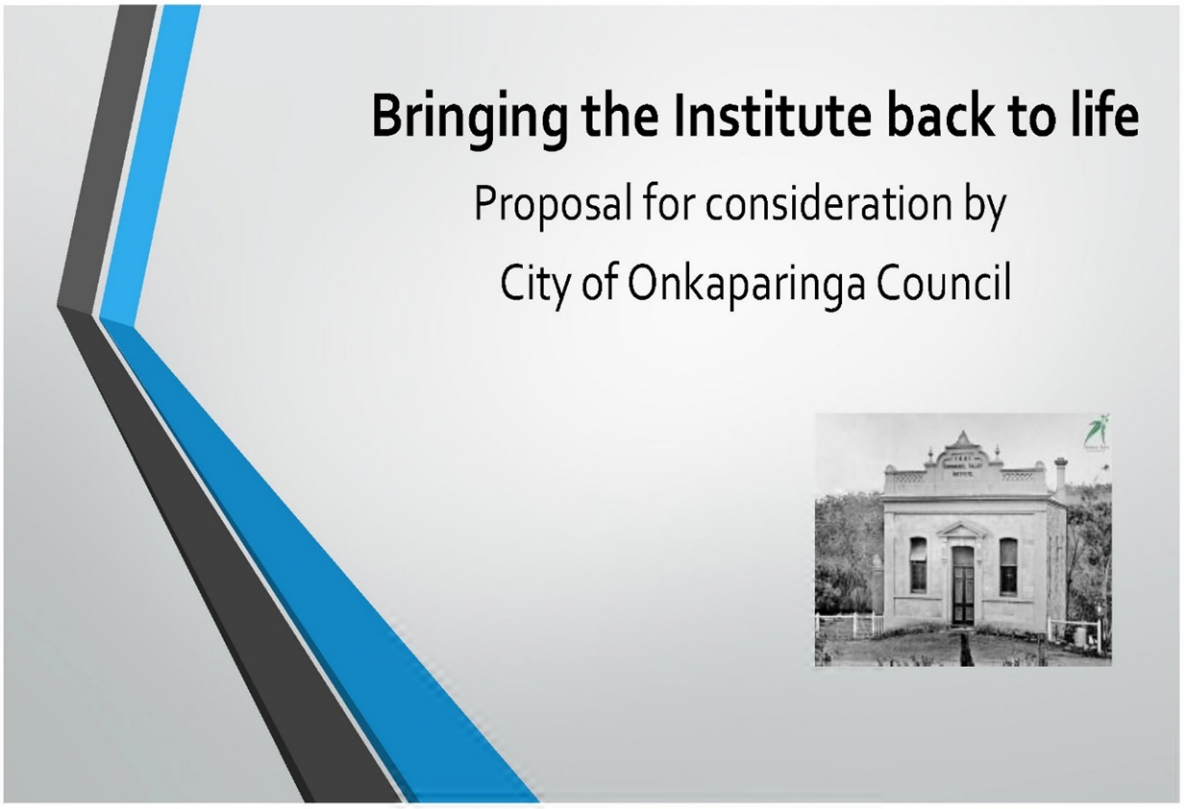
The items included in this emailed group have been provided as background to the presentation re Coromandel Valley Institute Building requested for the 21st September Council meeting. They will be referred to at the meeting.

They include :

1. This introductory image,
2. A brief history explanation brochure,
3. An outline of the Vision for the place and
4. An extract from the City of Onkaparinga Strategic Plan – 2021

Trevor Conlon

*On behalf of the participating community group*




Document Set ID: 5577048
Version: 1, Version Date: 13/09/2021

National Trust South Australia

*Coromandel Valley and Districts Branch*

# The Coromandel Valley INSTITUTE



*Main Road – Coromandel Valley* *Photograph 2014 by Brentley Conlon*

It is important to understand that the ***Institute*** was a group of locals focussed on improving themselves and their community. In the late 1870s the Coromandel Valley community sought to establish such an Institute in the Valley. The **Institute Building** came a few years later when the group saw the value in erecting a building that could be used by the community for various activities and functions. This was erected in 1881 and still stands today, although it no longer serves as a community hall.

## A Brief History

In July 1875, a meeting of residents was held in the then schoolroom alongside the Coromandel Valley Cemetery, and it was resolved to establish an Institute in Coromandel Valley and to seek affiliation with the South Australian Institute. It would appear that the Young Men's Improvement Society provided the nucleus for the new organization. Twenty names were enrolled as members, and the Trustees of the school donated 50 small volumes to form the nucleus of a library.

At the end of the cricket season in July 1876, members of the Institute put on some Saturday night entertainment for the local cricket club. The event was held in the schoolroom alongside the cemetery. In his Chairman's address, Mr. Kyd (head master) spoke of the advantages of having an Institute building and that a subscription list was afloat to try to raise funds for its construction.

The Institute again put on entertainment for the cricket club at the end of the cricket season in mid 1877. This event was held in the large rooms of Murray's Biscuit Factory. In November 1877 the Rechabites held a function in the biscuit factory, and during the evening Mr. Kyd announced that Jean Eliza Murray, (daughter of Alexander Murray Sen.) had collected subscriptions for the purchase of a piano, which had been given to the Institute. When responding to Mr. Kyd, Mr. Murray expressed his pleasure to hand over the instrument, and said he would give 50 pounds towards the erection of an institute building.

Document Set ID: 5577048
Version: 1, Version Date: 13/09/2021

In August 1878 a meeting was held in the old schoolroom to further the erection of an Institute building. The meeting heard that Mrs. Elizabeth Gill (wife of the late Samuel Gill, and also the sister of Alexander Murray Sen.) had offered a parcel of land upon which the building could be erected. It was agreed to accept Mrs. Gill's offer, and the building was erected on the site it occupies today.

The story of the planning, specifications and progression of this project is interesting to read in the local National Trust records.

On Monday 3 January 1881, on the New Year's Holiday, Miss Jean Eliza Murray laid the foundation stone for the new Institute building. Stone for the back and sides of the building came from Murray's quarry across and up the Sturt River. The front sandstone was taken from John Weymouth's quarry at the top of Ackland Hill Road and was laid and chisel pecked to give a decorative finish to the front.

Delays occurred in the construction programme, and the community had to wait until 26 October 1881 for the Institute Hall to be officially opened by Mr. James Clark JP.

Over the years, the Institute Committee and the Hall have contributed greatly to the Coromandel Valley community. Golden Jubilee and Centenary celebrations have been held for the building. The Committee, in addition to running the Institute, devoted time to community projects such as the restoration of the Valley tennis courts after the Second World War.

Mention the Institute to older community members and treasured memories are kindled. Coromandel Valley school break-ups, attending welcome home celebrations for soldiers after war, playing competitive table tennis, and using the library were mentioned frequently. Also recalled was Bill Moulden conveying people on the back of his truck from the Blackwood Post Office (and later return) to attend dances.

One person who is remembered by many is Hilda Scroop, who for many years played the piano at dances. Her beat was legendary and she was known affectionately as "Basher Scroop".....and those dance suppers are recalled independently by two respondents as "bloody good/magnificent suppers".

Community groups have used the Hall for a wide range of activities. A brief overview of activities in the Hall provides a feel for its importance as a cornerstone in community life.

- **Community** – Rechabites, Oddfellows, Druids. Literary Society –meetings and events. New organizations being established eg Emergency Fire Service (EFS).
- **Sporting** –Cricket clubs (Coromandel Valley and Blackwood), football club, tennis and croquet clubs, have all held meetings and events. Table tennis, indoor bowls and gymnastics.
- **Religious** – Churches including Weslyan/Methodist, Catholic, St Johns Anglican (Coromandel Valley and Blackwood) and Coromandel Valley Baptist have held meetings, fund raisers and events.
- **Political** – Aspiring politicians addressing the community, Federal, State and Local Government election polling place.
- **Armed Forces** – After the Boer War, Blackwood Mounted Rifles. Anzac Day support. Red Cross socials and special events to support members of the armed forces.
- **Social** – Family birthdays, farewells to local identities, wedding receptions, district socials, entertainment evenings, (instrumental and singing), recitations and performances, often by local people performing for the local community, dances, card nights and a local library.

Although today the Institute Hall no longer serves the functions that our forefathers envisaged over 100 years ago, there is no doubt that their vision and actions have provided a building and focus for life in Coromandel Valley, as has been recounted by older residents.

Document Set ID: 5577048
Version: 1, Version Date: 13/09/2021

COMANDEL VALLEY INSTITUTE BUILDING PROPOSAL

## THE VISION :

- **A location where visitors to CV can find art, culture, heritage & community in action**
- **A place where people can meet for sharing of knowledge and skills**
- **A place for people with common interests to work and collaborate**
- **A place where creative activities can be practised**
- **Provide areas for periodic themed displays**
- **Enabling the Institute's history to be preserved**
- **Promoting community interaction and well-being**

Document Set ID: 5577048
Version: 1, Version Date: 13/09/2021

## Extract from City of Onkaparinga Strategic Asset Management Plan - June 2021

*A Key Result Area for the Council is that its communities are connected, engaged and resilient.*

*The Plan states in furtherance of this KRA that the Council will:*

- *Recognise and respect our culture and heritage.*
- *Provide infrastructure that is safe, well utilised, accessible for all and promotes inclusion and social connection"*

Document Set ID: 5577048
Version: 1, Version Date: 13/09/2021

Mayor Thompson brought forward item 11.4 at this point.

## 11.4 Notice of motion – Cr Eaton – Coromandel Valley Institute Building

*MOVED Cr Eaton.*

*That Council request a report is brought to Council to consider the future use of the vacant Coromandel Institute building including information on the following:*

- *What work (including preservation works) is required to enable occupation of the building?*
- *Have these works been budgeted and where do they sit in the PCW program?*





- *What facilities and/or amenities are required to be upgraded to enable occupation of the building and can these be accommodated in this heritage listed building?*
- *What works would be required to meet DDA compliance? Noting there are a number of rooms in the building, some have stairs and others are accessed only from the rear of the building from steep, sloping, slippery natural pathways.*
- *Consider options for the future use of the building once it is suitable for occupation and consistent with available onsite car parking. Noting the building is currently approved for commercial pursuits.*
- *Liaison with the Coromandel Valley Branch of the National Trust of South Australia to clarify their interest in this heritage listed building.*
- *Liaison with the Coromandel Valley Community Centre Board of Management to determine if they have any interest in having this building under their care and control.*
- *If there is no budget allocation for upgrades at this time, what does this mean for this facility?*

*Seconded by Cr Themeliotis.*

*CARRIED*

## 9.8 FLEURIEU PENINSULA TOURISM FUNDING AGREEMENT 2022-2025

| Report contact | Meeting |
|---|---|
| Viv Collins, Senior Tourism Advisor | Council |
| 8301 7371 | |
| **Approving officer** | **Date** |
| Julia Grant, Director Strategy and Engagement | 17 May 2022 |

# 1. Purpose

The City of Onkaparinga has received a new three-year funding agreement for consideration from Fleurieu Peninsula Tourism. Our existing funding agreement concludes June 2022.

# 2. Recommendations

**That Council:**

1. **Approve entering into a new three-year funding agreement with Fleurieu Peninsula Tourism (FPT) based on a contribution of $47,730.12 per annum indexed by CPI (based on Australian Bureau Statistics CPI - All Groups Adelaide - for the quarter ending March) for years two and three of the funding agreement.**
2. **Authorise the Acting Mayor and Acting Chief Executive Officer to sign and affix Council's seal to the 2022-2025 FPT Funding Agreement.**

# 3. Executive summary

Fleurieu Peninsula Tourism (FPT) is our regional tourism body and conduit to the South Australian Tourism Commission (SATC). Collaboration between local, regional and state organisations is imperative to maximise destination development opportunities (including tourism investment attraction), experience development, marketing and industry capability to increase visitor numbers, length of stay and spend.

FPT becomes particularly important in enabling investment attraction and securing funding for experience development and events for our city. Funding offered in the South Australian tourism sector requires letters of support from the regional tourism body as part of grant applications and will not be considered without it. As an example, over the past 12 months through the Tourism Industry Development Fund, seven City of Onkaparinga business were successful and received over $700,000 in total funding. These were supported by FPT.

Our city has also received over $120,000 of tourism attraction signage for our coastal and northern tourism precincts through a state program led by SATC and Department of Infrastructure and Transport (DIT). This signage rollout was supported by FPT, who also supported our Route 31 Coastal Drive signage, securing SATCs support for the initiative which enabled DITs approval for the branded signage.

In renewing our three-year agreement with FPT, key priorities will include:

- Covid-19 recovery.

- Coastal tourism - promoting the coast and seeking opportunities to enhance bookable tourism experiences.
- Linking appropriate aboriginal tourism experiences with FPT and SATC.

As we continue to progress and grow tourism in our city, given it is recognised as a key economic driver, it is imperative that we leverage regional and state initiatives through FPT. However, it is also vitally important that we continue to implement our own initiatives and strategies at the local level, as identified in our Tourism Strategic Plan 2019-2023.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **people:** connected, engaged, active, healthy<br>**place:** green, inviting, accessible, liveable<br>**prosperity:** economically strong, environmentally thriving<br>**performance:** accountable, efficient, inclusive, sustainable<br>Prosperity – tourism is a key economic driver for our city, enabling local job growth, investment and industry development. |
| Policy and/or relevant legislation | N/A |
| Who did we talk to/who will we be talking to | SATC, FPT, Alexandrina Council, City of Victor Harbor, Yankalilla Council, Business and Tourism Associations, local tourism industry |

## 5. Discussion

Fleurieu Peninsula Tourism (FPT) is a regional tourism organisation (one of 11 across regional South Australia) and works with the SATC and local government to build awareness, visitation and spend to the Fleurieu Peninsula. FPT enables the implementation of the Regional Visitor Strategy 2025 (Fleurieu Peninsula priorities page 46) across the pillars of marketing, experience development, building industry capabilities, collaboration and supporting events.

FPT is funded by four contributing councils: Alexandrina Council, City of Victor Harbor, District Council of Yankalilla and City of Onkaparinga. Funding contributions of the four councils are based on the size of the council area, with contributions indexed by CPI over the term of the agreement.

The City of Onkaparinga has previously entered into three (three year) funding agreements with FPT, which commenced with development and implementation of Council's inaugural tourism plan in 2013. A new funding agreement is sought for 2022-2025 (attachment 1).

The current council funding contributions are: $47,730.12 City of Onkaparinga, $47,730.12 Alexandrina Council, $35,797.59 City of Victor Harbor and $23,865.06 District Council of Yankalilla. FPT have maintained current contribution rates for year one of the new funding agreement (2022/23), with contributions to be indexed by CPI for year two and three only. SATC contribute $47,000 to FPT annually (indexed to CPI).

As per the FPT deputation presentation in March 2022 (attachment 2), FPT is governed by an industry-based board, with a diverse business mix to focus on key initiatives for the Fleurieu region. Both the Chair and Deputy Chair operate businesses in our City. They are supported by a full time Regional Tourism Manager and part time tourism coordinator (marketing focus), who both work closely with councils.

Our key collaboration opportunities with FPT for the current agreement have included:

- Tourism Industry Development Fund
    - FPT worked alongside council staff and supported local businesses in applying for funding. Eighteen Onkaparinga businesses submitted applications, of which seven were successful and received over $700,000 in funding.
- Tourism signage
    - FPT facilitated a state tourism signage program implemented by SATC and DIT.
    - 24 brand new large attraction brown signs and three Fleurieu Peninsula pictorial signs installed in our City.
    - City of Onkaparinga received the highest number of signs for the Fleurieu Peninsula with the signage valued at over $120,000.
- Route 31 Coastal Drive
    - FPT was instrumental in securing SATC support required to progress conversations with DIT to install coastal drive signage. In addition, the drive has been promoted across FPT digital channels with the online map also uploaded to their website.

Further outcomes of the current 2019-2022 agreement have been provided in the FPT quarterly reports available to Elected Members through the elected member website.

Over the next funding term, the key priorities for FPT for our City will include:

- Covid-19 recovery (marketing, ensuring the industry is bookable and welcoming back international visitors and trade partners).
- Linking local indigenous people/businesses/organisations with SATC to ensure they are on the state's tourism radar and assisting them in developing and promoting a quality tourism experience.
- Reviewing coastal tourism experiences, identifying gaps, and seeking opportunities to enhance bookable tourism experiences across our coast.
- Activating, promoting and unlocking the economic potential of coastal activities, where spending opportunities are available along the foreshore and beachside precincts and coastal villages.

## 6. Financial implications

### Financial summary

| Item | Capital | Operating | Comment |
|---|---|---|---|
| **Budget** | | | |
| Current budget allocation | | $47,730.12 | Budget has been allocated as part of the 2022/23 operational budget process, indexed allocations to be applied annually thereafter for the life of the agreement. |
| Additional funding required | | Nil | |
| Funding source and amount | | 100% rates | |
| Budget impact | | Nil | |

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Reputation and relationship damage with the SATC and other Fleurieu Councils. | Continue to be a co-financial contributor to FPT and actively engaged in tourism across the Fleurieu, further supporting and growing the tourism potential of our region in collaboration with the other committed Fleurieu Councils and the SATC. |
| Loss of available grant funding and regional support our tourism operators and council led initiatives | Continue to be a co-financial contributor to FPT to enable:<br>• tourism business to apply for funding and grant programs which require a letter of support for FPT, as well as enable the continual promotion of our city and tourism operators by regional, state and national tourism organisations.<br>• FPTs advocacy support for strategic tourism initiatives<br>• the delivery of our Tourism Strategic Plan 2019-23 which seeks support from the state and national tourism organisations to maximise visitation and spend in our city. |

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| Continue to grow tourism opportunities which lead to increased visitation and spend, growing our local economy. | Entering a new funding agreement with FPT will ensure our involvement in programs, promotions and initiatives targeting state, national and international visitors.<br>FPT is our tourism advocacy agency, with key stakeholder relationships, linkages and opportunities interstate, nationally and internationally and we need to continue to leverage these opportunities as we implement our tourism plan. SATC do not propose to work directly with 68 councils and will only work through regional tourism bodies such as FPT. |
| Further support the implementation of our tourism plan. | Continue to work collaboratively with FPT particularly around marketing, experience development, industry capacity building and investment attraction. |

## 8. Timelines and deadlines

Three-year funding agreement expires 30 June 2022, with the new agreement to be signed prior to the conclusion of the current agreement.

## 9. Next steps

Three-year funding agreement is signed by Acting Mayor and Acting Chief Executive Officer.

## 10. Attachments

Attachment 1 – FPT funding agreement 2022-25 (23 pages)

Attachment 2 – FPT Deputation Presentation – March 2022 (16 pages)

- END OF REPORT –

DATED 1st DAY OF JULY 2022

AGREEMENT

BETWEEN

ALEXANDRINA COUNCIL ("AC")

-AND-

CITY OF ONKAPARINGA ("CO")

-AND-

CITY OF VICTOR HARBOR ("CVH")

-AND-

DISTRICT COUNCIL OF YANKALILLA ("DCY")

-AND-

FLEURIEU PENINSULA TOURISM ("FPT")

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**THIS AGREEMENT** is made the 1st day of July 2022

BETWEEN:

**ALEXANDRINA COUNCIL** a local authority empowered to support and encourage economic development through various business sectors whose office is situated at 11 Cadell Street, Goolwa, SA 5214 **("AC")** *ABN: 20 785 405 351*

-AND-

**CITY OF ONKAPARINGA** a local authority empowered to support and encourage economic development through various business sectors whose office is situated at Ramsey Place, Noarlunga Centre, SA 5168 **("CO")** *ABN: 97 047 258 128*

-AND-

**CITY OF VICTOR HARBOR** a local authority empowered to support and encourage economic development through various business sectors whose office is situated at 1 Bay Road, Victor Harbor, SA 5211 **("CVH")** *ABN: 87 414 752 632*

-AND-

**DISTRICT COUNCIL OF YANKALILLA** a local authority empowered to support and encourage economic development through various business sectors whose office is situated at 1 Charles Street, Yankalilla, SA 5203 **("DCY")** *ABN: 17 163 010 187*

-AND-

**FLEURIEU PENINSULA TOURISM** an incorporated association pursuant to the Association Incorporation Act 1985, whose registered office is situated at
1 Colman Terrace, Strathalbyn SA 5255 **("FPT")** *ABN: 84 420 076 813*

**RECITALS**

B . FPT's function is to market the Fleurieu Peninsula as a visitor destination of choice. And to help achieve the State's overall goals of creating jobs for South Australians by sustaining a profitable industry – with a focus on destination development, industry capability, visitor numbers, greater length of stay and yield (spend).

C. AC, CO, CVH, DCY and FPT wish to cooperate with respect to the promotion and development of the tourism industry in the r e g i o n of the Fleurieu Peninsula.

D. AC, CO, CVH, DCY have each agreed to provide funding to FPT to assist FPT in its tourism related activities on the terms and conditions of this Agreement.

**THE PARTIES AGREE AS FOLLOWS:**

## 1.0 DEFINITIONS

In the Agreement, unless the contrary intention is apparent:

1.1 **"AC"** means Alexandrina Council

1.2 **"Agreement"** means this Agreement including the Schedule.

1.3 **"ANTS GST Act"** means the A New Tax System (Goods and Services Tax) Act, 1999.

1.4 **"Business Plan"** means a plan to be developed by FPT for each financial year during the Term which details proposed business activities for FPT aimed at helping to achieve the Purpose.

1.5 **"CO"** means City of Onkaparinga

1.6 **"Commencement Date"** means 1 July 2022

1.7 **"CVH"** means City of Victor Harbor

1.8 **"DCY"** means District Council of Yankalilla

1.9 **"FPT"** means Fleurieu Peninsula Tourism Incorporated.

1.10 **"Funding"** means the sum payable from the AC, CO, CVH and DCY to FPT pursuant to Clause 4.

1.11 **"Industry Funding"** means funding received from time to time such as industry bodies for example South Australian Tourism Commission.

1.12 **"Insolvency Administration"** means:

1.12.1 FPT has proposed a compromise or arrangement with its creditors;

1.12.2 an administrator is appointed to FPT;

1.12.3 FPT resolves to be wound up voluntarily;

1.12.4 FPT appoints a liquidator to wind up its affairs;

1.12.5 FPT is wound up by the Supreme Court, voluntarily or under the Associations Incorporation Act 1985 or the Corporations Law;

1.12.6 FPT ceases to carry on business; or

1.12.7 FPT is unable to pay its debts.

1.13 **"Intellectual Property Rights"** means any patent, copyright, trademark, tradename, design, trade secret, know how, semi-conductor, circuit layout or other form of confidential information or any right to registration of such rights and any other form of intellectual property right whether arising before or after the execution of this Agreement and the right to registration and renewal of those rights.

1.14 **"Parties"** means AC, CO, CVH and DCY and their respective successors and permitted assigns and **"Party"** means any one of them.

1.15 **"Purpose"** means:

1.15.1 the facilitation of the measurable growth in tourism development including cooperative marketing, business investment and employment creation and retention through tourism promotion, in the Region in a manner consistent with the Tourism Business Plan applicable to that financial year; and

1.15.2 to provide a Regional focus for tourism business development services.

1.16 **"Region"** means together CO, AC, CVH, DCY's Local Government areas.

1.17 **"SATC"** means the South Australian Tourism Commission.

1.18 **"Taxable Supply"** has the meaning attributed to it in the ANTS GST Act.

1.19 **"Tax Invoice"**has the meaning attributed to it in the ANTS GST.

## 2.0 INTERPRETATION

In the Agreement, unless the context otherwise requires, the following rules of construction must be used in the interpretation of the Agreement:

2.1 words importing the singular number or plural number include the plural number and single number respectively;

2.2 words denoting any gender include all genders;

2.3 headings are for convenience only and do not affect interpretation;

2.4 words denoting individuals include corporations and vice versa;

2.5 a reference to a Recital, Clause, Sub-clause or Schedule is a reference to a recital, clause, sub-clause or schedule of the Agreement; and

2.6 a reference to any Act, regulation or by law shall be deemed to include all amendments thereto and all statutory provisions substituted thereafter.

## 3.0 TERM

3.1 This Agreement is for a term of three (3) years commencing on the Commencement Date unless terminated earlier pursuant to this Agreement.

3.2 No less than 60 days prior to the expiry of the Term, the Parties agree to meet to negotiate in good faith with respect to a possible further funding agreement on terms and conditions to be agreed.

3.3 Nothing in Sub-clause 3.2 shall be deemed to require the Parties to enter into any further agreement upon the expiry of the Term.

## 4.0 FUNDING AND FUNDING GUIDELINES

4.1 Subject to this Clause 4, AC, CO, CVH and DCY shall each provide funding to FPT in the amounts and in the manner specified in the Schedule.

4.2 The provision of the funding by AC, CO, CVH and DCY to FPT for each financial year during the Term shall be subject to:

4.2.1 the receipt by AC, CO, CVH and DCY of audited financial statements of FPT for the preceding financial year which, in the reasonable opinion of the FPT, demonstrate FPT to be in a sound position financially;

4.2.2 the receipt by AC, CO, CVH and DCY of an acceptable Business Plan from FPT for that financial year in accordance with Clause 5.

**5.0 BUSINESS PLAN**

5.1 The Business Plan should be consistent with the SATC Regional Visitor Strategy for the region and establish clear priorities and actions for FPT which will help to achieve clear and measurable tourism growth within the Region.

5.2 The Business Plan will specify annual key performance indicators against which FPT's performance can be assessed. These will include visitor numbers, visitor nights, cooperative marketing investment and activities, budgets and timely and effective communication.

**6.0 OBLIGATIONS OF FPT**

In consideration of AC, CO, CVH and DCY providing funding to FPT, FPT agrees to:

6.1 expend the funding provided by AC, CO, CVH and DCY pursuant to this Agreement and the Industry Funding for the Purpose outlined in the annual Business Plan;

6.2 consult with and obtain the approval of, AC, CO, CVH and DCY if FPT proposes to make any significant departure from the approved Business Plan;

6.3 ensure that any activity carried out by it in connection with its use of the funding provided by AC, CO, CVH and DCY complies with the laws within South Australia;

6.4 authorise in writing those persons who may allocate monies on behalf of FPT and to set monetary limits on a per allocation and aggregate basis with any allocation outside this authority requiring the prior written consent of FPT; and

6.5 ensure that FPT members' remuneration (reimbursement of out-of-pocket expenses and allowance for the chair) falls within the levels specified in the FPT Rules which highlights rules and policies.

## 7.0 RECORD KEEPING AND REPORTING

7.1 FPT must prepare a draft financial budget and Business Plan, for its operations for each financial year during the Term and present it to the FPT Tourism Committee for consideration and approval prior to the commencement of each financial year during the Term.

7.2 FPT must provide a final authorised copy of the annual financial budget to the parties no later than 90 days following the commencement of the financial year to which the budget applies.

7.3 FPT staff shall provide quarterly financial statements, which includes a comparison of actuals against budget, for FPT that shows all expenses and income on a month by month basis.

7.4 FPT must prepare an annual report of its activities and general business activities for each financial year during the Term of this Agreement and submit it to, AC, CO, CVH and DCY within 90 days of the end of each financial year. The annual report is intended to explain the manner in which the funding was applied and must include specific information and comment relating to the performance by the FPT of its obligations under this Agreement by reference to the Business Plan and the Purpose. The annual report must contain audited financial statements audited at FPT's expense by a qualified independent auditor. The audited financial statements must include an audited operating statement, a statement of FPT's financial position, a statement of FPT's cashflows and all notes to and forming part of FPT's financial statements for that year.

## 8.0 REGIONAL TOURISM EXECUTIVE

8.1 FPT agree that it shall employ a Regional Tourism Executive who shall be based in the Region. The Executive's performance will be reviewed periodically against performance indicators agreed by the committee.

## 9.0 GST

9.1 The Parties acknowledge that compliance with obligations or the grant of rights under this Agreement by FPT may give rise to a liability on the part of FPT to pay GST.

9.2 The Parties acknowledge that liability to pay GST will reduce the value of the funding to be paid to the FPT by the amount of the GST liability.

9.3 If and to the extent that a Taxable Supply is made by FPT under this Agreement:

9.3.1 it is the responsibility of FPT to pay any GST imposed on that Taxable Supply;

9.3.2 the funding to be provided by AC, CO, CVH and DCY as specified in the Schedule will be increased by an amount equivalent to the amount payable by FPT for GST.

9.4 If any supply under this Agreement is a Taxable Supply then:

9.4.1 FPT must provide a Tax Invoice in respect of that supply; and

9.4.2 AC, CO, CVH and DCY are not obliged to make any payment under this Agreement unless FPT has provided a Tax Invoice in respect of that payment.

## 10.0 INDEMNITY AND INSURANCE

10.1 FPT shall indemnify and shall keep indemnified AC, CO, CVH and DCY from and against any cost, loss, expense or liability of any kind whatsoever suffered or incurred by AC, CO, CVH and DCY (as the case may be) in respect of any loss of life, personal injury or disability, loss or damage to property or any other loss whatsoever arising out of:

10.1.1 any negligence or wrongful act or omission by FPT, its employees, agents or sub-contractors in connection with or incidental to this Agreement; or

10.1.2 arising out of any breach by FPT of this Agreement, except to the extent that such loss of life, personal injury and/or loss or damage to property is occasioned by any neglect, default or omission by AC, CO, CVH and DCY (as the case maybe), their officers, employees, contractors or agents.

10.2 The terms of this Clause 10 will survive any expiry or termination of this Agreement.

10.3 FPT will maintain in force at its own expense during the Term:

10.3.1 public liability insurance in the name of FPT for not less than $10,000,000 for any one occurrence or such other amount as, AC, CO, CVH and DCY may require for any one event;

10.3.2 professional indemnity insurance including Directors and Officers liability in the name of FPT for not less than $500,000 for any one event and in the aggregate in any one policy period; and

10.3.3 workers compensation insurance in accordance with the applicable worker's compensation legislation.

10.4 FPT will, without limiting the operation of clause 10.3, ensure that the insurance policy referred to in Clause 10.3.1:

10.4.1 includes and names the AC, CO, CVH and DCY as third party interests.

10.4.2 provides that any misrepresentation, non-disclosure, breach or other vitiating conduct by any person or a party named in the insurance policy, will not affect or diminish the cover afforded by the insurance policy in respect of the other party;

10.4.3 provides that a party may, separately and individually make a claim under, use, enforce or have the benefit of the insurance policy as if it had been solely issued in its name;

10.4.4 provides that if the insurance policy covers more than one insured, all insuring agreements and endorsements with the exception of limits of liability will operate as if there were a separate policy of insurance covering each insured; and provides that the insurer waives all rights, remedies or relief to which it might become entitled by way of subrogation against any of the persons comprising the insured and that failure by any of the insured to observe and fulfill the terms of the insurance policy shall not prejudice the insurance or availability to claim under the insurance policy by the other insured.

10.5 The insurances to be maintained by FPT pursuant to this Clause 10 shall be with insurers satisfactory to AC, CO, CVH, DCY and FPT.

10.6 Before the Commencement Date, FPT shall provide AC, CO, CVH and DCY with the insurance certificates as provided by this agreement fully completed by FPT 's insurers or insurance brokers in respect of the insurance policies described in this Clause 10, or such other evidence of those insurances as reasonably required.

10.7 AC, CO, CVH and DCY in specifying the levels of insurance in this Agreement accept no liability or the completeness of their listing, the adequacy of the sum insured, limit of liability, scope of coverage, conditions or exclusions of those insurances in respect to how they may or may not respond to any loss, damage or liability.

10.8 FPT acknowledges and agrees that it is FPT's responsibility to assess and consider the risks and scope of insurances required under this Agreement.

## 11.0 TERMINATION

11.1 The parties may provide FPT with feedback in respect of any breach or perceived breach of a fundamental term of this Agreement.

11.2 Either party to this Agreement may refer a persistent breach of this Agreement by the other party or parties to arbitration pursuant to a process agreed between the parties.

11.3 If the matter cannot be resolved by arbitration or agreement between the parties, then the aggrieved party may terminate this Agreement with three months' notice of termination.

11.4 AC and/or, CO, CVH and DCY may terminate this Agreement if FPT becomes externally administrated, insolvent, or actions are taken to wind up FPT.

## 12.0 CONSEQUENCES OF TERMINATION

In the event that this Agreement is terminated pursuant to Clause 11:

12.1 AC, CO, CVH and DCY's obligation to pay FPT any part of the funding unpaid at the date of termination will cease; and

12.2 FPT shall pay to AC, CO, CVH and DCY on a pro rata basis having regard to the amounts of their respective contributions:

12.2.1 any part of the funding provided by AC, CO, CVH and DCY which in the opinion of AC, CO, CVH and DCY has been expended for purposes other than the Purpose; and

12.2.2 any portion of the funding provided by AC, CO, CVH and DCY which has been paid to FPT but has not yet been expended by FPT for the Purpose or in relation to which a liability to expend for the Purpose has not yet been incurred.

## 13. REPAYMENT OF FUNDING UPON EXPIRY.

13.1 If upon the expiry of this Agreement any part of the funding remains unspent or uncommitted AC, CO, CVH and DCY may by notice in writing to FPT require FPT to repay to AC, CO, CVH and DCY on a pro rata basis having regard to the amounts of their respective contributions the whole or any part of the funding which remains unspent or uncommitted.

## 14.0 INTELLECTUAL PROPERTY RIGHTS

14.1 FPT warrants that in performing its obligations under this Agreement and in undertaking the activities associated with the Purpose it shall not infringe the Intellectual Property Rights of any person.

14.2 FPT shall indemnify and shall keep indemnified AC, CO, CVH and DCY and the Crown in right of the State indemnified from and against all costs, expenses and liabilities whatsoever arising out of or in connection with any claim that in undertaking the activities associated with the Purpose FPT infringes the Intellectual Property Rights of any person.

## 15.0 LEGAL RELATIONSHIP

15.1 The Parties mutually acknowledge and declare that nothing may be deemed or construed to constitute any of the Parties a partner, principal, agent, joint venturer, trustee (whether expressed or implied) of the others or create any relationship of employer or employee between them or renders them liable for the debts or liabilities incurred by each other.

15.2 No Party has the authority to bind the other Parties in any manner whatsoever except with the express approval by notice in writing of the other Party or Parties.

## 16.0 WAIVER

16.1 A waiver of any provision of the Agreement must both be in writing and be signed by the Parties or by persons duly authorised to execute such a document on a Party's behalf.

16.2 No waiver by a Party of a breach of a term or condition of the Agreement operates as a waiver of another breach of the same or of any other term or condition of the Agreement.

16.3 No forbearance, delay or indulgence by a Party in enforcing the provisions of the agreement may prejudice or restrict the rights of that Party in any way.

## 17.0 MODIFICATION

17.1 No amendment or variation of the Agreement binds the Parties unless made in writing and unless any such writing is signed by each Party or by a Party's duly authorised agent and is expressed to be supplemental to or in substitution for the whole or a part of the Agreement.

## 18.0FURTHER ASSURANCES

18.1 The Parties must do all such acts, matters and things and sign, execute and deliver all such documents as may be reasonable necessary to expedite or effect efficaciously the provisions of the Agreement.

## 19.0 SEVERABILITY

19.1 If any provision of the Agreement is for any reason unlawful, void, invalid or unenforceable then the offending provision must be severed from the Agreement without affecting the validity or enforceability of the remainder of the Agreement.

## 20.0 NOTICE

20.1 Notice must be in writing and signed either by the Party or by the agent of that Party.

20.2 Notice can be given to a Party:

20.2.1 personally;

20.2.2 by pre-paid post to the recipient's address set out in the Schedule in which case the notice is deemed to be received at the time at which it would be delivered in the ordinary course of the post;

20.2.3 by email to the recipient's email address specified in the Schedule, in which case the transmission is deemed to be received when the sending machine confirms notice that is has been sent.

20.3 The addresses and numbers for service are those specified in the Schedule.

20.4 A Party may from time to time change its address, email or number for service by notice to the other Parties.

## 21.0 GOVERNING LAW

21.1 This agreement shall be governed by and construed in accordance with the laws for the time being in force in the state in South Australia.

## 22.0 COSTS AND STAMP DUTY

22.1 Each Party must bear its own legal costs of an incidental to the negotiation, preparation and execution of the Agreement and any other document to be executed pursuant to the Agreement or to give effect to the provisions of the Agreement except as is otherwise provided for herein.

22.2 The Parties will equally bear and pay all stamp duty and other government fees, charges and levies in respect of the Agreement and any other document to be executed pursuant to the Agreement.

## 23.0 ENTIRE AGREEMENT

23.1 This Agreement contains the entire agreement between the Parties with respect to its subject matter.

23.2 This Agreement supersedes any prior agreement, understanding or representation of the Parties on the subject matter.

**EXECUTED AS AN AGREEMENT** on the.....day of .....2022

| | |
|---|---|
| **THE COMMON SEAL of ALEXANDRINA COUNCIL** was hereunto affixed in the presence of: | ) ) ) |

Mayor
[Keith Parkes]

Date

Acting Chief Executive Officer
[Elizabeth Williams]

Date

**THE COMMON SEAL** of
**CITY OF ONKAPARINGA** )
)

was hereunto affixed in the presence of:

Acting Mayor Date
[Simon McMahon]

Acting Chief Executive Officer Date
[Julia Grant]

**THE COMMON SEAL** of )
**CITY OF VICTOR HARBOR** )
)

was hereunto affixed in the presence of:

Mayor Date
[Moira Jenkins]

Chief Executive Officer Date
[Victoria MacKirdy]

**THE COMMON SEAL** of )
**DISTRICT COUNCIL OF YANKALILLA** )
)

was hereunto affixed in the presence of:

Mayor Date
[Simon Rothwell]

Acting Chief Executive Officer Date
[Kate O'Neill]

**FLEURIEU PENINSULA TOURISM** )
)
was hereunto affixed in the presence of: )

Luke Talbot-Male Date
Chairperson

Jenni Mitton Date
Deputy Chairperson

**SCHEDULE**

**Funding amounts**

| YEAR | 2022/23 | 2023/24 | 2024/25 |
|---|---|---|---|
| AC | $47,730.12 | 2022/23 + CPI* | 2023/24 + CPI* |
| CO | $47,730.12 | 2022/23 +CPI* | 2023/24 + CPI* |
| CVH | $35,797.59 | 2022/23 +CPI* | 2023/24 + CPI* |
| DCY | $23,865.06 | 2022/23 +CPI* | 2023/24 + CPI* |

*The 'Funding amounts' shall be reviewed annually at the anniversary of the commencement date by increasing the said previous year budget by the Consumer Price Index (CPI – All Groups Adelaide) for the quarter ending March, prior to the review date.

**Manner of Payment**

Subject to this Agreement, the payment of the funding payable by AC, CO, CVH, DCY to FPT in each year of the Term shall be paid within 60 days of the Commencement Date in the first year of the Term and within 60 days of the anniversary of the Commencement Date in the second and third years of the Term.

**Contact Details for the Service of Notices**

Alexandrina Council
Chief Executive Officer
Alexandrina Council PO
Box 21
GOOLWA SA 5214
Phone: (08) 8555 7000
Fax: (08) 8555 3603
Email: Alex@alexandrina.sa.gov.au

City of Onkaparinga
Chief Executive Officer
City of Onkaparinga PO
Box 1
NOARLUNGA CENTRE SA 5168 Phone: (08)
8384 0666
Fax: (08) 8382 8744
Email: mail@onkaparinga.sa.gov.au

City of Victor Harbor
Chief Executive Officer
City of Victor Harbor PO
Box 11
VICTOR HARBOR SA 5211
Phone: (08) 8551 0500
Fax: (08) 8551 0501
Email: localgov@victor.sa.gov.au

District Council of Yankalilla
Chief Executive Officer District
Council of Yankalilla PO Box 9
YANKALILLA SA 5203
Phone: (08) 8558 0200
Fax: (08) 8558 2022
Email: council@yankalilla.sa.gov.au

Fleurieu Peninsula Tourism
Executive Officer
Fleurieu Peninsula Tourism Inc.
1 Coleman Tce
STRATHALBYN SA 5255
Phone: +61 432 748 496
Email: dylan@fleurieupeninsula.com.au

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**City of Onkaparinga Presentation**
**March 2022**

Dylan Beach & Luke Talbot-Male
Fleurieu Peninsula Tourism

## WHAT WE DO

We are the tourism experts in the region and act as a conduit between South Australian Tourism Commission, Tourism Australia, local government, industry bodies, operators, and the greater tourism industry.

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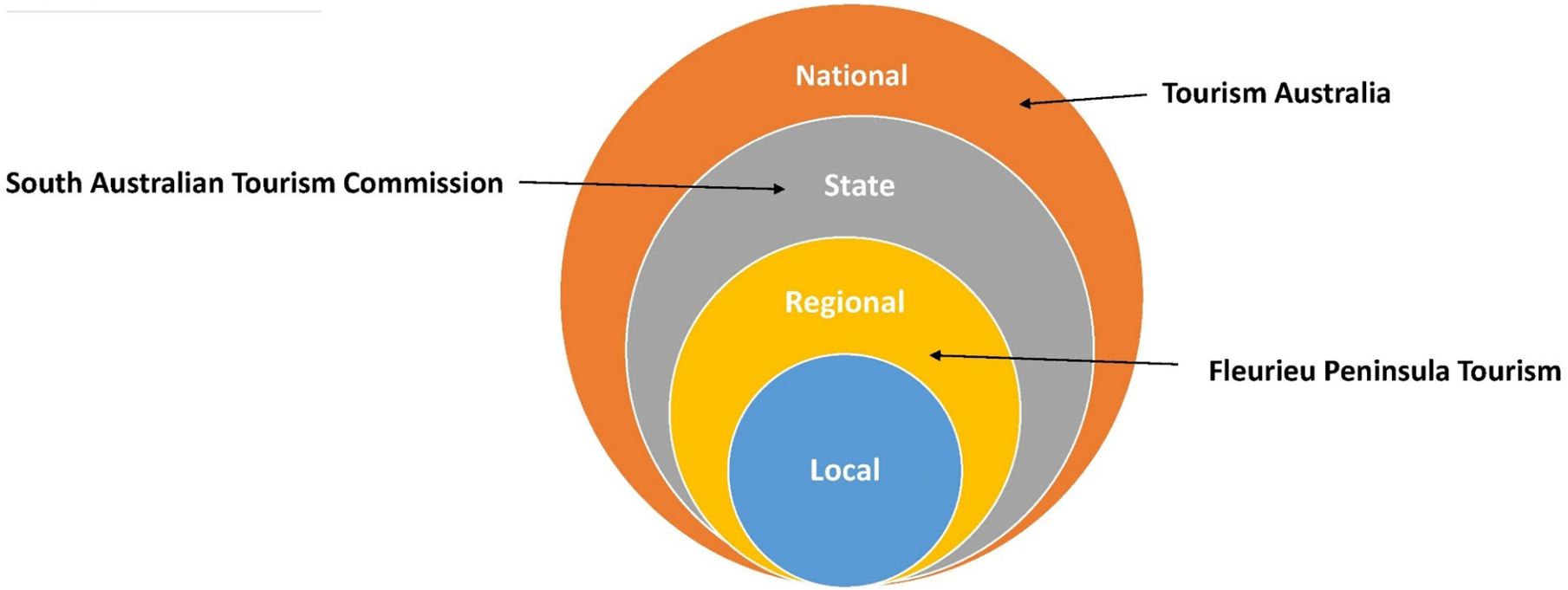
## HOW WE ACHIEVE IT

We support the tourism industry through leadership, representation, information sharing, and strategic projects to achieve a world-class visitor experience, resulting in increased visitation, visitor nights and spend, regional dispersal and return visitation.

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## TOURISM BODIES




City of Onkaparinga
Victor Harbor Council
Alexandrina Council
District Council of Yankalilla

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## SKILLS BASED BOARD

**Chair**

- Luke Talbot-Male – Managing Director Adventure Beyond Group

**Vice chair**

- Jenni Mitton – General Manager Willunga Farmers Market

**Treasurer**

- Steve Shotton – Business Development Manager – Regional Development Australia
- Jaclyn Thorn – Managing Director, Mcgregor Tan
- Terri-Ann Walker – Brand Insights Manger, Mitsubishi Australia
- Matthew Hurley – Owner, Second Valley Cottage
- Kirsten Pittman – Owner, Ninos & El loco Victor Harbor
- Kate Henning – Owner, Smiling Samoyed Brewery

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# REGIONAL VISITOR STRATEGY UPDATE

**2025 TARGET** $643m | **2021 ACTUAL** - $545m

ATDW LEADS TO BUSINESSES
**205,670**
VIA SOUTHAUSTRALIA.COM

DAY TRIPS
**2.48M**

NIGHTS
**2.5M**

OVERNIGHT
**909K**

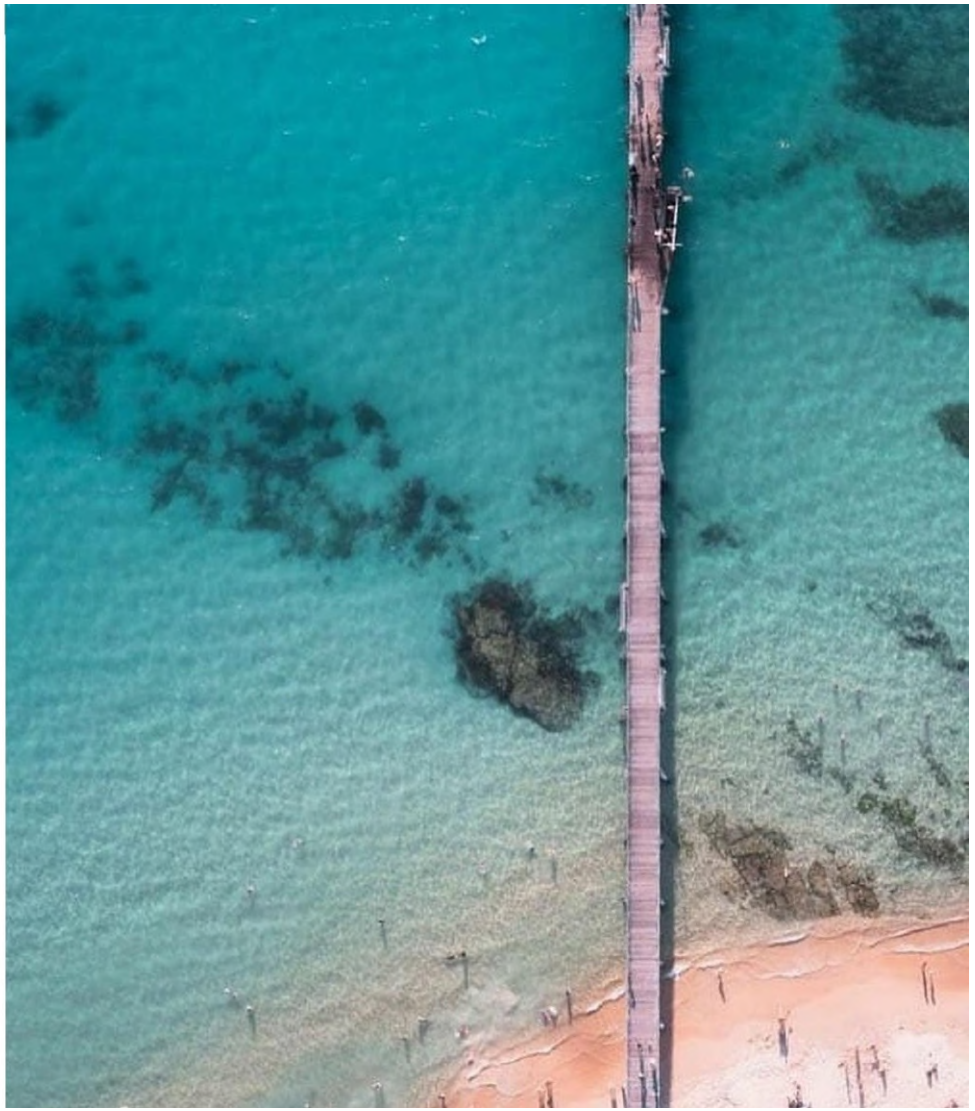
NEW PRODUCTS/EXPERIENCES
**15**

NEW TOURISM SIGNS
**28**

EMPLOYMENT

| 3,700 | 1,200 | 1 IN 7 | 800 |
|---|---|---|---|
| DIRECT JOBS | INDIRECT JOBS | JOBS SUPPORTED BY TOURISM | TOURISM BUSINESSES |

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# REGIONAL TOURISM PRIORITIES

- **Marketing**
  - Targeting 'High Value Travellers" - travellers that are likely to spend more, stay longer and disperse more regionally
- **Experience Supply & Development**
  - Balance the supply constraints and demand growth and develop experiences across the region.
    - Accommodation
    - Food & Drink, Indigenous, nature based, wellness, adventure.
- **Collaboration**
  - Work closely together and align efforts
- **Industry Capabilities**
  - Ensure a solid understanding of the value of the visitor economy and develop skills of operators to create an outstanding visitor experience across the region.
- **Business & Leisure Events**
  - Support, promote and use events to drive visitation and build awareness

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## MARKETING

- Our marketing efforts have been heavily focused on owned digital media channels which include Facebook, Instagram, and website.

- The focus has been creating our own content, whilst increasing user-generated content and integrating it across our marketing activity across all channels.

Facebook Likes

**28.1k**

Facebook Page reach

1,007,967 ↑ 144%



Instagram Followers

**41.2k**

Instagram reach

690,864 ↑ 214.6%



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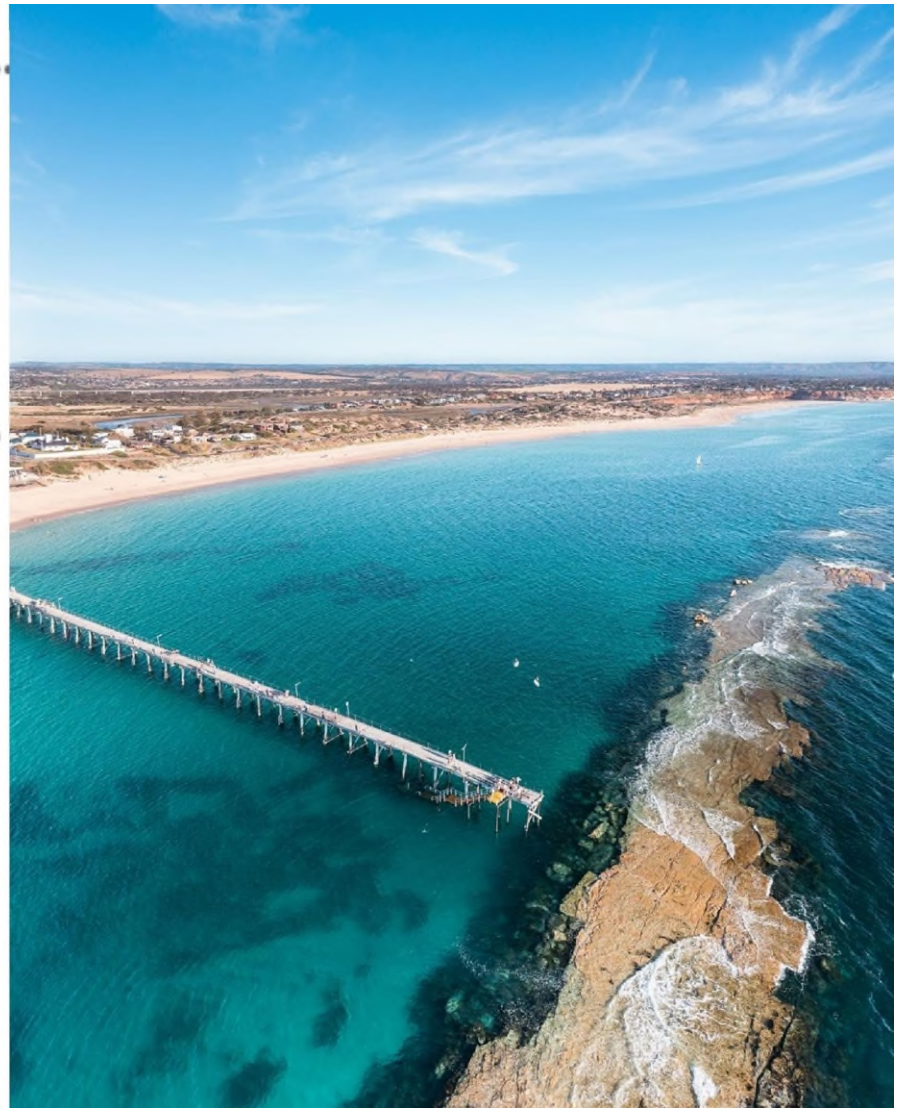
**Visit Fleurieu Peninsula**
15 February ·

Okay, not sure about you, but we could walk up and down this jetty all day…. These are the brilliant blues of #PortNoarlunga ⛱️ Only 34-kilometers from Adelaide you'll find this breathtaking natural marine playground, perfect for safe aquatic exploration. The red sandstone beach cliffs, long jetty, and reef make it one of the iconic diving destinations in the state. Fishermen, walkers, swimmers, and photographers are all drawn to these white sands & blue seas. When you're done by day, rest your head to the sounds of the ocean at @coastmotelandapartments ✨

📷 @jasewats

#SeeAustralia #HolidayHereThisYear #SeeSouthAustralia #FleurieuPeninsula #Onkaparinga

We reached **221,006** people
**407** people shared this image to friends
**214** people saved this image for future reference



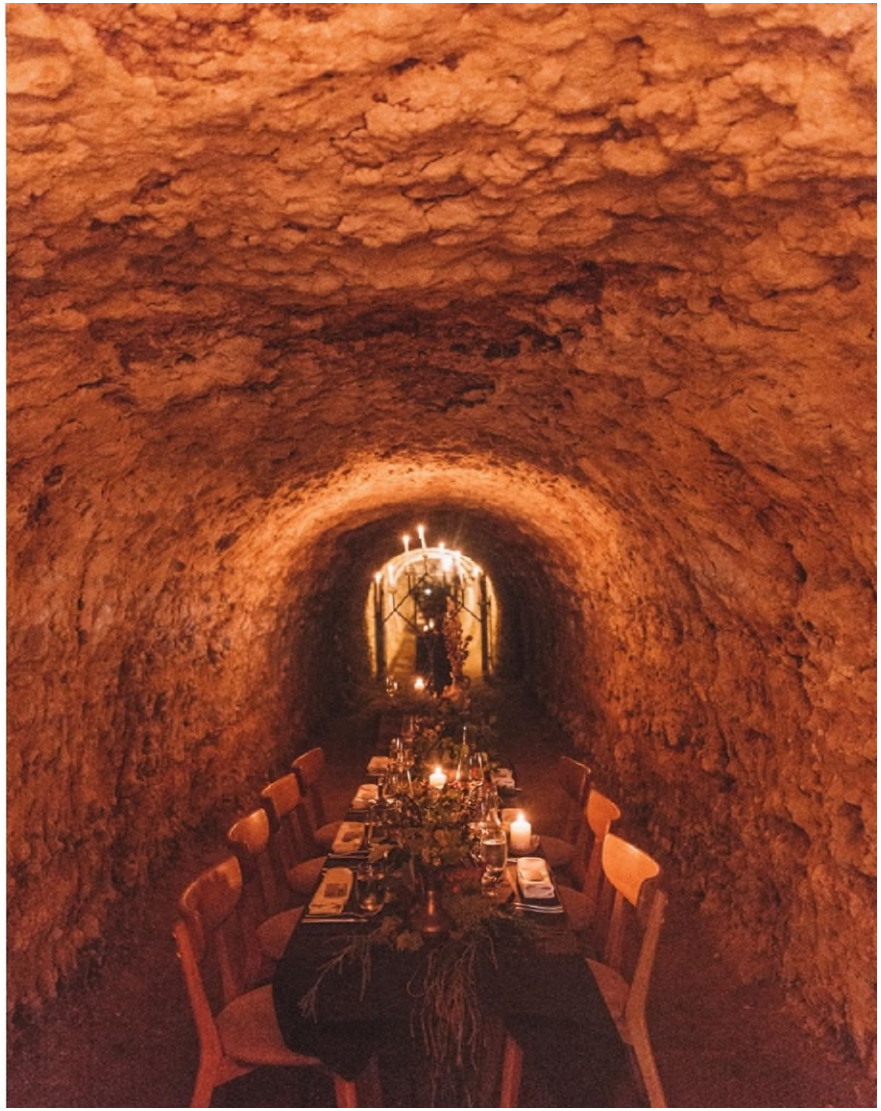
**Visit Fleurieu Peninsula** is in McLaren Vale, South Australia.
23 December 2021 ·

The limestone hill at Maxwell Wines in #McLarenVale hides a very beautiful surprise. Tucked away behind their winery, through the creaking doors of a disguised tool shed, is one of the most intimate and magical subterranean settings. This cave stretches 50 metres into the limestone hill and was formed by one man 100 years ago who was growing mushrooms.

Not just the ideal place to mature a few barrels of fine wine, but the perfect place to hold the most exquisite of events ✨ The beauty in this cave takes our breath away! 😍

#SeeAustralia #HolidayHereThisYear #SeeSouthAustralia #FleurieuPeninsula #Onkaparinga

We reached **108,827** people
**336** people shared this image to friends
**404** people saved this image for future reference



## MARKETING

### TRAVEL INFLUENCER CAMPAIGN

- **57.7k** plays
- **436** messages to friends via Instagram
- **592** personal saves to view later

Integrated blog posts across influencer social media pages and fleurieupeninsula.com

### PUBLIC RELATIONS & MEDIA

- Adelady – Aired Sunday 20th Feb on Channel 9.
- Aired nationally and including re-runs.
- Included Willunga focused segment; Hither & Yon, The Kookery, The Sejour Club, Russel's Pizza

- FY 21 - **$2.9m** in PR and media value across the Fleurieu region.

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# SECURING FUNDING FOR CITY OF ONKAPARINGA BUSINESSES

## Tourism Industry Development Fund

- Alongside Council staff assisted and supported 5 City of Onkaparinga Council located businesses to submit a TIDF fund application.

- In total over **$700,000** in funding
  - *Oliver's Taranga Vineyards* - $316,533
  - *Adelaide Biplanes* - $28,517
  - *Hastwell & Lightfoot* - $47,181
  - *Star of Greece* - $280,692
  - *Paxton Wines* - $27,617

- $3 million for the Fleurieu Peninsula
- Unlocked $19.8m in capital works across the region.

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# GRANTS, FUNDING & INFRASTRUCTURE

## TOURIST SIGNAGE DEVELOPMENT

- Alongside council, SATC, DIT provided support and guidance

In rolling out 24 brand new tourist brown signs through city area.

- Fleurieu Peninsula pictorial signs
- Value of $120,000 worth of signage value.

## ROUTE 31 COASTAL DRIVE

- Conduit between DIT and council to assist in rolling out Route 31 Coastal Drive destination signage.
- Collaborated with Council staff to market new drive route

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## EVENTS

### Regional Events Funding – Round 1

- Almond Blossom Festival
- Fleurieu Beer Festival

### Promoting and highlighting regional events

- Regular paid and organic marketing of events to promote visitation.
  - Clink at Tintara
  - Willunga Farmers Market
  - Jetty Fest
  - Cabana Festival
  - Sky Song
  - Willunga Chilli Fest

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## COLLABORATION

- Relationship with council tourism staff is truly collaborative.
- VIC's plays a significant role in tourism – FPT support through communication, connection and support.
- Regular industry specific communication to highlight marketing, funding, travel industry opportunities
- Regular communications with SATC, South Australian Regional Tourism Managers, Tourism Australia, tourism trade, media.

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## COVID RECOVERY

- **Marketing**
  - Focused on building and talking to the domestic audience via our digital pages.
  - Collaborating with council, SATC, Tourism Australia on PR, Media and campaign activity.
  - Attending Australian Tourism Exchange 2022

- **Fleurieu Forum**
  - High level industry capability building event to gear industry up for summer 2022/23 period.

- **Industry Support**
  - Funding opportunities
  - Product development
  - Pre ATE Event for operators attending

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## 9.9 KNOX PARK ATHLETICS AND MULTI-USE SPORTS PARK

| Report contact | Meeting |
|---|---|
| Matt Buckell, Manager Construction and Projects | Council |
| 0475 841 690 | |
| **Approving officer** | **Date** |
| Kirk Richardson, Director City Operations | 17 May 2022 |

### 1. Purpose

This report provides an update on the Knox Park athletics and multi-use sports park project and presents the draft concept plan for consideration and approval for targeted engagement. The report also presents budget information for Council direction.

### 2. Recommendations

**That Council:**

1. **Approve the draft Knox Park multi-use sports park concept plan to be presented for community engagement.**
2. **Note that the feedback from the community engagement process will be presented to the Council in August 2022.**
3. **Approve an additional $200,000 Council funding from 2021/2022 unspent capital funding, increasing Council's funding contribution to $1.1m matching the State Government's funding commitment of $1.1m to deliver short term priority upgrades to Knox Park.**

### 3. Executive summary

A draft concept plan has been prepared to guide the staged development of Knox Park into a multi-use sports park.

The Southern Athletics Club (SAC) approached City of Onkaparinga in 2017 seeking a permanent home for athletics in the southern metropolitan region and Knox Park in Morphett Vale was identified as a potential location.

Following the completion of a Knox Park Feasibility Study and community engagement for an amendment to the Community Land Management Plan (CLMP). On 11 September 2018 Council resolved to commence development of a site masterplan (hereon referred to as a concept plan) to progress a multi-use (including athletics) sporting facility at Knox Park and to fund the project via the Project and Capital Works (PCW) budget process. Council resolved;

1. *That the development of a multi-use sporting facility (including football, soccer, cricket and athletics) is financially viable and also assists with meeting the immediate demand.*
2. *Note that the Southern Athletics Club and Council will enter into a lease/licence agreement for the use of the site, post a collaborative risk assessment, approval from Athletics SA and possible initial minor civil works package to manage the safety of the users.*

3. *Approve administration to commence development of a site masterplan and final cost estimates to progress the multi-use sporting facility of Knox Park and allocate the budgets into the Project and Capital Works (PCW) register to be ranked under the approved Resource Allocation Strategy (RAS) process.*
4. *That staff work with the Southern Athletic Club to complete necessary grant applications and licence access to the facilities as soon as the facility is suitable for use.*
5. *That Council and the Southern Athletics Club work with Athletics SA and other Southern councils to develop a Regional Facilities Plan for athletics in the south.*
6. *That the Southern Athletic Club be formally advised of the outcome.*

At the September 2018 meeting, Council also approved an amendment to the CLMP which reclassified Knox Park from a 'developed reserve' to a 'district level sportsground' (the resolution pertaining to this is provided in attachment 3).

Since 2018, council has undertaken a number of investigations and has been working closely with the Southern Athletics Club (SAC) to develop a draft concept plan to guide the staged development of Knox Park into a multi-use sports park.

A draft Knox Park multi-use sports park concept plan is presented to Council for consideration and approval for targeted stakeholder and community engagement (attachment 1).

Knox Park forms was part of Council's Election Advocacy Plan 2022 and the evolving design has been used to support our state and federal government advocacy efforts. Council's advocacy plan sought $4m funding from state election candidates. In the lead up to the recent state election, Labor Member for Reynell, Katrine Hildyard pledged $1.1M towards this project.

Council has an approved a budget of $100,000 for design for 2021-22 and $900,000 council funding, as well as $900,000 estimated income identified in the LTFP in 2022-23 for implementation. Financial considerations are discussed in the Financial Implications section of the report below.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **people:** connected, engaged, active, healthy<br>The planning and development of the Knox Park athletics and multi-use sports park will provide an opportunity for the community to participate in sport and passive recreation, supporting healthy and active lifestyles for residents. |
| Policy and/or relevant legislation | The proposed upgrade of Knox Park into a multi-use sports park aligns with the objectives of Council's Sport and Active Recreation Plan, in particular:<br>*Goal 3: Improve Facilities*<br>*We will provide safe, welcoming and fit for purpose sport and active recreation facilities that meet community demand.*<br>The Onkaparinga Community Land Management Plan (CLMP) has been approved by Council to develop Knox Park as a district level sportsground.<br>Athletics and turf-based sports facilities standards apply. |

| | |
|---|---|
| Who did we talk to/who will we be talking to | Extensive community engagement was undertaken in 2018 to amend the CLMP.<br>Ongoing discussions have been held with the Southern Athletics Club and Athletics SA.<br>We will be engaging with other stakeholders including neighbouring residents and other turf-based sporting clubs. |

## 5. Discussion

The Southern Athletics Club (SAC) approached City of Onkaparinga in 2017 seeking a permanent home for athletics in the southern metropolitan region and Knox Park in Morphett Vale was identified as a potential location.

Following a feasibility study into the demand for sports facilities in the Knox Park catchment area, Council resolved in 2018 to commence planning for the development of a multi-use sports ground including athletics and other turf-based sports such as soccer, football and cricket at Knox Park.

Knox Park is 5.1ha in size and is situated in a prominent and high-profile central location within City of Onkaparinga, along Kantalpa Grove, Morphett Vale. The park is classified as a district level sportsground and is currently underutilised and used mainly for passive recreation by local residents.

Knox Park has no toilets, storage, changerooms or other sports specific infrastructure. The carpark and existing playground are in poor condition and are identified for upgrades in Council's forward budget (see 6. Financial implications). The turf is not currently in a condition suitable for sport and there is no irrigation.

A concept plan was required as a first step to plan for the upgrade of the reserve to a standard suitable for district level sport.

### Demand for a multi-use sports park

The draft Knox Park multi-use concept plan has been designed to provide a home ground for athletics as well as providing flexible turf playing space that can accommodate soccer, AFL football and other turf sports.

### Athletics and unstructured recreation

The SAC does not have a home ground and is currently operating from a local senior school. Creating a hub and permanent home for athletics in the south is important to strengthen the SAC and grow membership and participation.

The Southern Athletics Club has 181 members and is one of 16 athletics clubs affiliated with Athletics SA and provides an important pathway for athletes seeking to participate in competition in the south of Adelaide and around South Australia. The SAC offers opportunties to participate in athletic events from cross country in the winter to track and field events throughout the summer. In addition to organised club sport, the upgrade of Knox Park will provide additional open space for use by the broader community potentially encouraging participation in unstructured recreation such as jogging and walking.

A trend in increasing participation in recreational running is recognised in Sport Australia's Emerging Trends in Sport Participation Report (2021) where the data shows that athletics, track and field (including jogging and running) is the third most popular activity in SA (behind walking and fitness/gym).

*Other turf-based sports:*

Based on past studies, together with current knowledge of club sizes and needs, the formalisation of Knox Park for athletics and other turf-based sports will be a welcome contribution to turf playing space in the Central North and Central South Districts of the City of Onkaparinga.

Knox Park is located in the Central North Planning District and conveniently located to relieve pressure currently being experienced at surrounding grounds by existing (turf-based) clubs. Council's Sport and Active Recreation Research and Analysis Study 2020 found that based on current participation numbers and to meet field/capacity modelling, additional sports field capacity for AFL and soccer is required in the City of Onkaparinga. Based on engagement, size and location of clubs, likely users (other than athletics) of Knox Park will be:

Soccer

- Noarlunga Soccer Club (based at Wilfred Taylor Reserve)
- Seaford Soccer Club (based at Seaford)
- South Adelaide Soccer Club (based at O'Sullivan Beach)

AFL football

- Port Noarlunga Football Club
- Christies Beach Football Club
- Morphett Vale Football Club.

Previous club and association engagement has found that Knox Park has the potential to be utilised as an overflow venue for AFL and soccer. The current draft concept design will be well suited to catering for junior sport given less requirements for supporting infrastructure (changerooms, clubhouse etc).

AFL football and soccer clubs in close proximity to Knox Park have strong levels of participation as shown in the tables below, in particular with regards to soccer with the surrounding clubs being the three largest Onkaparinga based clubs.

| **Registered Soccer Participants – Clubs in proximity to Knox Park – Total number of players** | | | |
|---|---|---|---|
| **Club** | **2019** | **2020** | **2021** |
| South Adelaide Soccer Club | 292 | 410 | 404 |
| Noarlunga United Soccer Club | 354 | 266 | 294 |
| Seaford Rangers Soccer Club | 310 | 283 | 249 |

| **Registered AFL Participants – Clubs in proximity to Knox Park – Total number of players** | | | |
|---|---|---|---|
| **Club** | **2019** | **2020** | **2021** |
| Port Noarlunga Football Club | 423 | 414 | 498 |
| Christies Beach Football Club | 360 | 431 | 400 |
| Morphet Vale Football Club | 315 | 301 | 294 |

### Draft Knox Park multi-use concept plan (attachment 2)

Initial stakeholder engagement has been undertaken with the SAC which together with design investigations (site survey, soil report, traffic impact study etc) has informed the development of the draft concept plan.

The draft concept plan is divided into short, medium and long-term priorities. The plan is future-proofed and identifies long-term actions which can be accommodated subject to changes in demand and funding. High level costings have been undertaken and short-term priorities have identified. Short term priorities have been informed by engagement with SAC and are guided by the recent State Government funding pledge and budget identified in Council's LTFP. Delivery of short-term priorities is estimated at $2.2M.

Short term priorities include the following:

- irrigated turf (1.8ha) with 400m athletics track
- senior sized soccer field / junior AFL/ training
- discus and hammer throw/shotput/javelin
- two-way long jump/triple jump
- storage facility with power
- public toilet and DDA access
- priority pedestrian access.
- Priority tree planting / mulching
- playground upgrade (to be completed as part of Council's renewal program. An additional $5,000 is identified in the Open Space renewal category of Project and Capital Works for design in 2022-23).

Medium term priorities include:

- additional tree planting / mulching along the boundary
- fencing (oval, Main South Road)
- car park upgrade (to be completed as part of Council's renewal program where $247,000 is identified in 2024-25 for replacement)
- perimeter walking trail and site connections
- lighting
- shelter with seating.

Long term priorities (subject to realising increased demand and availability of funding) include:

- car park extension
- convert northern 'D' section of the oval to artificial turf
- potential new entry from Main South Road (subject to investigations and approvals)
- supporting building facility (changerooms/pavilion/club rooms etc).

### Project Objectives

Delivery of the complete concept plan (short, medium and long-term priorities) will:

- provide a home ground for SAC
- maximise flexibility and opportunities for athletics and other turf-based sports
- deliver an attractive sports and passive recreation park

- enhance the passive recreation opportunities for adjacent communities including an upgraded playground and perimeter walking trail
- improve pedestrian linkages
- assess traffic management requirements including access and car parking for future use
- enhance the tree canopy and environmental sustainability.

### Key design considerations

The draft concept plan design has taken into consideration the following:

- Playing surface – informed by soil testing is proposed to provide a new free draining soil profile with under-surface drainage.
- Irrigation – irrigated to be installed across all high use playing areas.
- Location of storage facility for club/s - alongside the car park to allow vehicle access to the facility. Close to modalities (such as high jump) which require heavy equipment.
- Location of throw modalities - confined to the northern 'D' freeing up space to the south for other turf-based sports.
- Location of toilet facility - Good passive surveillance, close to sewer connection in Kantalpa Grove, and easily accessible to playground users. Playground location is to the south providing a corridor for sports users to use the toilet facility without crossing the playground.
- Car parking: - There are 40 existing car parks. The draft concept plan identifies a possible future car park extension which will accommodate 73 car parks. In addition, there are 125 perimeter street parks which are unlikely to be used except for events. Options for peak drop-off and pick up to be investigated in the detailed design.
- Tree planting - The draft concept plan focuses on infill tree planting along the parks perimeter with large shade species incorporated on the western embankment to provide shade for spectators and playground users.
- Water Sensitive Urban Design – will be incorporated where feasible and subject to available budget.
- Supporting building facility - location of a possible future building facility (club/changerooms) in a central location overlooking the playing fields.

### Management and use

The Knox Park draft concept plan is designed as a multi-use sports park. In the report to Council in September 2018 Council considered an interim leasing arrangement with SAC. This has not been progressed to date and the Club has been operating from a local school.

Following further engagement with future users, once an implementation budget and timeframe is confirmed we envisage formal agreements being developed with the SAC and other turf-based clubs. This will include considering the option of using casual hire and seasonal licenses for different sporting groups rather than exclusive lease arrangements to better support multi-use from multiple sporting groups.

The impact on operational, maintenance and asset renewal costs (ground maintenance, electricity and water) will depend on the eventual lease/licence arrangements. Fees would be charged by Council to assist in recovering a portion of these costs.

### Community use

The draft concept plan aims to enhance the passive recreation opportunities for adjacent communities including an upgraded playground and perimeter walking trail.

Once upgraded, residents will continue to be allowed access to Knox Park for recreational activities. This includes informal recreation, walking and exercising dogs. For certain periods, a portion or the whole of Knox Park would be in use by sporting clubs restricting public use for a designated time period. Knox Park will continue to serve as open space when not being used for scheduled activities.

### Community and stakeholder engagement

Previous community engagement was undertaken in May 2018 to determine the support for a proposed change in CLMP classification of Knox Park from 'reserve' to 'sportsground'. A total of 201 submissions were received with 92% (184) of respondents in support of the amendment.

Preliminary engagement has been undertaken with the SAC to identify current and future requirements for an athletics home ground. This information has informed the draft concept plan.

Subject to Council approval it is proposed to undertake targeted engagement on the draft concept plan with AFL and soccer clubs, and those most impacted by the upgrade ie the surrounding residents. Feedback will be sought on the draft concept plan. The playground design will also form part of an additional, more focussed engagement with the local community in 2022-23.

The engagement will commence in May 2022 in accordance with the Community Engagement Plan (attachment 1). A further report will be presented to Council on the outcome of the engagement process and seeking approval of a final concept plan.

## 6. Financial implications

### Financial summary

| Item | Capital | Operating | Comment |
|---|---|---|---|
| **Budget** | | | |
| Current budget allocation | $100,000 | | Project design (2021-22 FY) |
| Additional funding required | $200,000 | | To be funded from unspent capital funds identified from the approved 2021-22 capital works program |
| Funding source and amount | $1.1M | | State Government election pledge |
| Budget impact | | | |
| **Long Term Financial Plan (LTFP)** | | | |
| In current LTFP? | $900,000 in 2022-23 ($1.8m total expenditure less $900,000 estimated income) | | |
| LTFP category | Major Projects | | |
| Timing in LTFP | 2022-23 ($900,000 net expenditure) | | |

| | | | |
|---|---|---|---|
| Additional debt | - | | |
| Rates funded amount | - | | |
| Ongoing rate impact | - | | |
| Operating Position impact | - | | |

The financial impact of the operational, maintenance and asset renewal costs are not included in the above as this will depend on the eventual lease/licence arrangements. Associated revenue with these arrangements are also not included above, and will offset a portion of ongoing expenditure.

**Current Financial Status**

Council has an approved a budget of $100,000 for design for 2021-22, and $900,000 Council funding plus $900,000 income is identified in the LTFP in 2022-23 for implementation.

The Member for Reynell, Katrine Hildyard pledged $1.1M towards this project in the lead up to the recent State Government election.

**Project Costings**

High level costings have been undertaken and identification of short-term priorities in the draft concept plan. Delivery of short-term priorities is estimated at $2.2M (excluding the $100,000 design allocated this financial year).

This report proposes that Council meet this cost through the $900,000 funding currently identified in Council's LTFP in 2022-23 as well as an additional $200,000 Council funding from unspent capital funding from Council's approved 2021/2022 budget.

As we near the end of financial year many approved capital projects are complete or nearing completion. This provides an emerging picture of projects with unspent contingencies or delivered under budget providing unspent capital funding to meet this additional $200,000 Knox Park project cost. While we anticipate closer to $350,000 unspent capital funding could be realised at the end of financial year, the particularly volatile operating environment with Covid impacts, construction material shortages and resultant price increases and increased oil prices makes forward forecasting our end of year position extremely challenging.

The total budget of $2.2M will deliver the short-term priorities identified in the draft concept plan (attachment 2).

Further budgets for the upgrade of the playground and car park (both medium term priorities) are identified in Council's Project and Capital works budget;

- Playground upgrade: $5,000 in 2022-23 has been identified in the Open Space category of PCW for design and $250,000 in 2023-24 for implementation
- Carpark upgrade: $247,000 has been identified in the Car Park category of PCW for design and implementation in 2024-25.

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Committed external funding is not secured | Proceed with stakeholder engagement and detailed design. The project will then be 'shovel ready' for any future grant applications. |
| Expectation of SAC not met with respect to scope and timing | Ongoing communication with the Club regarding the concept planning and implementation process.<br>We have been meeting with the SAC and keeping the Club updated as we develop the concept plan |
| Athletics Club not using the facility to its capacity | The concept plan is designed to be flexible to accommodate a range of turf-based sports. |
| Political – competing pressures on turf-based clubs for ovals | Stakeholder engagement including further needs analysis to identify clubs with the most pressure and which could work in conjunction with athletics (spatially and scheduling) |
| Financial – draft concept plan identifies multiple projects with a finite budget | Undertaking effective value management and budgeting strategies. A staged development is proposed and scope can be reduced to align with the available budget.<br>Seeking additional funding sources and grants where possible. |

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| Opportunity to provide a home ground for athletics in the South | Creating a hub and permanent home for athletics in the south is important to strengthen the SAC and grow membership and participation. |
| Shared use of facilities | Multi-use of the site maximises the investment and ongoing maintenance costs associated with maintaining the facility as opposed to sole use. It also makes the facility available to a greater number of the community. |

## 8. Timelines and deadlines

- Targeted engagement on the draft concept plan – May to June 2022.
- Report to Council on the outcomes of the engagement – August 2022.
- Detailed design – August to February 2023.

## 9. Next steps

- Complete the community engagement process to finalise concept plan.
- Report outcome to Council.
- Confirm external funding arrangements.
- Pending council approval, proceed to detail design and construction.

## 10. Attachments

Attachment 1 – Draft Community Engagement Plan (19 pages)

Attachment 2 – Draft Knox Park multi-use concept plan (2 pages)

Attachment 3 – Council resolutions 18 September 2018 (3 pages)

- END OF REPORT –

# Knox Park
## Multi-use Sports Park

## Communication and Engagement Plan

Level 1

PID 12168

2018-2024

## Background information

The draft Knox Park Multi-use sport park concept plan has been prepared to guide the development of sport and recreation facilities at Knox Park.

The Southern Athletics Club (SAC) approached City of Onkaparinga in 2017 seeking a permanent home for athletics in the southern metropolitan region and Knox Park in Morphett Vale was identified as a potential location.

Following the completion of a Knox Park Feasibility Study and community engagement for an amendment to the Community Land Management Plan (CLMP), Council resolved at a meeting on 11 September 2018 to commence development of a site masterplan (hereon referred to as a concept plan) to progress a multi-use (including athletics) sporting facility at Knox Park.

Council also approved an amendment to the CLMP which reclassified Knox Park from a 'reserve' to a 'district level sportsground'.

Since 2018, council has undertaken several investigations to inform the design and has been working closely with the SAC to develop a draft Concept Plan to guide the staged development of Knox Park into a multi-use sports park.

The draft Knox Park multi-use concept plan has been designed to provide a home ground for athletics as well as providing flexible turf playing space that can accommodate soccer, junior AFL football and other turf sports.

The draft concept plan is broken into short, medium and long-term priorities. The plan is future-proofed and identifies long-term actions which can be accommodated subject to changes in demand and funding.

Delivery of the complete concept plan (short, medium and long-term priorities) will:

- Provide a home ground for SAC
- Maximise flexibility and opportunities for athletics and other turf-based sports
- Deliver an attractive sports and passive recreation park
- Enhance the passive recreation opportunities for adjacent communities including an upgraded playground and perimeter walking trail
- Improve pedestrian linkages
- Assess traffic management requirements including access and car parking for future use
- Enhance the tree canopy and environmental sustainability.

## Purpose of communication and engagement

The purpose of community engagement is:

- To engage with key stakeholders (Clubs) seeking input into the design of the sports field and supporting sports infrastructure (for athletics and other turf-based sports.
- To understand from key stakeholders their sports facility needs.
- Inform the local community of the project and gauge support for the concept plan and seek any local knowledge which may impact on the design.
- Inform the community of all aspects of the concept, the short, medium, and long-term actions.

## Key messages

- Background information
  - We have previously engaged with the community resulting in strong support for the Little Athletics Club to utilise the reserve and enabled the land classification change to 'District Level Sportsground'.
  - Previous council decision to develop a master plan.
  - Feasibility study and investigations since decision made.
  - We have been working with SAC, clubs and internal staff to develop a concept plan.
- The concept plan covers short, medium and long priorities.
- Funding has been secured through 2023.
- The land is unable to facilitate all sports.
- We will engage with the community when the playground is ready to be upgraded.

**Community Engagement Objectives:**

- Engage key stakeholders and those most impacted to seek input into the design.
- Provide multiple opportunities for the community to have their say on the concept design, gauge the level of support for the project, and seek local knowledge which may inform the plan.
- Identify any issues that need to be addressed.
- To keep all stakeholders informed of progress of the project and how their feedback may have influenced/contributed to the plan.
- Through evaluation, more than 75% of engaged participants find it easy to engage with us.

## Project considerations

Check any relevant boxes

| | |
|---|---|
| Are there any legislative requirements? | ☐ |
| Has there been any previous community engagement on this matter? | ☒ |
| Does the project engage Aboriginal or Torres Strait Islander people? | ☐ |

Will public art be included in the project? ☐

Are there any other projects in the area? ☐

If you have checked any of the above boxes, provide further information below.

- Initial engagement as carried out in 2018

## Community engagement method

Step 1: Negotiables

| | |
|---|---|
| **Negotiables**<br>What can the community influence? | **Key Stakeholders**<br>• Location and extent of supporting sports facilities (shelters, toilet facility, storage, fencing, etc)<br><br>**All community (including key stakeholders)**<br>• Car parking and drop off and pick up<br>• Pedestrian connections and passive recreation opportunities<br>• Minor adjustments to the location of the play space<br>• landscaping<br>• Location of the shelters and shade trees<br>• Interface with the residential streets |
| **Non-negotiables**<br>What can't the community influence? | **Key Stakeholders**<br>• Size and design of irrigated field (this is determined by the requirements to accommodate a 400m athletics track)<br>• Position of the track will be determined by civil design<br>• Location of athletics track and throw modalities in the northern 'D' section of the oval (other than by athletics)<br><br>**All community**<br>• Available budget<br>• Size, type and location of sports facilities |

| | |
|---|---|
| | • Playground design (part of a separate engagement process)<br>• Additional recreational components which are guided by council service levels |

**Step 2: Risk assessment**

| Risk | low | medium | high | explanation |
|---|---|---|---|---|
| **What is the degree of complexity of the project?** | ☐ | ☒ | ☐ | The main component of works is an upgrade to an existing sports field.<br>Future users (clubs) will have differing priorities |
| **What is the degree of potential impact to stakeholders?** | ☐ | ☒ | ☐ | During 2017, community engagement to change the land classification show a high level of support for the reserve to be utilised as a sports park.<br>Knox Park is in a quiet residential neighbourhood and is currently only used for passive recreation. Use by sporting clubs will impact on noise and traffic in the local streets. |
| **What level of media/ community/ political interest is anticipated?** | ☐ | ☐ | ☒ | This project has secured state government funding with the expectation of project delivery within the next four years. |
| **Total** | | 2 | 1 | |

| Method | Our commitment to the community | Select |
|---|---|---|
| **Inform** | We will keep you informed | ☒ |
| **Consult** | We will listen to your concerns and aspirations, and provide feedback on how your input influenced the decision(s) | ☒ |
| **Active participation** | We will work with you to ensure that what we've heard is directly reflected in the alternatives developed, and provide feedback on how your input influenced the decision(s) | ☒ |

## Geographic boundaries

Knox Park is 5.1ha in size and is situated in a prominent and high-profile central location within City of Onkaparinga, along Kantalpa Grove, Morphett Vale. The park is classified as a district-level sports ground and is currently underutilised and used mainly for passive recreation by residents.

The engagement will be city wide. Engagement will be promoted using roadside banners, on site signs, social media, Your Say and a letter drop to surrounding residents/businesses.

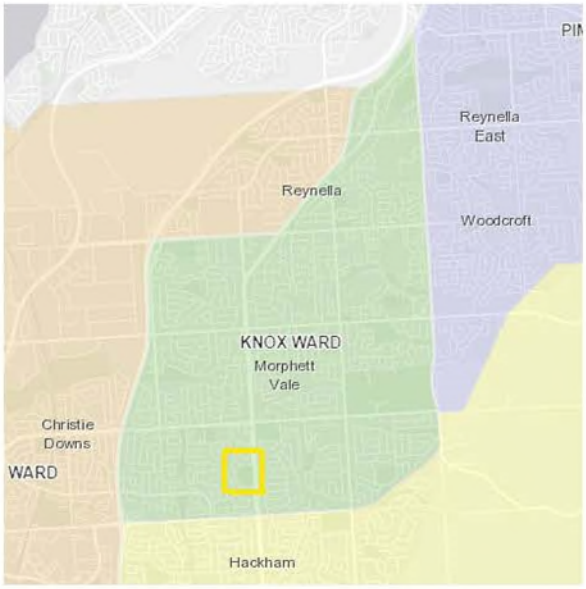
Letters will be distributed to the residents/businesses outlined in the below map.



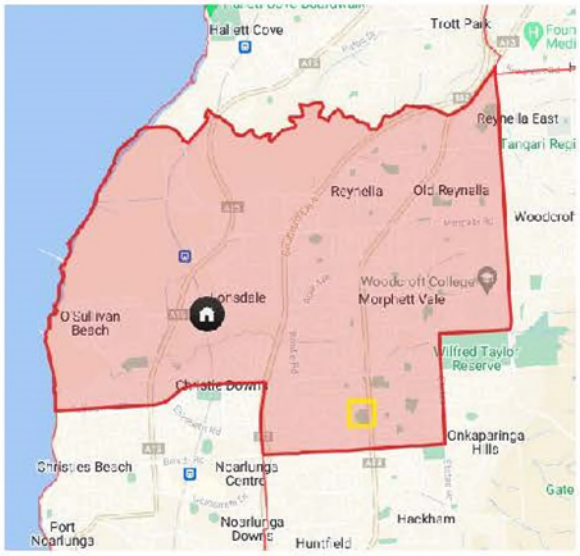
The below maps show the Park in relation to the relevant districts, wards, suburbs.




Suburb: Morphett Vale




Council Ward: Knox Ward




State electoral district: Reynell




Federal electoral district: Kingston

## Timing – project milestones

| | |
|---|---|
| Targeted engagement on the draft Concept Plan | May to June 2022 |
| Report to Council on the outcomes of the engagement | August 2022 |
| Detailed design<br>2023. | September to February |
| Implementation subject to Council's approval confirming timing of State Government Funding | 2023 (subject to |

## Communication activities (promotion)

| | | | | | |
|---|---|---|---|---|---|
| ☒ | Publications | ☒ | Online communications | ☒ | Digital media and applications |
| ☒ | Advertising materials (e.g. roadside banners) | ☒ | Letters | ☒ | Website |
| ☒ | Email to Your Say Onkaparinga members | ☒ | Emails to stakeholders on the Community Group Register | ☒ | Emails to other stakeholders |
| ☐ | Public notice(s) | ☐ | Other | | |

## Stakeholder analysis

**Consider and list all stakeholders both internal and external:** Work with the Engagement unit to identify your stakeholders, including those listed in the Community Group Register. Consider Council/elected members, media, staff, consultants, residents, landowners, industry groups, adjoining councils, community groups, specific interest groups/individuals, general communities/public, Members of Parliament, government agencies, non-government agencies. Think about communities of place as well as communities of interest.

| Stakeholder | Level of impact and/or interest in the project? | What do they need to know/understand? | When should they be engaged? | Responsible officer |
|---|---|---|---|---|
| **Decision-makers** | | | | |
| Council | High | Community expectations | ongoing | Project leader |
| **Federal/state government agencies** | | | | |
| Katrine Hildyard<br>State Government | Medium | Project and funding updates | ongoing | Project leader |
| **Directly affected stakeholders (community/special interest/sporting groups)** | | | | |
| Athletics SA | Medium | Project progress | ongoing | Project leader |
| Southern Athletics Club (SAC) | High | Will be the lessee once the project is complete | ongoing | Project leader |
| Little Athletics Club (Reynella) | Medium | Project progress | ongoing | Project leader |
| FFSA | High | Coordination/ Programming | ongoing | Project leader |
| Noarlunga Soccer Club | Low | Possible use for preseason training, limited games etc | ongoing | Project leader |
| South Adelaide Soccer Club | Low | Possible use for preseason training, limited games etc | ongoing | Project leader |

| Stakeholder | Level of impact and/or interest in the project? | What do they need to know/understand? | When should they be engaged? | Responsible officer |
|---|---|---|---|---|
| South Adelaide Soccer Club | Medium | Possible use for preseason training, limited games etc | ongoing | Project leader |
| SANFL | High | Coordination/ Programming | ongoing | Project leader |
| Southern Football League | High | Coordination/ Programming | ongoing | Project leader |
| Port Noarlunga Football Club | Medium | Possible use for preseason training, limited games etc | ongoing | Project leader |
| Christies Beach Football Club | Medium | Possible use for preseason training, limited games etc | ongoing | Project leader |
| Morphett Vale Football Club. | Medium | Possible use for preseason training, limited games etc | ongoing | Project leader |
| Reynella Football Club. | High | Possible use for preseason training, limited games etc | ongoing | Project leader |
| SACA | High | Coordination/ Programming | ongoing | Project leader |
| Southern Districts Cricket Club | Low | Training | ongoing | Project leader |
| Morphet Vale Cricket Club | Medium | Training | ongoing | Project leader |
| Reynella Cricket Club | Medium | Training | ongoing | Project leader |
| Norlunga Cricket Club | Low | Training | ongoing | Project leader |
| Onkaparinga Rugby | Medium | Training | ongoing | Project leader |

| Stakeholder | Level of impact and/or interest in the project? | What do they need to know/understand? | When should they be engaged? | Responsible officer |
|---|---|---|---|---|
| South Adeladie Rugby | Medium | Training | ongoing | Project leader |
| All other sporting clubs listed on the community register | Medium | Possible use for preseason training, limited games etc | ongoing | Project leader |
| Residents surrounding reserve | High | About the project, where to go for information, how to provide feedback | Commencement of engagement | Project leader |
| Reserve users | High | About the project, where to go for information, how to provide feedback | Commencement of engagement | Project leader |
| **Broader community** | | | | |
| General community | Medium | About the project, where to go for information, how to provide feedback | Commencement of engagement | Project leader |
| Residents residing across our city who are registered to Your Say | Medium | About the project, where to go for information, how to provide feedback | Commencement of engagement | Project leader |
| Community groups across our city listed on the community register | Medium | About the project, where to go for information, how to provide feedback | Commencement of engagement | Project leader |
| **Media** | | | | |

| Stakeholder | Level of impact and/or interest in the project? | What do they need to know/understand? | When should they be engaged? | Responsible officer |
|---|---|---|---|---|
| As per identified by Media/Comms team | Medium | tba | tba | tba |

## Communication and Engagement Action Plan

| Phase | Desired outcome | Target audience/ stakeholders | Method | Channel/ techniques | Timeline | Responsible officer |
|---|---|---|---|---|---|---|
| **STAGE 1 Targeted engagement** | | | | | | |
| **Prior to consultation** | Elected Member of aware of the engagement about to commence | Elected Members | Inform | Council report | May 2022 | Project Team |
| **Feedback sought on draft Concept Plan** | Stakeholder input on the draft Concept Plan<br>Revised draft Concept Plan prior to engagement with local and broader community | All key stakeholders:<br>• Southern Athletics Club (SAC)<br>• Noarlunga Soccer Club<br>• South Adelaide Soccer Club<br>• South Adelaide Football Club<br>• Pt Noarlunga Football Club<br>• Christies Football Club<br>• Morphett Vale Football Club | Consult | Letters/emails to sporting bodies, government interest groups and MPs.<br>Meetings with individual stakeholder groups | May – June 2022 | Project team to facilitate and report<br>Engagement Unit review |

| STAGE 2 Local Residents and broader community | | | | | | |
|---|---|---|---|---|---|---|
| **Planning** | All correspondence is drafted and approved in preparation for engagement with the wider community | Project team<br>Engagement Unit | Consult | Emails/Meetings/Phone calls | May 2022 | Engagement Unit<br>• Letter for letter drop<br>• Stakeholder email<br>• Your Say page with survey<br>• Facebook post requested<br>• On-site signage requested<br>• Roadside banner requested<br>• Your Say newsletter drafted<br>• Any other comms as directed by Media/Comms team |

| | | | | | | |
|---|---|---|---|---|---|---|
| **Prior to consultation** | Elected Member aware of the engagement about to commence<br>Customer service team are aware of the project and know where to direct enquiries | Elected Members<br>Customer Service Centre | | Emails | May 2022 | Project Team |
| **Feedback sought on draft Concept Plan** | Local and broader community comment on the draft Concept Plan.<br>Increased awareness of the concept plan and proposed upgrade to Knox Park.<br>Opportunity to find out more about the concept plan.<br>All correspondence points people to provide feedback via Your Say (hard copy available to those without internet access) | Local residents and businesses surrounding the reserve<br>Local residents/businesses marked out in red on boundary map<br>Your say registered members<br>Specific interest groups listed in the community register<br>General communities | Consult/inform | Your Say page to go live with survey engagement tool used.<br>Letters to local residents,<br>Emails to community register<br>On-site drop session in Knox Park<br>Your Say Newsletter sent to all registered participants<br>Facebook Post providing link to Your Say page.<br>Information is available at council office customer service counter including hard copies of the | May – June 2022 | Engagement Unit<br>Project team to arrange letter drop<br>Engagement Unit<br>Project team with Engagement unit to structure session<br>Engagement Unit<br>Engagement Unit to ensure post occurs.<br>Project team to arrange hard copy information |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | | engagement tools for those to provide feedback without internet access.<br>Roadside banner (South Road)<br>On-site signage in reserve at two locations | | Engagement Team<br><br>Engagement team |
| **On-site drop in session** | Stakeholders and the community have an opportunity to speak to project staff face to face and provide feedback in person | All interested stakeholders | Consult | On-site drop-in session | May 2022 | Project team to arrange with engagement unit |
| **Data analysis** | All feedback is analysed and drafted into an Engagement Feedback Report | Project Team<br>Engagement Unit | consult | Engagement Feedback report | June 2022 | Project team to draft report for Engagement unit to review |
| **Endorsement of final concept plan** | A council report has been written with recommendations moving forward | Council | Inform | Report to Council including community engagement feedback report seeking endorsement of final concept plan and report | August 2022 | Project Team<br>Engagement Unit review |
| **Closing the loop** | Key stakeholders and those who engaged with us, or are following the project online are informed of the outcomes and know how their feedback was | All key stakeholders<br><br>Local residents and general communities who engaged with us | Inform | Phone calls or meetings with key stakeholders to inform of the outcome.<br><br>Update on Your Say page with outcomes. | August 2022 | Engagement Unit |

| | | | | | | |
|---|---|---|---|---|---|---|
| | used | | | Your Say Newsletter to those who engaged<br>A link to the evaluation survey is provided | | |
| **Evaluation** | The engagement process is evaluated<br>A report is provided to the project team | | | | August 2022 | Engagement unit |

## Closing the Loop

How will you report back to your stakeholders on what you did and what your heard during consultation?

| Stakeholder | Form of communication | Who is responsible? | Timing |
|---|---|---|---|
| Key Stakeholders | Email or phone call | Project team | August 2022 |
| Those who engaged online | Your Say newsletter | Engagement Unit | August 2022 |
| Those who are following the project online | Your Say page update | Engagement Unit | August 2022 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

## Evaluation

Evaluation will be measured against the project engagement objectives:

- To seek input from key stakeholder groups
- To provide a variety of opportunities for stakeholders and general community to view and comment on the draft Concept Plan
    - To provide a variety of opportunities to keep stakeholders and local residents and broader community informed of progress of the project and how their feedback may contribute to the plan.

In line with best practice engagement, Feedback Reports will also include:

- The number of people who are **aware** of the project
- The number of people who are **informed** about the project
- The number of people who **engaged** about the project.

## Sign-off

**Officer who prepared the document**

Name: Bill Harding

Position title: Project Leader

**Reviewed by Marketing and Communications team**

Name: .....

Date: .....

**Reviewed by Community Engagement Advisor**

Name: .....

Date: .....

**Approved by**

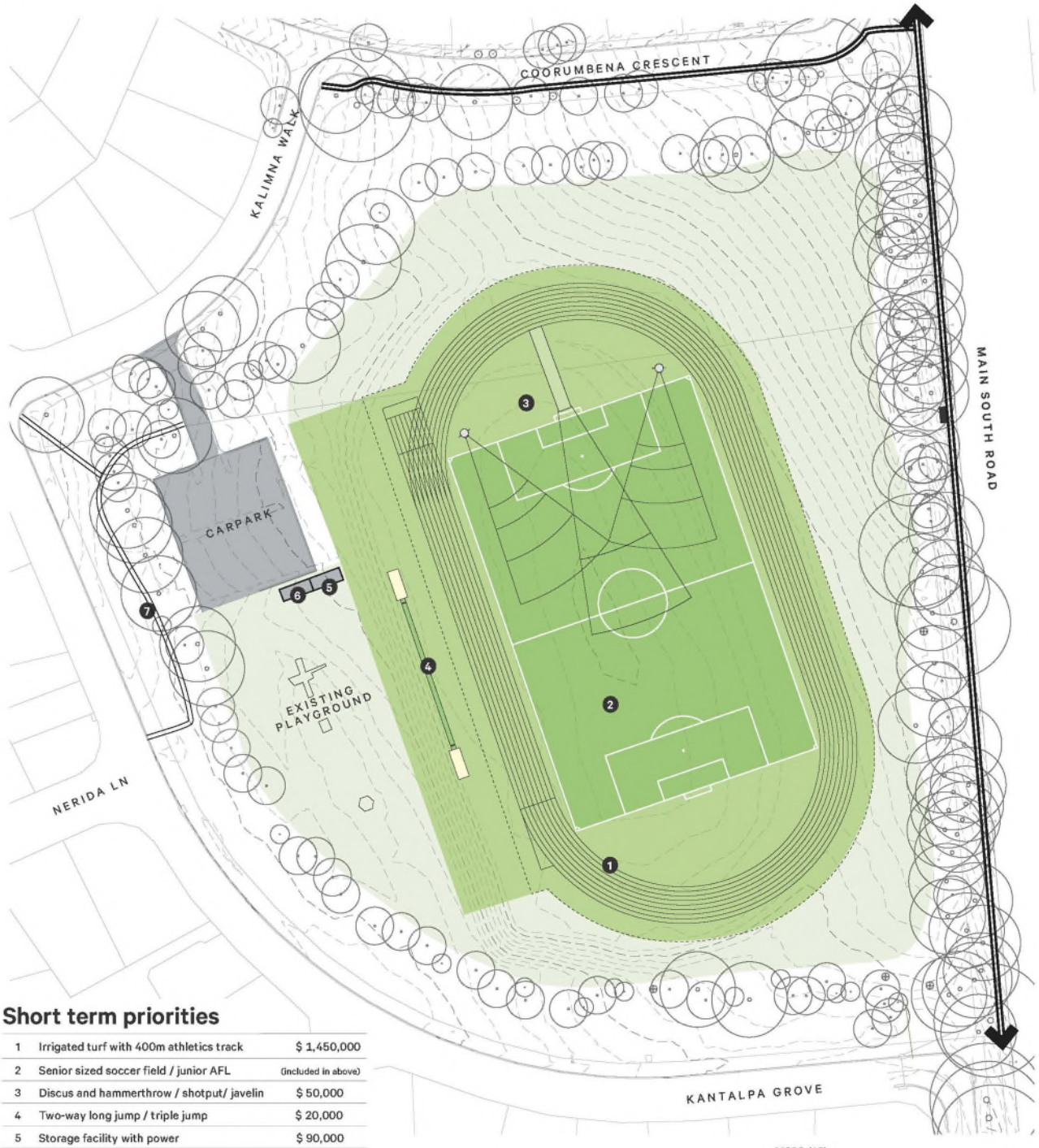
Name: .....

Position title: .....

Signature ..... Date .....

# Knox Park Multi-use Sports Park

## PLAN 1




### Short term priorities

| | | |
|---|---|---|
| 1 | Irrigated turf with 400m athletics track | $ 1,450,000 |
| 2 | Senior sized soccer field / junior AFL | (included in above) |
| 3 | Discus and hammerthrow / shotput/ javelin | $ 50,000 |
| 4 | Two-way long jump / triple jump | $ 20,000 |
| 5 | Storage facility with power | $ 90,000 |
| 6 | Public toilet and DDA access | $ 350,000 |
| 7 | Priority site connecting footpath | $ 30,000 |
| 8 | Priority landscaping and tree planting | $ 200,000 |
| | TOTAL | $ 2,190,000 |

EXISTING TREE

Knox Park
oxigen.net.au

DRAFT

# Knox Park Multi-use Sports Park

## PLAN 2




### Medium term priorities

| | |
|---|---|
| 1 | Additional tree planting/ mulching along boundary |
| 2 | Fencing (Oval, Main South Road) |
| 3 | Playground upgrade (to be completed as part of Council's renewal program) |
| 4 | Car park upgrade (to be completed as part of Council's renewal program) |
| 5 | Perimeter walking trail and site connections (Loop approx. 780m) |
| 6 | Shelter with seating |

### Long term priorities *(subject to demand and funding)*

| | |
|---|---|
| 7 | Sports Building Facility |
| 8 | Car park extension |
| 9 | Convert 'D' to artificial turf |
| 10 | Potential new entry from Main South Road (subject to investigations and approvals) |
| 11 | Lighting |

EXISTING TREE

NEW TREE

Knox Park
oxigen.net.au

DRAFT

9. Reports of officers

9.1 Aldinga Bay Surf Lifesaving Club - Replacement of Damaged Club Room

*MOVED Cr Hennessy.*

1. *That Council approve:*
   a. *The full building replacement of the Aldinga Bay Surf Life Saving Club utilising $400,000 from the strategic acquisition reserve fund from proceeds of funding from Red Cedar Drive Reynella, upon settlement, and $400,000 from contingency and approximately $300,000 from insurance funding.*

*Seconded by Cr Jamieson.*

Cr Olbrich entered the meeting at 7.41pm.

*Cr Chapman MOVED AMENDMENT.*

*That Council approve:*

a. *The full building replacement of the Aldinga Bay Surf Life Saving Club utilising $400,000 from the strategic acquisition reserve fund and $400,000 from contingency and approximately $300,000 from insurance funding.*

*Seconded by Cr Olsen.*

*Cr Parslow MOVED that the MOTION be PUT.*

*Seconded by Cr Gunn.*

*CARRIED*

*The AMENDMENT was PUT and CARRIED.*

*The MOTION, thus AMENDED, was PUT and CARRIED.*

**9.2 Athletics at Knox Park Feasibility**

*MOVED Cr Merritt.*

*Community Land Management Plan – Public Consultation – Knox Park, Morphett Vale*

*That for the land described as Allotment 460 in Deposited Plan 10452, comprised in Certificate of Title Volume 5740 Folio 193, Allotment 445 in Deposited Plan 11098, comprised in Certificate of Title Volume 5122 Folio 190, and Allotment 429 in Deposited Plan 11098, comprised in Certificate of Title Volume 5125 Folio 312, being council reserve lands located at Knox Park, Kalimna Walk, Morphett Vale and bordered in red on the aerial image, attachment 1 to the agenda report, Council:*

1. *Notes that 201 submissions (6 objecting, 11 supporting with concerns and 184 supporting) were received during the public consultation phase of the proposed amendment to the classification of the Community Land Management Plan.*
2. *Having considered the submissions received, resolves to:*
   *2.1 Approve the amendment of the Community Land Management Plan (CLMP) classification for Councils reserve lands from its classification in the*

*Generic Management Plan for Reserves (further sub-categorised as 'Developed Reserve' and 'Screening Buffer') to the Generic Management Plan for Sportsgrounds (further sub-categorised as 'District' sportsground) to enable future development of the land into a District, Sportsground.*

3. *Formally advises all parties who have provided written submissions, including the applicant, of the above decision.*
4. *Authorises the CEO to sign all documents required to finalise the amendment of the Community Land Management Plan classification from Reserves to Sportsground (District).*
5. *Gives public notice in the Government Gazette of its adoption of the Amendment to the Management Plans impacted by this Resolution.*

*Feasibility Study - Knox Park, Morphett Vale*

6. *Having considered findings from the Knox Park feasibility study, resolve:*

   *6.1 That the development of a multi-use sporting facility (including football, soccer, cricket and athletics) is financially viable and also assists with meeting the immediate demand.*

7. *Note that the Southern Athletic Club and Council will enter into a lease/licence agreement for the use of the site, post a collaborative risk assessment, approval from Athletics SA and possible initial minor civil works package to manage the safety of the users.*
8. *Approve administration to commence development of a site masterplan and final cost estimates to progress the multi-use sporting facility of Knox Park and allocate the budgets into the Project and Capital Works (PCW) register to be ranked under the approved Resource Allocation Strategy (RAS) process.*
9. *That staff work with the Southern Athletic Club to complete necessary grant applications and licence access to the facilities as soon as the facility is suitable for use.*
10. *That Council and the Southern Athletics Club work with Athletics SA and other southern councils to develop a Regional Facilities Plan for athletics in the south.*
11. *That the Southern Athletic Club be formally advised of the outcome.*

*Seconded by Cr Greaves.*

Cr Brown declared a perceived conflict of interest as Chair of the Morphett Vale Memorial Sports Complex and chose to remain in the meeting. Cr Brown stated she was not a voting member, it may be perceived but there is no financial benefit and that she would receive no benefit or detriment, direct or indirect, personal or pecuniary from considering and voting on this matter.

*CARRIED*



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Version: 4, Version Date: 05/10/2018

Cr Parslow called a DIVISION and the decision was set aside.

*For:*

| | | | | |
|---|---|---|---|---|
| *Cr Nicholls* | *Cr Bray* | *Cr Brown* | *Cr Chapman* | *Cr Olsen* |
| *Cr Deakin* | *Cr Kilby* | *Cr Gunn* | *Cr Merritt* | *Cr Hennessy* |
| *Cr Themeliotis* | *Cr Wainwright* | *Cr Parslow* | *Cr Greaves* | *Cr Swann* |
| *Cr Jamieson* | *Cr Schulze* | *Cr Olbrich* | | |

*Against:*

*Nil.*

*CARRIED*

Cr Brown voted for the motion.
All members entitled to vote for the motion, voted for the motion.

**9.3 Magpie Road and Kestrel Terrace Aldinga Beach dust sealing** *MOVED Cr Chapman.*

1. *That Council resolves not to dust seal Magpie Road and the adjoining segment of Kestrel Terrace, Aldinga Beach (the subject road segments), recognising that:*
   - *The subject road segments are connected to the rest of the unsealed road network in the Aldinga Scrub by walking and cycling.*
   - *The majority of residents who live on unsealed roads in the Scrub are not in favour of dust sealing.*
2. *That all survey recipients be provided with a copy of the results of the survey and notification of Council's decision.*

*Seconded by Cr Jamieson.*

*LOST*

Cr Chapman called a DIVISION and the decision was set aside. *For:*

| | | | | |
|---|---|---|---|---|
| *Cr Brown* | *Cr Chapman* | *Cr Deakin* | *Cr Swann* | *Cr Jamieson* |
| *Cr Schulze* | | | | |

*Against:*

| | | | | |
|---|---|---|---|---|
| *Cr Nicholls* | *Cr Bray* | *Cr Olsen* | *Cr Kilby* | *Cr Gunn* |
| *Cr Merritt* | *Cr Hennessy* | *Cr Themeliotis* | *Cr Wainwright* | *Cr Parslow* |
| *Cr Greaves* | *Cr Olbrich* | | | |

*LOST*



Document Set ID: 4671218
Version: 4, Version Date: 05/10/2018

## 9.10 PETITION – PARKING AVAILABILITY ATLANTIS AVENUE, SEAFORD MEADOWS

| Report contact | Meeting |
|---|---|
| Andrew Webster, Team Leader Infrastructure Assets | Council |
| Ph: 8384 0666 | |
| **Approving officer** | **Date** |
| Kirk Richardson, Director City Operations | 17 May 2022 |

### 1. Purpose

This report outlines investigations undertaken in response to a petition received at the Council meeting held on 15 February 2022 requesting that parking be made available on the southern side of Atlantis Avenue, Seaford Meadows (location map attachment 1).

### 2. Recommendations

**That Council notes:**

1. **The concerns raised by petitioners in relation to the limited parking opportunities on the southern side of Atlantis Avenue, Seaford Meadows between Maritime Road and Anchor Road and the assessment undertaken**
2. **That an initial assessment on parking compliance history, parking demand and supply within the general area would indicate that these carparks are not justified at this time**
3. **That the head petitioner and Member for Kaurna be notified of Council's decision.**

### 3. Executive summary

A petition was received on 17 January 2022 from Chris Picton, Member for Kaurna on behalf of residents of Atlantis Avenue, Seaford Meadows, requesting the removal of gum trees to provide additional parking provisions on the southern side of Atlantis Avenue to alleviate parking issues. At the Council meeting held on 15 February 2022 a recommendation was made to note that further investigations be undertaken and a subsequent report will be brought back to Council in May 2022.

Atlantis Avenue is classed as a collector road under our Road Network Plan, which typically has a single lane in each direction, footpaths installed on both sides of the road and may have on-road cycle lanes.

- Atlantis Avenue has been designed to have traffic calming elements installed, including roundabouts and a wide, planted median. This treatment is consistent throughout the surrounding development, including east of Anchor Road.
- The road design of Atlantis Avenue includes the installation of indented parking bays on the northern side of the road and this scheme was approved as part of the residential development with this particular stage constructed around 2009.
- As part of the development approval for housing, two (2) on premises parking spaces were required to be provided (garage and driveway parking)

- Parking on the verge on the southern side of Atlantis Avenue, or within the bicycle lanes, is prohibited under the Australian Road Rules.
- The installation of indented parking bays on the southern side of the road would provide additional on-street parking opportunities. The installation of the parking bays has been costed at approximately $200,000. This does not include provision for such things as underground service relocation, tree removal, Council infrastructure and other unknown constraints that have not formed part of this initial investigation. Removal of the existing trees has been estimated to cost $11,000.
- Within the last five years, the traffic department has received one request relating to parking along Atlantis Drive. This was in 2018 and involved the waste collection truck missing a bin due to parked vehicles.

  In the last 5 years there has been 5 expiations issued and verbal requests to move vehicles
- Staff have inspected the street trees, west of Anchor Road, along the southern side of Atlantis Avenue, Seaford Meadows.
  - The stand of trees consist of nine (9) individual *Eucalyptus leucoxylon ssp megalocarpa* (Large Fruited SA Blue Gum) of which none have a legislative status, by way of being 'regulated' under current State legislation and would therefore not require a Development Application for their removal.
  - Collectively, the stand of trees are medium sized (each being approx. 5.00 metres), semi-mature, presenting in good condition and offering high level amenity value as an 'avenue' within the streetscape. The trees present a 'broadly acceptable' level of risk when assessed using the Quantified Tree Risk Assessment (QTRA) methodology. From an arboriculture perspective, the trees have attributes that are worthy of preservation within the landscape.
  - The costs associated with removing this stand of trees is approx. $11,000, however, this does not quantify the loss of sense of place and environmental benefits that this stand of trees currently offers, which will only increase as the trees mature.
  - Refer to attachment 2 for images of the street trees on Atlantis Avenue.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **people:** connected, engaged, active, healthy<br>**place:** green, inviting, accessible, liveable<br>**prosperity:** economically strong, environmentally thriving<br>**performance:** accountable, efficient, inclusive, sustainable<br>The road design of Atlantis Avenue includes planted medians and verges, which provide a green and inviting environment for residents and visitors to enjoy. |
| Policy and/or relevant legislation | Road Network Plan<br>Australian Road Rules<br>Road Traffic Act 1961 |
| Who did we talk to/who will we be talking to | On-street parking was discussed with one resident in 2018 in response to a customer request for a missed bin. We have also discussed the content of the petition with our Urban Forest, Planning and Technical Services teams. |

## 5. Discussion

Atlantis Avenue is classified as a collector road under Council's Road Network Plan, which is a road that provides connection to distributor and arterial roads from local streets within and through a local area as well as access to properties. Collector roads typically consist of a single travel lane in each direction, with access to adjacent land via driveways. They generally carry between 800 and 3000 vehicles per day, with footpaths installed on both sides of the road and may also have on-road cycles lanes.

Given the expected traffic volumes of collector roads, they often have traffic calming features installed especially in newer developments such as Seaford Meadows. On Atlantis Avenue, two roundabouts and a wide median have been installed to not only calm traffic and provide separation between conflicting movements, but to also aid in pedestrian connectivity. The medians have been planted out to improve the visual appearance of the streetscape.

Atlantis Avenue only has on-street parking available on the northern side of the road, in the form of indented parking bays. The residential development, including the road design and on-street parking opportunity, was assessed by Council in 2007 where the on-street parking provisions along Atlantis Avenue were deemed appropriate and additional on-street parking was not requested by our engineering team. Planning conditions at the time required dwelling applications to provide two (2) car parking spaces one of which is required to be covered. The indented parking scheme along Atlantis Avenue extends further east than the subject location and this arrangement is consistent with most other collector roads throughout the development.

In the petition, it was noted that residents have received expiations for parking on the verge along the southern side of Atlantis Avenue, or within the on-road bicycle lane. Under the Australian Road Rules, parking vehicles in either of these locations is prohibited. Any on-street parking which occurs along Atlantis Avenue must be within the designated parking bays on the northern side of the road. In the last 5 years there has been 5 expiations issued and verbal requests to move vehicles. Whilst the installation of additional indented parking bays on the southern side of Atlantis Avenue would provide additional on-street parking opportunity, retrospectively fitting this type of infrastructure has been costed at approximately $200,000, which is based on materials and labour only (attachment 3). This cost estimate does not include provision for relocation of underground service (e.g. electricity, telecommunications, water etc.) and other potential constraints. For this reason, if a residential development does have indented parking bays installed, these are typically constructed up-front as part of the development.

If indented parking bays were to be installed on the southern side of Atlantis Avenue, requests may be received from other residents to extend this scheme to continue further east of Anchor Road for consistency. Whilst the petition requests for approximately six (6) indented parking bays to be installed between Maritime Road and Anchor Road, for consistency, it is likely that up to 30 parking bays would need to be constructed if the treatment was to extend further east up to Prow Drive.

Should the installation of these parking bays be considered, this would need to be undertaken in accordance with Council's Project and Capital Works (PCW) process. The implementation of car parking within a road reserve would be considered against the Traffic Management-New and Significant Upgrades' category in Council's Resource Prioritisation Documents (RPD). It would then be scored and ranked against other traffic projects already entered into PCW. As the RPD tends to favour projects that focus on road safety, with higher traffic and/or pedestrian volumes, it is unlikely that the installation of parking bays on Atlantis Avenue would rank very high in the PCW priority list.

Our records indicate that, over the last five years, the traffic team has received one request relating to parking on Atlantis Avenue. This request was received in 2018 and involved the waste collection vehicle missing a resident's bin on the northern side of road, due to vehicles being parked in front of the bin. The request was assessed and followed-up with our Waste and Recycling team, who advised at the time that there were no ongoing issues with waste collection along Atlantis Avenue.

We have also prepared a Frequently Asked Questions information sheet in our response, which has recently been prepared to assist residents to understand council's role in managing parking on Council's road network, as well as help reinforce the obligations of all road users to understand where they are legally allowed to park (attachment 4).

## 6. Financial implications

### Financial summary

If indented parking bays were to be constructed the following would be applicable

| Item | Capital | Operating | Comment |
|---|---|---|---|
| **Budget** | | | |
| Current budget allocation | $0 | $0 | |
| Additional funding required | $0.211m | $0 | |
| Funding source and amount | $0.211m | $0 | Project and Capital Works (PCW) |
| Budget impact | $0.211m | $0 | |
| **Long Term Financial Plan (LTFP)** | | | |
| In current LTFP? | No | | |
| LTFP category | Traffic Management | | |
| Timing in LTFP | N/A – to be determined | | |
| Additional debt | $0.211m | $0 | |
| Rates funded amount | $0 | $0 | |
| Ongoing rate impact | $0 | $2500 | Depreciation based on 85 year life. |
| Operating Position impact | $0 | $2500 | Straight line depreciation. |

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Reputation/community expectation | Investigating and considering concerns raised by residents to Council should maintain Council's reputation amongst the local community |

| | |
|---|---|
| Environment | Minimising the loss of established tree canopy will conserve biodiversity as well as help mitigate against the impacts of urban heat. |
| Compliance/legal | Informing residents of their obligations under the Australian Road Rules should reduce the potential for parking expiations |

## 8. Timelines and deadlines

The head petitioner and Member for Kaurna will be notified of Council's decision by 31 May 2022.

## 9. Next steps

The head petitioner and Member for Kaurna to be notified of Council's decision.

## 10. Attachments

Attachment 1 – Location map (1 page)

Attachment 2 – Images of street trees (2 pages)

Attachment 3 – Preliminary cost estimate for indented parking bays (2 pages)

Attachment 4 - Frequently Asked Questions information sheet on parking controls (5 pages)

- END OF REPORT –


Atlantis Avenue, Seaford Meadows
CITY OF ONKAPARINGA
Coast Guard Rd
Wave Rd
Bimini St
Angle Rd
Ellen La
Navigation St
Silver La
Dock Rd
Nick La
Laura La
Buoy Cr
Buoy Cr
Angle Rd
Sand St
Message Rd
Anchor Rd
Laura La
Grand Blvd
Atlantis Avenue
Atlantis Avenue
Flare Rd
Anchor Rd
Maritime Rd
Tidal St
Tidal St
Anchor Rd
Blue La
Lighthouse Tce
Commercial Rd
Mast Av
Merchant Ct
Channel Pl
Ocean St
Bow Rd
Bow Rd
Stern Rd
Nautical Cct
Atlantis Avenue (western side)
Property Boundaries
Council Boundary



Atlantis Avenue – Northern Side



Atlantis Avenue – Southern Side



Atlantis Avenue

City of Onkaparinga

**Job Type :** Traffic

**Job location :** Atlantis Avenue, Seaford Meadows

**Date :** 7.4.2022

**Stage :** Feasibility

**RE : Probable Construction Cost**

| | | |
|---|---|---|
| 1). Preliminaries | | $30,326 |
| 2). Earthworks & Demolition | | $41,505 |
| 3). Pavement works | | $21,500 |
| 4). Concrete & Ancillary Structures | | $26,850 |
| 5). Footpath & Driveway | | $38,400 |
| 6). Miscellaneous | | $5,000 |
| | **Sub-total** | $163,581 |
| | **20% Contingency** | $32,716 |
| | **Total Estimate** | **$196,300** |

**Assumptions :**

The estimated cost is indicative only & may vary significantly on design stage.

No allowance for any contaminated materials on site.

No allowance for any weekend or night works.

No allowance for any relocating of underground services unless specified.

**Note :**

a).GST is not allowed.

b). Assumptions & Allowances have been based on anticipated site conditions.

c). No allowance for abnormal as excavations being rock, dewatering, unstable ground, etc.

d). Estimated cost is based on probable contractor's tender cost.

e). No allowance for aboriginal monitoring

f). No allowance for legislative requirements of biodiversity & native vegetation.

**ESTIMATION CALCULATION**

| Code | Task | Unit | Qty | Rate | Subtotal (value x rate) | | Notes |
|---|---|---|---|---|---|---|---|
| | **Preliminaries** | | | | | | |
| | Establishment & Administration | Item | 1 | $ 13,326 | $ 13,326 | | |
| | Traffic management | Item | 1 | $ 15,000 | $ 15,000 | | |
| | Demobilisation & clean up | Item | 1 | $ 2,000 | $ 2,000 | *$30,326* | |
| | **Earthworks & demolition** | | | | | | |
| | Site preparation general | item | 1 | $ 5,000 | $ 5,000 | | |
| | Removal of tree & vegetation & disposal off site | item | 1 | $ 7,500 | $ 7,500 | | |
| | Saw cut on road surface | m | 115 | $ 12 | $ 1,380 | | |
| | Demolish exiting kerb & disposal off site | m | 115 | $ 40 | $ 4,600 | | |
| | Box down to level on new road pavement area & disposal off site | sqm | 215 | $ 75 | $ 16,125 | | |
| | Prepare QR base for kerbing & spoon drain | m | 115 | $ 45 | $ 5,175 | | |
| | Backfill behind kerbing | m | 115 | $ 15 | $ 1,725 | *$41,505* | |
| | **Road pavement** | | | | | | |
| | QR Basecourse | sqm | 215 | $ 55 | $ 11,825 | | |
| | AC wearing course | sqm | 215 | $ 45 | $ 9,675 | *$21,500* | |
| | **Concreting & Ancillary Structures** | | | | | | |
| | Spoon drain | m | 115 | $ 120 | $ 13,800 | | |
| | Invert | m | 45 | $ 120 | $ 5,400 | | |
| | Kerb & Gutter | m | 70 | $ 95 | $ 6,650 | | |
| | Sundries items | item | 1 | $ 1,000 | $ 1,000.00 | *$26,850* | |
| | **Driveway & Footpath** | | | | | | |
| | Upgrade driveway | No | 9 | $ 3,500 | $ 31,500 | | |
| | Remove & reinstate brick paving on path | m | 115 | $ 60 | $ 6,900 | *$38,400* | |
| | **Miscellaneous** | | | | | | |
| | Provisional sum | item | 1 | $ 5,000 | $ 5,000 | *$5,000* | |
| | | | | | **Sub-total** | $163,581 | *$163,581* |
| | | | | 20% | **Contingency** | $32,716 | |
| | | | | | **Total Estimate** | $196,300 | |

# Parking Controls - FAQs

## What is the process when Council staff assess parking control requests from residents?

We assess parking control requests from residents on a case-by-case basis, as each location can be unique. The assessment process includes the following steps:

- Customer Relations receives queries and directs them to the Infrastructure Asset Management (IAM) team
- The IAM team reviews the request and conducts an initial assessment
- We then research any background information and conduct a site assessment if necessary
- If parking controls are deemed warranted and their installation impacts on-street parking availability, we will consult residents where required
- If parking controls are deemed warranted and their installation does not impact on-street parking availability, we may inform residents out of courtesy where required
- A request to install the signage and/or line marking is submitted to our Maintenance team or a contractor, and is installed
- If parking controls are not deemed warranted, we respond to the resident providing an explanation.

## Can you install parking restrictions within Bus Stops?

The Australian Road Rules state that vehicles must not park or stop in a Bus Stop within 20 metres of the approach or 10 metres following the yellow Bus Stop sign, or as indicated with Bus Zone signage (refer to diagram below).

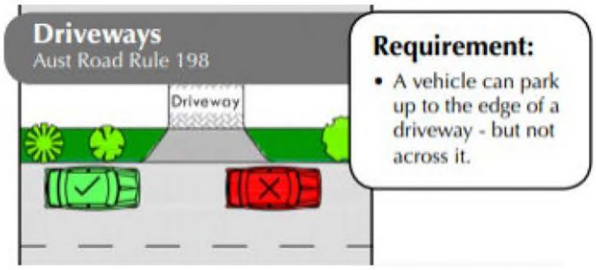
We often receive complaints that vehicles stop illegally in Bus Zones. This usually occurs in our commercial precincts, near schools, or in areas of high residential density. In these situations, we typically request residents call our Community Safety team to report illegal parking. If this is not effective and there is a history of poor parking compliance, we will consider installing broken yellow lines to highlight the extent of the Bus Stop or Bus Zone.



# Parking Controls - FAQs

## Can a yellow line be installed across my driveway?

The Australian Road Rules state that motorists must not stop across a driveway (refer to diagram below).




As per the Department for Infrastructure and Transport's (DIT's) Pavement Marking Manual, signage and/or line marking is not required to designate the 'No Stopping' requirement at driveways.

We often receive complaints about people parking too close to driveways. In these situations, we remind residents that the Australian Road Rules allows vehicles to park up to the edge of a driveway and ask that residents call our Community Safety team to report illegal parking across a driveway. If these measures fail and there is a history of poor parking compliance, we may consider installing yellow lines across driveways in rare instances. We usually only consider installing yellow lines across driveways as necessary if the location is at a known illegal parking hot spot, and if the nature of the location makes it difficult for drivers to interpret where to legally park. For example, this may be required at a school or near a popular shop, reserve, or coastal location, where illegal parking may be undertaken daily and the driveway is obscured.

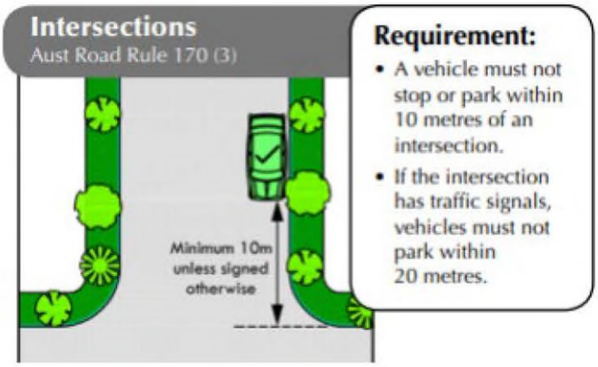
It should be noted that installing a yellow line across a driveway may not eliminate poor driver behaviour. If drivers illegally park over a clearly discernible driveway without a yellow line, they will likely ignore any yellow line and continue to park across the driveway.

Typically, it is the resident who raises the ongoing illegal parking concerns across their driveway, and we then communicate directly with the resident as to whether a yellow line will be installed.

## People are parking too close to an intersection. What can be done?

The Australian Road Rules state that motorists must not stop or park within 10 metres of an intersection without traffic lights, or within 20 metres of an intersections with traffic signals (refer to diagram below).

# Parking Controls - FAQs




As per DIT's Pavement Marking Manual, signage and/or line marking is not required to designate the 'No Stopping' requirement at intersections.

We often receive complaints about people parking too close to intersections. In these situations, we typically request residents call our Community Safety team to report illegal parking. If this is not effective and there is a history of poor parking compliance, we may consider installing yellow lines around corners to designate the 'No Stopping' area at intersections.

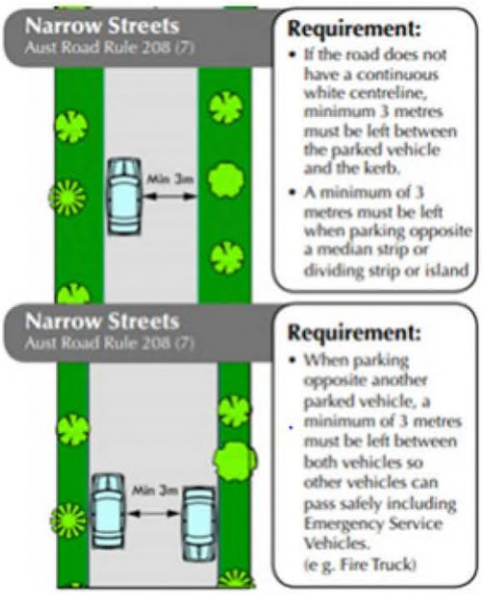
We usually only consider installing yellow lines if the location is at a known illegal parking hot spot, or if the nature of the location makes it difficult for drivers to interpret where to park. For example, sometimes intersections are difficult to interpret when they are not the typical 4-way or T-intersection layout, whereby the 10 metre (approx. 2 car lengths) or 20 metre (approx. 4 car lengths) distance is easy to determine. Some intersections that are difficult to interpret include intersections which are on bends, or where there is more than one intersection in close proximity.

We do not typically consult residents prior to installing yellow lines at intersections, as it is already illegal to park at these locations and we are not impacting on-street parking by removing any valid car parks.

## Narrow Streets – can motorists park on both sides of the road?

The Australian Road Rules state that, on narrow roads, motorists must park to leave a minimum of 3m road space for vehicles to pass (refer to diagrams below).

# Parking Controls - FAQs




We often receive complaints from residents living along narrow roads, as motorists will park their vehicles in locations which leave less than 3m of road space for others to pass.

Our Road Network Plan states that the minimum road width for a new urban local street is 7.2m. This 7.2m road width allows for motorists to park on both sides of the road, whilst maintaining the required 3m of road space for other motorists to pass, including waste management vehicles and emergency services vehicles.

Many of our local roads were constructed prior to the current 7.2m wide requirement of our Road Network Plan. In these situations, we can use the following options:

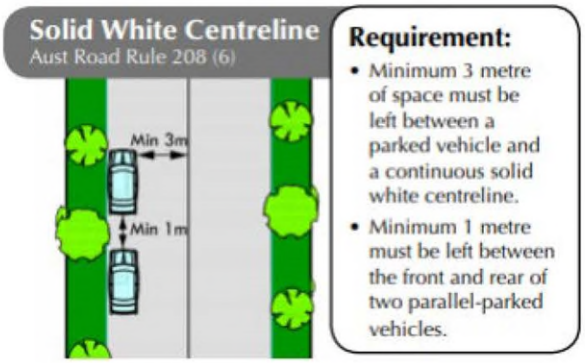
- Request residents call our Community Safety team to report illegal parking
- Write to residents advising them of the concerns and requesting they park with care
- Install advisory signs which reminds motorists of the Road Rule and asks them to park with care

If these measures are not effective and there a history of poor parking compliance, we may consult residents proposing the installation of a yellow line. The installation of a yellow line on one side of a road that is less than 7.2m wide will result in motorists parking on one side of the road only, ensuring there is sufficient road space for vehicle movements.

## Can parking restrictions be installed adjacent solid white centre lines?

The Australian Road Rules state that a minimum 3 metre space must be left between a parked vehicle and a continuous white centre line, to provide space for other motorists to pass (refer to diagram below).

# Parking Controls - FAQs




Motorists are not permitted to park adjacent a solid white centre line if this leaves less than 3m metres space between the vehicle and the centre line, although motorists may stop briefly adjacent a white centre line for the purpose of loading and unloading, as long as the vehicle is not left unattended.

Often residents are unaware of this Road Rule and park within 3 metres of a centre line, leaving the vehicle unattended. Roads that are 10.2m wide or wider are able to provide for parking either side of a continuous white centre line, whereas roads less than 10.2m wide are too narrow to provide for parking adjacent a white centre line.

We often receive complaints from residents living along roads with white centre lines that people are parking adjacent and leaving less than 3m road space for others to pass. In these situations, we can use the following options:

- Request residents call our Community Safety team to report illegal parking
- Write to residents advising them of the concerns and requesting they park with care

If these measures are not effective and there a history of poor parking compliance, we may consult residents proposing the installation of a yellow lines adjacent the white centreline. The installation of yellow lines indicates 'No Stopping', rather than 'No Parking', ensuring there is 3m road space for vehicle movements at all times.

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## 9.11 DELEGATIONS UPDATE

| Report contact | Meeting |
|---|---|
| Nicole Roberts, Team Leader Corporate Governance | Council |
| 8384 0760 | |
| **Approving officer** | **Date** |
| David Stobbe, Director Corporate | 17 May 2022 |

### 1. Purpose

This report provides updated delegations for the Environment Protection Regulations 2009, *Fire and Emergency Services Act 2005, Independent Commission Against Corruption Act 2012, Landscape South Australia Act 2019, Local Government Act 1999,* Local Government (General) Regulations 2013, *Local Government (Elections) Act 1999*, *Ombudsman Act 1972, Planning, Development and Infrastructure Act 2016* [Instruments A and B] and South Australian Public Health (Legionella) Regulations 2013 and seeks delegation of these powers and functions from Council to the Chief Executive Officer (CEO) or other delegate identified.

### 2. Recommendations

1. **The City of Onkaparinga (Council) delegates each function or power of the Council listed in the attached tables (Attachments 1-11 to the agenda report) to the delegate or delegates identified in respect of the function or power.**
2. **The delegations granted pursuant to the *Local Government Act 1999* to Council's Chief Executive Officer (CEO) may be sub-delegated by the CEO in accordance with sections 44(4)(b) and 101 of the *Local Government Act 1999*, but subject to section 44(3a) of the *Local Government Act 1999*.**
3. **The delegations granted pursuant to section 100(1) of the *Planning, Development and Infrastructure Act 2016* to Council's CEO may be sub-delegated by the CEO in accordance with section 100(2) of the *Planning, Development and Infrastructure Act 2016.***
4. **If two (2) or more delegates are nominated in respect of a power or function, then each nominated person is granted a delegation and may exercise the power or function independently of any other delegate.**
5. **The delegations are granted subject to the following conditions and limitations:**
    a. **the delegate must exercise a delegated function or power in accordance with:**
        i. **applicable legislative and other legal requirements; and**
        ii. **due regard to relevant policies and guidelines adopted by Council;**
    b. **in regard to the following delegations under the *Local Government Act 1999*:**
        i. **section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the *Local Government Act 1999;***

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

iii. section 143(1): the power to write off debts is limited to debts not exceeding $5,000;

iv. section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c).

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

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

8. The delegations provided for in this recommendation will come into operation on 17 May 2022.

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

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

## 3. Executive summary

Due to recent legislative amendments there are changes to the current delegations of the CEO under the *Independent Commission Against Corruption Act 2012, Landscape South Australia Act 2019, Local Government Act 1999, Local Government (Elections) Act 1999, Ombudsman Act 1972, Planning, Development and Infrastructure Act 2016* [Instruments A and B], Environment Protection Regulations 2009 and Local Government (General) Regulations 2013. The Local Government Association (LGA) has also provided updates to its templates to fix errors and clarify provisions under the *Fire and Emergency Services Act 2005* and South Australian Public Health (Legionella) Regulations 2013.

Amended delegations are proposed to reflect these new and updated provisions.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **performance:** accountable, efficient, inclusive, sustainable<br>To be open, accountable and transparent in the conduct of our business with communities, business and other tiers of government and staff. |
| Policy and/or relevant legislation | *Local Government Act 1999* and various legislated provisions to be delegated as listed below. |

| | |
|---|---|
| Who did we talk to/who will we be talking to | Internal consultation with relevant staff. Community consultation not required. |

## 5. Discussion

Delegations allow the use of legislated powers for the purposes of conducting and governing regulatory and service activities efficiently and effectively.

The LGA regularly advises councils of amendments to delegations due to changes in legislation as well as corrections to its delegation's templates. Updates are provided to Council as required.

Section 44 of the *Local Government Act 1999* (LG Act) provides that Council may delegate its powers or functions under the LG Act or another Act. This occurs because it is not practicable or efficient for the elected body to perform the many functions or carry out the day-to-day activities of the Council.

Council can make delegations to a committee or subsidiary of the Council, the CEO or an authorised person. In the case of powers delegated to the CEO, he may further sub-delegate them to staff as he sees fit pursuant to sections 44 and 101 of the LG Act. A delegation made pursuant to section 44 is revocable at will and does not prevent the Council from acting in the matter.

### New and amended delegations

New and amended provisions have been enacted under the:

- Environment Protection Regulations 2009
- *Fire and Emergency Services Act 2005*
- *Independent Commission Against Corruption Act 2012*
- *Landscape South Australia Act 2019*
- *Local Government Act 1999*
- *Local Government (Elections) Act 1999*
- Local Government (General) Regulations 2013
- *Ombudsman Act 1972*
- *Planning, Development and Infrastructure Act 2016* [Instruments A and B]
- South Australia Public Health (Legionella) Regulations 2013

New sections and amended wording are noted in red within Attachments 1 to 11 in this report.

Table 1 below provides a summary of changes. It is recommended that Council delegate these new and amended provisions to the CEO or other relevant delegate. The CEO may choose to further sub-delegate some or all of these powers to officers. Sub-delegations will be contained in instruments of sub-delegation.

Regulation 25c(3) of the Local Government (General) Regulations 2013 (publish a copy of Council's location rules on the Council's website) and regulations 6(5) and 6(6) of the Local Government (Procedures at Meetings) Regulations 2013 (provide for inspection or purchase

of a code of practice) have been repealed as result of legislative amendments. Accordingly, these delegations will be removed from the Instrument of Delegation under the Local Government (General) Regulations 2013 and Local Government (Procedures at Meetings) Regulations 2013.

**Table 1 Summary of changes**

| Legislation | Change | Summary |
|---|---|---|
| Environment Protection Regulations 2009 | Amended provision | Amended delegation that council can elect not to comply with regulation 71 and 71(2) (Regulation 75(2)). |
| *Fire and Emergency Services Act 2005* | Amended provision | Amended delegations clarify that a council with a designated urban bushfire risk area can appoint a Fire Prevention Officer (section 105B(1)) and that council can authorise a person to carry out requirements of a notice (section 105J(7)). |
| *Independent Commission Against Corruption Act 2012* | Amended and new provisions | The *Independent Commissioner Against Corruption (CPIPC Recommendations) Amendment Act 2021* commenced on 7 October 2021. The amendment Act amends the *Independent Commissioner Against Corruption Act 2012* now titled the *Independent Commission Against Corruption Act 2012.* Key changes include:<br>• The Independent Commission Against Corruption (ICAC) will now be referred to as the 'Commission' as opposed to previously the 'Commissioner';<br>• Reduced functions of the ICAC to only investigate corruption in public administration; and<br>• ICAC and the Office for Public Integrity (OPI) are now standalone, independent bodies established under the ICAC Act;<br>New delegated powers to advise a person under investigation if a determination is made to not further investigate or deal with the matter (section 39A) and to receive and use evidence or information for the purposes of legal proceedings or disciplinary action (section 56A(1)(b)). |
| *Landscape South Australia Act 2019* | New provision | New delegated power to consent to property, assets, rights or liabilities vesting in or attaching to the Council (section 89(4)(3e) Schedule 5). |
| *Local Government Act 1999* | Amended and new provisions | New provisions as a result of changes from the *Statutes Amendment (Local Government Review) Act 2021*. Key changes include:<br>• New delegation under section 7(b)(a) to determine appropriate financial |

| Legislation | Change | Summary |
|---|---|---|
| | | contribution to be made by ratepayers to resources of the council;<br>• New delegations about the requirements for information or briefing sessions (sections 90A(1), 90A(4), 90A(5), 90A(7));<br>• Public consultation must be undertaken on any proposed code of practice, alterations or substitute code (section 92(5));<br>• New provisions around the appointment and performance review of the CEO (sections 97(6)(b), 98(3), 98(4a(a), 98(7)(b) and 102A(3)(b)). Relevant provisions have been delegated to the CEO Performance Management Committee (CEOPMC).<br>• Changes to delegations around the provision of the annual report and information to the Minister (sections 131(5) and 131A(1));<br>• Provisions around providing documents for inspection or purchase have been deleted and replaced with provisions for specified documents to be provided on a website or a printed copy (sections 132(1)(a) and 132(1)(b));<br>• Conditions for an authorisation or permit that must comply with the regulations (section 224); and<br>• New delegations around internal reviews of council decisions to allow for reviews 6 months after the decision (section 270(2a)(b)) and to reduce or waive the fee (section 270(3a)).<br>Minor amendments to other delegations as a result of legislative change or rectification of an error to sections 84(3), 88(3), 137, 184(3), 188(7), 225(1), 234A(6) and 276(5)(f). |
| *Local Government (Elections) Act 1999* | Amended and new provisions | New provisions and amendments as a result of changes from the *Statutes Amendment (Local Government Review) Act 2021*. New provision to appoint a person to an unfilled office if not all vacancies filled (section 8(1a)). Amended provisions for notice of polling day to published on a website (section 9(3)) and copy of voters roll provided to candidate no longer needs to be in printed form (section 15(15)). |

| Legislation | Change | Summary |
|---|---|---|
| Local Government (General) Regulations 2013 | New provision | New provision to publish specified information on a website after the holding of an information or briefing session (regulation 8AB). |
| *Ombudsman Act 1972* | New provisions | New delegations as a result of changes to the Act by the *Independent Commissioner Against Corruption (CPIPC Recommendations) Amendment Act 2021*. Misconduct and maladministration investigations are now the responsibility of the Ombudsman. |
| *Planning, Development and Infrastructure Act 2016* [Instruments A and B] | Amended provisions | Legislative corrections only, following numerous updates to the *Planning, Development and Infrastructure Act 2016*, Planning, Development and Infrastructure Regulations 2017 and the Planning and Design Code. |
| South Australia Public Health (Legionella) Regulations 2013 | Amended provision | Delegation has been amended to clarify the power or function delegated to arrange for testing to be conducted on water taken from each cooling water and each warm water system (Regulation 15(1)(b)). |

## 6. Financial implications

### Financial summary

| Item | Capital | Operating | Comment |
|---|---|---|---|
| **Budget** | | | |
| Current budget allocation | | | Not Applicable |
| Additional funding required | | | Not Applicable |
| Funding source and amount | | | Not Applicable |
| Budget impact | | | Not Applicable |
| **Long Term Financial Plan (LTFP)** | | | |
| In current LTFP? | Not Appplicable | | |
| LTFP category | Not Appplicable | | |
| Timing in LTFP | Not Appplicable | | |
| Additional debt | | | Not Applicable |
| Rates funded amount | | | Not Applicable |
| Ongoing rate impact | | | Not Applicable |
| Operating Position impact | | | Not Applicable |

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Reputation/community expectation | Clear and transparent account and decision making to Council and the community |
| Compliance/legal | Delegated authority from Council is essential for Council's administration to implement Council's decisions and to comply with legislation.<br>Ensuring there is staff expertise or specialisation to understand and correctly implement these obligations.<br>The inclusion of powers and functions in the Delegations Register. |

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| Increased efficiencies | It is not practical or efficient for the Council to perform the many operational activities required in the day to day administration of Council.<br>The delegation of powers and functions to the CEO which may then be sub-delegated to appropriate staff contributes towards increased efficiencies in our operational activities. |

## 8. Timelines and deadlines

These new and amended delegations are in consequence of legislative amendments which are now operational, and it is recommended that Council delegate them to the CEO as soon as possible.

## 9. Next steps

Council's Delegations Register will be updated accordingly once Council has approved these delegations to the CEO.

## 10. Attachments

Attachment 1 – Instrument of Delegation – Environment Protection Regulations 2009 (1 page)

Attachment 2 – Instrument of Delegation – *Fire and Emergency Services Act 2005* (3 pages)

Attachment 3 – Instrument of Delegation – *Independent Commission Against Corruption Act 2012* (2 pages)

Attachment 4 – Instrument of Delegation – *Landscape South Australia Act 2019* (4 pages)

Attachment 5 – Instrument of Delegation – *Local Government Act 1999* (53 pages)

Attachment 6 – Instrument of Delegation – *Local Government (Elections) Act 1999* (2 pages)

Attachment 7 – Instrument of Delegation – Local Government (General) Regulations 2013 (1 page)

Attachment 8 – Instrument of Delegation – *Ombudsman Act 1972* (2 pages)

Attachment 9 – Instrument of Delegation – *Planning, Development and Infrastructure Act 2016* [Instrument A] (55 pages)

Attachment 10 – Instrument of Delegation – *Planning, Development and Infrastructure Act 2016* [Instrument B] (26 pages)

Attachment 11 – Instrument of Delegation – South Australia Public Health (Legionella) Regulations 2013 (2 pages)

- END OF REPORT –

CITY OF ONKAPARINGA

**DELEGATIONS UPDATE MAY 2022**

## INSTRUMENT OF DELEGATION UNDER THE ENVIRONMENT PROTECTION REGULATIONS 2009

| Environment Protection Regulations 2009 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| regulation 75(2) | Elect by written notice to the Environment Protection Authority not to comply with regulations 71 and 71(2) in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulations 75(2)(b) | CEO | | council |

# INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER UNDER THE FIRE AND EMERGENCY SERVICES ACT 2005

| Fire and Emergency Services 2005 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 4A(3) | Participate in consultation with the South Australian Fires and Emergency Services Commission (SAFES Commission) regarding designation of an area of urban bushfire risk within council area | CEO | council |
| section 71C | Enter an arrangement with the State Bushfire Coordination Committee for the use of council staff, equipment or facilities | CEO | council |
| section 72D | Enter an arrangement with a bushfire management committee for the use of council staff, equipment or facilities | CEO | council |
| section 73A(7)(b)(iv) | Participate in consultation with a bushfire management committee regarding creation or amendment of a bushfire management area plan which includes the council area | CEO | council |
| section 103(1) | Request the SACFS Chief Officer to appoint a person as a fire control officer | CEO | council |
| section 103(2) | Participate in consultation with the SACFS Chief Officer regarding proposed appointment of a fire control officer for a designated area of the State which includes the council area | CEO | council |
| section 105 | Pay any fine recovered for a summary offence under Part 4A committed in the council area where the complaint has been laid by the council into the general revenue of the council | CEO | council |
| section 105A | Appoint an authorised person for the purposed of Part 4A of the Fire and Emergency Services Act | CEO | council |
| section 105B(1) | Appoint a fire prevention officer by a rural council or a council with a designated urban bushfire risk area | CEO | council |
| section 105B(4) | Apply to SACFS Chief Officer for an exemption from requirement to appoint a fire prevention officer | CEO | council |

| Fire and Emergency Services 2005 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 105D(1)(c) | Approve the delegation by a fire prevention officer of a power or function under the Act to another person or body | CEO | council |
| section 105D(4) | Receive report from a fire prevention officer regarding delegation of a power or function under the Act to another person or body | CEO | council |
| section 105E | Provide report regarding the exercise or discharge of the functions, power or responsibilities of a fire prevention officer for the council area to the SAFES Commission, the State Bushfire Coordination Committee or a bushfire management committee for the council area | CEO | council |
| section 105F(5) | Issue notice to owner of land who has failed to take reasonable steps to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land to remedy the default or protect the land or property | CEO | authorised person |
| section 105F(9)(c) | Publish notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property on website or a newspaper and leaving a copy of notice on land | CEO | authorised person |
| section 105F(10) | Vary or revoke a notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property | CEO | authorised person |
| section 105G(1) | Take reasonable steps in regard to land under the care, control or management of the council which is situated in the country or in a designated urban bushfire risk area to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land | CEO | council |
| section 105G(5) | Participate in consultation with the Minister regarding a referral from the SACFS Chief Officer alleging a failure of the council to comply with section 105G(1) | CEO | council |

| Fire and Emergency Services 2005 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 105G(6) | Receive notice of requirements from the Minister | CEO | council |
| section 105G(7) | Comply with requirements of a notice issued to the council by the Minister under section 105G(6) | CEO | council |
| section 105J(1)(a) | Give notice of intended entry of land to the owner of land | CEO | authorised person |
| section 105J(1)(b) | Use reasonable force to break into or open any part of, or anything on, the land with the authority of a warrant issued by a magistrate or if immediate action is required | CEO | authorised person |
| section 105J(3) | Apply to a magistrate for a warrant to use reasonable force to break into or open any part of, or anything on, the land | CEO | authorised person |
| section 105J(4)(a) | Give directions with respect to stopping, securing or movement of a vehicle, plant, equipment or other thing | CEO | authorised person |
| section 105J(4)(b) | Take photographs, films, audio, video or other recordings | CEO | authorised person |
| section 105J(4)(a) | Give directions reasonably required in connection with the exercise of a power under Part 4A | CEO | authorised person |
| section 105J(5) | Select assistants to accompany authorised person in exercise of power under Part 4A | CEO | authorised person |
| section 105J(6) | Carry out requirements of a notice under section 105F(5) if the owner of land fails to comply | CEO | authorised person |
| section 105J(7) | Authorise a person to carry out requirements of a notice under section 105F(6) on behalf of an authorised person if the owner of land fails to comply | CEO | council |
| section 105J(8) | Recover the reasonable costs and expenses incurred in taking action under section 105J(6) | CEO | authorised person |
| section 129 | Erect a siren for the purpose of giving warning of the outbreak or threat of fire or an emergency | CEO | council |

# INSTRUMENT OF DELEGATION UNDER THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT 2012

| Independent Commission Against Corruption Act 2012 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 18B(4)(a) | Report to the Office for Public Integrity in accordance with the directions issued under section 18B of the Independent Commissioner Against Corruption Act | CEO | public authority |
| section 18B(4)(b) | Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption misconduct or maladministration in public administration | CEO | public authority |
| section 18E(3)(a) | Produce a written statement of information about a specified document or document relating to specified matter within a specified period and in a specified form and, if the Office for Public Integrity requires, verify the statement by statutory declaration | CEO | public authority |
| section 18E(3)(b) | Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration | CEO | public authority |
| section 18F(1)(b) | Act on a referral from the Office for Public Integrity | CEO | public authority |
| section 28 | Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the person heading the investigation requires, verify the statement by statutory declaration | CEO | public authority |
| section 34(1) | Undertake a joint investigation with the Independent Commission Against Corruption | CEO | public authority |
| section 34(3) | Provide comments to the Independent Commission Against Corruption with respect to the terms of a notice issued under section 34(1) of the Independent Commission Against Corruption Act | CEO | public authority |
| section 36(1)(b) | Act on a referral from the Independent Commission Against Corruption | CEO | public authority |

| Independent Commission Against Corruption Act 2012 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 36(4) | Comply with direction or guidance given by the Independent Commission Against Corruption | CEO | public authority |
| section 36(7) | Comply with a varied or further direction or guidance issued by the Independent Commission Against Corruption | CEO | public authority |
| section 36(8) | Provide comments to the Independent Commission Against Corruption | CEO | public authority |
| section 39A | Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter | CEO | public authority |
| section 40(2) | Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council | CEO | public authority |
| section 41(1) | Comply with recommendations of the Independent Commission Against Corruption | CEO | public authority |
| section 41(4) | Provide comments to the Independent Commission Against Corruption | CEO | public authority |
| section 44(1) | Assist public officers of the council to comply with requirements and directions issued under the Independent Commission Against Corruption Act | CEO | public authority |
| section 56A(1)(b) | Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty and any disciplinary investigation or action | CEO | public authority |
| clause 9(6), Schedule 4 | Act on a referral of the inspector | CEO | public authority |

## INSTRUMENT OF DELEGATION UNDER THE LANDSCAPE SOUTH AUSTRALIA ACT 2019

| Landscape South Australia Act 2019 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 17(4)(a) | Provide an up-to-date copy of the voters roll for the area of the council to the person conducting an election for the members of the regional landscape board | CEO | council |
| section 25(4) | Work collaboratively with the regional landscape board | CEO | council |
| section 32(7) | Consent to the Governor making a proclamation under sections 32(1), 32(2) or 32(6) in relation to infrastructure or land vested in or under the care, control or management of the council | CEO | council |
| section 37(1)(c) | Approve the delegation by a regional landscape board of a function or power vested in the regional landscape board under any Act to the council or an officer of the council | CEO | council |
| section 41(b) | Enter an arrangement with the regional landscape board to make use of the services of staff, equipment or facilities of the council | CEO | public authority |
| section 47(7) | Consider any regional landscape plan in the performing of functions or the exercise of powers under any Act | CEO | council |
| section 51(5)(b) | Participate in consultation with the regional landscape board in regard to a prescribed levy proposal to the extent required by regulations | CEO | council |
| section 66(1) | Contribute to the costs of the regional landscape board performing its functions | CEO | council |
| section 67(1) | Pay contribution to the costs of the regional landscape board performing its functions | CEO | council |
| section 67(2) | Pay contribution to the costs of the regional landscape board performing its functions | CEO | council |
| section 69(10) | Apply to the regional landscape board for a refund of an amount of the regional landscape levy | CEO | council |

| Landscape South Australia Act 2019 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 72(6)(a) | Enter an arrangement with the regional landscape board for service of a notice to be effected as part of any other notice serviced by the council | CEO | public authority |
| section 72(6)(b) | Enter an arrangement with the regional landscape board for the collection of a levy to be effected by the council | CEO | public authority |
| section 101(6) | Make a submission to the Minister regarding proposed declaration of a prescribed water resource | CEO | relevant authority |
| section 103(3) | Appoint the Minister, a regional landscape board, a designated entity, a council or a council subsidiary in place of the council as the 'relevant authority' | CEO | relevant authority |
| section 104(3) | Grant a person a water management authorisation or permit to undertake an activity prescribed in sections 104(3)(e) or 104(3)(f) of the Landscape South Australia Act (except in the case of the discharge of water into a watercourse for the purpose of running the water down the watercourse for storage in a reservoir or other facility) | CEO | relevant authority |
| section 107(1) | Issue a notice to the owner of land in respect of an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act | CEO | relevant authority |
| section 107(2)(b) | Enter land and take action specified in a notice issued under section 107(1) of the Landscape South Australia Act | CEO | relevant authority |
| section 112(1) | Approve a form of application in respect of a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act | CEO | relevant authority |
| section 112(6) | Specify conditions on a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act | CEO | relevant authority |

| Landscape South Australia Act 2019 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 112(9) | Vary, suspend or revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act | CEO | relevant authority |
| section 112(10) | Vary a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act | CEO | relevant authority |
| section 112(11) | Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act | CEO | relevant authority |
| section 112(12) | Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act | CEO | relevant authority |
| section 112(13) | Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act | CEO | relevant authority |
| section 112(14) | Serve notice of the variation or revocation of a permit | CEO | relevant authority |
| section 113(2) | Give notice of an application for a permit in accordance with the regulations | CEO | relevant authority |
| section 113(3) | Receive representations in relation to the granting or refusal of a permit | CEO | relevant authority |
| section 113(4) | Forward a copy of representations in relation to the granting or refusal of a permit to the applicant and allow the applicant an opportunity to respond in writing | CEO | relevant authority |
| section 113(6) | Allow a person who made a representation regarding the granting or refusal of a permit the opportunity to appear personally or by representative before the authority | CEO | relevant authority |
| section 113(7) | Allow an applicant to appear personally or by representative before the authority | CEO | relevant authority |

| Landscape South Australia Act 2019 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 113(8)(a) | Give notice to each person who made a representation to the authority of the authority's decision and the person's appeal rights under the Landscape South Australia Act | CEO | relevant authority |
| section 113(8)(b) | Give notice to the Environment, Resources and Development Court of the authority's decision and the names and addresses of persons who made representations under section 113 of the Landscape south Australia Act | CEO | relevant authority |
| section 113(13) | Provide for inspection and purchase written representations made under section 113 of the Landscape south Australia Act and the written response of the applicant | CEO | relevant authority |
| section 202(4) | Agree with the Minister that an officer of the council may be appointed as an authorised officer | CEO | council |
| section 219(3) | Receive notice from the Minister of a proposed management agreement that provides for the remission of council rates and provide submissions to the Minister on the proposed agreement | CEO | council |
| clause 89(4)(e) Schedule 5 | Consent to property, assets, rights or liabilities vesting in or attaching to the Council | CEO | authority |

## INSTRUMENT OF DELEGATION UNDER THE LOCAL GOVERNMENT ACT 1999

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 7(a) | Plan at the local and regional level for the development and future requirements of the council area | CEO | | council |
| section 7(b) | Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area | CEO | | council |
| section 7(ba) | Determine appropriate financial contribution to be made by ratepayers to resources of the council | CEO | | council |
| section 7(c) | Provide for the welfare, well-being and interests of individuals and groups within the council's community | CEO | | council |
| section 7(d) | Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards | CEO | | council |
| section 7(e) | Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity | CEO | | council |
| section 7(f) | Provide infrastructure for the council's community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area) | CEO | | council |
| section 7(g) | Promote the council area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism | CEO | | council |
| section 7(h) | Establish or support organisations or programs that benefit people in the council area or local government generally | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 7(i) | Manage and, if appropriate, develop, public areas vested in, or occupied by, the council | CEO | | council |
| section 7(j) | Manage, improve and develop resources available to the council | CEO | | council |
| section 7(k) | Undertake other functions and activities conferred by or under an Act | CEO | | council |
| section 12(1) | Publish a notice in the Gazette altering the composition of the council or dividing, or redividing, the area of the council into wards, altering the division of the area of the council into wards or abolishing the division of the area of the council into wards | ND | | council |
| section 12(2) | Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or giving a name to, or altering the name of, a ward | ND | | council |
| section 12(3) | Undertake a review under section 12 of the Local Government Act | CEO | | council |
| section 12(4) | Undertake a review under section 12 of the Local Government Act at least once in each relevant period prescribed by the regulations | CEO | | council |
| section 12(5) | Initiate the preparation of a paper | CEO | | council |
| section 12(7)(a) | Inform the public by public notice of the preparation of the representation options paper and inviting written submissions within a period of not less than 6 weeks specified by the council | CEO | | council |
| section 12(7)(a) | Publish a copy of the public notice in a newspaper circulating in the council area | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 12(8) | Make copies of the representation options paper available for inspection and purchase at the principal office of the council during the period for making written submissions | CEO | | council |
| section 12(8a) | Prepare a report addressing the prescribed matters | CEO | | council |
| section 12(9)(a) | Make copies of the council report available for inspection at the principal office of the council | CEO | | council |
| section 12(9)(b) | Inform the public by public notice of the preparation of the report and its availability and invite written submissions | CEO | | council |
| section 12(9)(c) | Publish a copy of the public notice in a newspaper circulating in the council area | CEO | | council |
| section 12(10) | Provide an opportunity to any person who makes a written submission an opportunity to appear personally or by representative to be heard on the submission | CEO | | council |
| section 12(11) | Finalise the council report | CEO | | council |
| section 12(11b)(a) | Separate a proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa from any other proposal in the council's report | ND | | council |
| section 12(11b)(b) | Determine to conduct a poll on the proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa either at the next general election or some other time | ND | | council |
| section 12(11c)(b)(i) | Prepare a summary of the issues surrounding a proposal to alter the | ND | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | composition of the council so that the council will have a chairperson rather than a mayor or vice versa to assist persons who may vote at the poll | | | |
| section 12(11c)(b)(ii) | Obtain a certificate from the Electoral Commissioner that he or she is satisfied that the council has taken reasonable steps to ensure that the summary presents the arguments for and against the proposal in a fair and comprehensive manner | ND | | council |
| section 12(11c)(b)(iii) | Make copies of the summary available for public inspection at the principal office of the council and on a website determined by the chief executive officer, and publish or distribute copies of the summary as directed by the Electoral Commissioner | ND | | council |
| section 12(12) | Refer report finalised under section 12(11) to the Electoral Commissioner | CEO | | council |
| section 12(15)(b) | Provide for the operation of any proposal recommended in the council's report by notice in the Gazette | CEO | | council |
| section 12(16)(a) | Take action on a report referred back to the council by the Electoral Commissioner | CEO | | council |
| section 12(16)(b) | Refer report back to the Electoral Commissioner | CEO | | council |
| section 12(17) | Comply with requirements of sections 12(9) and 12(1) (unless alteration of report is of a minor nature only) | CEO | | council |
| section 12(24) | Undertake a review within period specified by the Electoral Commissioner | CEO | | council |
| section 13(1) | Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | name of the council or the name of the area of the council, or altering the name of a ward | | | |
| section 13(2)(a) | Give public notice of the proposal to change the council from a municipal council to a district council or vice versa, alter the name of the council or the name of the area of the council, or alter the name of a ward | CEO | | council |
| section 13(2)(b) | Invite written submissions | CEO | | council |
| section 13(2)(ba) | Publish a copy of the public notice in a newspaper circulating within the council area | CEO | | council |
| section 13(2)(c) | Give any person who makes a written submission in response to an invitation an opportunity to appear personally or by representative before the council or a council committee to be heard on the submission | CEO | | council |
| section 28(1)(c) | Refer a proposal for the making of a proclamation under Chapter 3 of the Local Government Act to the South Australian Local Government Grants Commission | ND | | council |
| section 31(2)(b) | Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator | CEO | | council |
| section 31(10)(c) | Participate in consultation with the South Australian Local Government Grants Commission on a recommendation that a proposal referred to the Commission not proceed | CEO | | council |
| section 36(1)(a) | Exercise the legal capacity of a natural person, including entering into contracts or | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | arrangements, suing and being sued and acting in conjunction with another council or authority or person | | | |
| section 36(1)(c) | Do anything necessary, expedient or incidental to performing or discharging the council's functions or duties or achieving the council's objectives | CEO | | council |
| section 36(2) | Act outside the council area to the extent necessary or expedient to the performance of the council's functions or in order to provide services to an unincorporated area of the State | CEO | | council |
| section 37(b) | Authorise an officer, employee or agent to enter into a contract on behalf of the council | CEO | Condition by the entering into an agreement where council is purchasing land to support Council's operational infrastructure requirements and that the value of the land does not exceed the relevant council officer's financial limitation | council |
| section 41(1) | Establish a committee | ND | | council |
| section 41(2) | Determine the role of the committee | ND | | council |
| section 41(3) | Determine the membership of the committee | ND | | council |
| section 41(4) | Appoint a presiding member or make provision for the appointment of a presiding member | ND | | council |
| section 41(6) | Appoint the principal member as an ex officio member of the committee | ND | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 41(8) | Determine the reporting and other accountability requirements applying to a committee | ND | | council |
| section 42(3) | Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary | CEO | | council |
| section 43(3) | Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary | CEO | | council |
| section 44(6) | Cause a separate record to be kept of all delegations under section 44 of the Local Government Act | CEO | | council |
| section 44(6a) | Review the delegation in force under section 44 of the Local Government Act | CEO | | council |
| section 45(1) | Nominate a place as the council's principal office | CEO | | council |
| section 45(2) | Determine the hours during which the principal office of the council will be open for the transaction of business | CEO | | council |
| section 45(3) | Consult with the local community regarding the manner, places and times at which the council's offices will be open to the public and any significant changes to these arrangements | CEO | | council |
| section 46(1) | Engage in a commercial enterprise or activity in the performance of the council's functions | CEO | | council |
| section 46(2)(a) | Establish a business in connection with a commercial project | CEO | | council |
| section 46(2)(b) | Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 47(2)(b) | Participate in the formation of, or become a member of, a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest | CEO | | council |
| section 48(aa1) | Develop and maintain prudential management policies, practices and procedures for the assessment of projects | CEO | | council |
| section 48(1) | Obtain a report addressing the prudential issues set out in section 48(2) | CEO | | council |
| section 48(6) | Take steps to prevent the disclosure of specific information in order to protect its commercial value or to avoid disclosing the financial affairs of a person (other than the council) | CEO | | council |
| section 49(a1) | Maintain procurement policies, practices and procedures directed towards:<br>(a) obtaining value in the expenditure of public money;<br>(b) providing for ethical and fair treatment of participants; and<br>(c) ensuring probity, accountability and transparency in procurement operations | CEO | | council |
| section 49(1) | Prepare and adopt policies on contracts and tenders, including policies on the following:<br>(a) the contracting out of services;<br>(b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively;<br>(c) the use of local goods and services; and<br>(d) the sale or disposal of land or other assets. | CEO | | council |
| section 49(3) | Alter or substitute a policy under section 49 of the Local Government Act | CD | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 50(1) | Prepare and adopt a public consultation policy | CEO | | council |
| section 50(5) | Alter or substitute the public consultation policy | ND | | council |
| section 50(6)(c) | Prepare a document setting out the council's proposal to adopt a public consultation policy or to alter or substitute a public consultation policy | CEO | | council |
| section 50(6)(d) | Publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions | CEO | | council |
| section 50(6)(d) | Consider submissions | CEO | | council |
| section 50(7) | Determine that the alteration of a public consultation policy is of minor significance that would attract little (or no) community interest | CEO | | council |
| section 50(8) | Provide a copy of a policy of the council under section 50 of the Local Government Act for inspection at the principal office of the council | CEO | | council |
| section 50(9) | Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act | CEO | | council |
| section 54(1)(d) | Grant a leave of absence from council | CEO | | council |
| section 54(1)(d) | Remove from office on the ground that the member has been absent from three or more consecutive ordinary meetings of the council | CEO | | council |
| section 57(6) | Recover amount of a liability incurred in contravention of section 57 of the Local Government Act as a debt from the | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | members of the councils at the time the contract was made or lease was entered | | | |
| section 70(a1) | Publish prescribed details contained in the Register | CEO | | council |
| section 70(1)) | Provide a copy of the Register for inspection at the principal office of the council | CEO | | council |
| section 70(2) | Provide for the purchase of a copy of the Register | CEO | | council |
| section 77(1) | Provide reimbursement of prescribed expenses of a member of council | CEO | | council |
| section 80 | Take out a policy of insurance insuring every member of the council and a spouse or domestic partner or another person who may be accompanying a member of the councils against the risks associated with the performance or discharge of official functions or duties by members | CEO | | council |
| section 80A(1) | Prepare a training and development policy for members | CEO | | council |
| section 80A(3) | Alter or substitute a training and development policy for members | ND | | council |
| section 84(3) | Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting | CEO | | council |
| section 87(1) | Determine the times and places at which ordinary meetings of a council committee will be held | ND | | council |
| section 88(3) | Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 89(1)(b) | Determine procedures to apply to a meeting of a council committee | CEO | | council |
| section 90A(1) | Hold or arrange for the holding of an information or briefing session to which more than 1 member of the council is invited to attend or be involved in for the purposes of providing information or a briefing | CEO | | council |
| section 90A(4) | Order that an information or briefing session be closed to the public | CEO | | council |
| section 90A(5) | If an order under section 90A(4) of the Local Government Act is made, to make a record of the matters specified in section 90A(5) | CEO | | council |
| section 90A(7) | Comply with the requirements of the regulations regarding the publication of prescribed information | CEO | | council |
| section 91(3) | Supply each member of the council with a copy of council or council committee minutes within 5 days of the meeting | CEO | | council |
| section 91(9)(c) | Revoke an order made under section 91(7) of the Local Government Act | CEO | | council |
| section 92(1) | Prepare a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4 the Local Government Act | CEO | | council |
| section 92(2) | Review code of practice | CEO | | council |
| section 92(3) | Alter or substitute a new code of practice | ND | | council |
| section 92(5) | Undertake public consultation on proposed code, alterations or substitute code | CEO | | council |
| section 93(1) | Convene a meeting of electors of the council area or part of the council area | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 93(11) | Supply each member of the council with a copy of the minutes of proceedings within 5 days of a meeting of electors | CEO | | council |
| section 93(14) | Determine the procedure to be observed to make a nomination for the purposes of sections 93(3)(a)(ii) or 93(3)(b)(ii) of the Local Government Act | CEO | | council |
| section 94(6) | Make submissions to the Minister | CEO | | council |
| section 94(7) | Comply with a direction of the Minister under section 94(5) of the Local Government Act | CEO | | council |
| section 97(6)(b) | Determine a person has appropriate qualifications or experience in human resource management | CEOPMC | | council |
| section 98(3) | Invite applications including by advertising on website and taking other action | CEO | | council |
| section 98(3) | Determine website to advertise invitation for applications | CEO | | council |
| section 98(4a)(a) | Appoint at least one person to selection panel not being a member or employee | CEOPMC | | council |
| section 98(7)(b) | Determine a person has appropriate qualifications or experience in human resource management | CEOPMC | | council |
| section 102A(3)(b) | Determine a person has appropriate qualifications or experience in human resource management | CEOPMC | | council |
| section 106(2) | Pay contribution to another council | CEO | | council |
| section 106(3) | Recover a contribution from another council as a debt | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 106(4) | Provide details of the service of an employees or former employee to another council | CEO | | council |
| section 106(5) | Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation | CEO | | council |
| section 111(b) | Declare that an officer or an officer of a class is subject to Division 2, Part 4, Chapter 7 of the Local Government Act | ND | | council |
| section 122(1) | Develop a strategic management plan | CEO | | council |
| section 122(1a)(a) | Develop a long-term financial plan | CEO | | council |
| section 122(1a)(b) | Develop an infrastructure and asset management plan | CEO | | council |
| section 122(4) | Review strategic management plans | CEO | | council |
| section 122(6) | Adopt a process to ensure that members of the public are given reasonable opportunity to be involved in the development and review of the council's strategic management plans | CEO | | council |
| section 123(3)(a) | Prepare a draft annual business plan | CEO | | council |
| section 123(3)(b) | Follow relevant steps in the public consultation policy in regard to the draft annual business plan | CEO | | council |
| section 123(5) | Ensure that copies of the draft annual business plan are available at the meeting under section 123(4)(a)(i) of the Local Government Act, and for inspection and purchase (at the principal office of the council and on the council's website | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 123(5a) | Provide a facility for asking and answering questions and the receipt of submissions on the council's website | CEO | | council |
| section 123(9)(a)(i) | Prepare a summary of the annual business plan | CEO | | council |
| section 123(9)(a)(ii) | Provide a copy of the summary of the annual business plan to ratepayers | CEO | | council |
| section 124(1)(a) | Keep accounting records | CEO | | council |
| section 125 | Implement and maintain appropriate policies, practices and procedures of internal control | CEO | | council |
| section 127(1) | Prepare financial statements, notes and other statement or documents as required by the regulations | CEO | | council |
| section 127(3) | Provide statements to auditor | CEO | | council |
| section 127(4) | Submit a copy of audited statements to persons or bodies prescribed by the regulations | CEO | | council |
| section 128(2) | Appoint an auditor on the recommendation of the council's audit committee | ND | | council |
| section 128(9) | Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report | CEO | | council |
| section 130A(1) | Request auditor or other suitably qualified person to examine a report on any matter relating to financial management, or the efficient and economy with which the council manages or uses its resources to achieve its objectives | CEO | | council |
| section 131(1) | Prepare annual report | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 131(4) | Provide a copy of the annual report to each council member | CEO | | council |
| section 131(5) | Submit a copy of the annual report to the persons or bodies prescribed by regulation | CEO | | council |
| section 131(7) | Provide an abridged or summary version of the annual report to electors in the council area. | CEO | | council |
| section 131A(1) | Provide to the Minister the material specified in Schedule 4 of the Local Government Act and any other information specified by the Minister | CEO | | council |
| section 132(1)(a) | Publish a document referred to in Schedule 5 of the Local Government Act on a website determined by chief executive officer | CEO | | council |
| section 132(1)(b) | Provide a printed copy of a document referred to in Schedule 5 of the Local Government Act | CEO | | council |
| section 132(3a) | Publish a document or part of a document on a website determined by the chief executive officer where an order under section 91(7) of the Local Government Act expires or ceases to apply | CEO | | council |
| section 132A | Implement and maintain appropriate policies, practices and procedures to ensure compliance with statutory requirements and achievement and maintenance of good public administration | CEO | | council |
| section 133 | Obtain funds as permitted by the Local Government Act or other Act | CEO | | council |
| section 135(1) | Provide security | ND | | council |
| section 135(2)(a) | Assign a distinguishing classification to a debenture | ND | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 135(2)(b) | Appoint a trustee for the debenture holders | ND | | council |
| section 137 | Expend funds in the performance or discharge of the council's powers, functions or duties under the Local Government Act or other Acts | CEO | Condition by the entering into of lease agreements where council is lessee and that the value of the lease in each financial year does not exceed the relevant council officer's financial limitation. | council |
| section 139(1) | Invest money under the council's control | CEO | | council |
| section 139(5) | Obtain and consider independent and impartial advice regarding the investment of funds | CEO | | council |
| section 140 | Review performance of investments at least annually | CEO | | council |
| section 141(1) | Accept a gift | CEO | | council |
| section 141(2) | Carry out the terms of a trust applying to a gift | CEO | | council |
| section 141(3) | Apply to the Supreme court for an order varying the terms of a trust for which the council is the trustee | CEO | | council |
| section 141(4) | Give notice of an application to the Supreme Court by public notice and in such other manner as directed by the Supreme Court | CEO | | council |
| section 141(6) | Publish an order of the made by the Supreme Court under section 141(5) of the Local Government Act in the Gazette | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 142(1) | Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations | CEO | | council |
| section 142(3) | Take out membership of the Local Government Association Mutual Liability Scheme | CEO | | council |
| section 143(1) | Write off bad debts | CEO | | council |
| section 144(1) | Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction | CEO | | council |
| section 144(2) | Provide notice of a fee, charge, expense or other amount relating to something done in respect of a rateable property to the owner or occupier of the property | CEO | | council |
| section 144(2) | Recovery of a fee, charge, expense or other amount relating to something done in respect of a rateable property as if the fee, charge, expense or other amount was a rate on the property | CEO | | council |
| section 151(5)(d) | Prepare a report on a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land | CEO | | council |
| section 151(5)(e) | Follow the relevant steps in the public consultation policy with respect to a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land | CEO | | council |
| section 151(8) | Provide copies of the report required by section 151(5)(d) of the Local Government Act at the meeting held under section 151(7)(a)(i) of the Local Government Act | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 156(10) | Extend the time period for lodging an objection | CEO | | council |
| section 156(11) | Decide an objection to attribution of a particular use to land | CEO | | council |
| section 156(12) | Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal | CEO | | council |
| section 156(14a)(a) | Prepare a report on a proposed change to the differentiating factor in relation to land | CEO | | council |
| section 156(14a)(b) | Follow the relevant steps in the public consultation policy with respect to a on a proposed change to the differentiating factor in relation to land | CEO | | council |
| section 156(14e) | Provide copies of the report required by section 156(14a)(a) of the Local Government Act at the meeting held under section 156(14d)(a)(i) of the Local Government Act | CEO | | council |
| section 159(1) | Determine the manner and form of an application for a rebate of rates | CEO | | council |
| section 159(3) | Grant a rebate of rates | CEO | | council |
| section 159(4) | Increase a rebate of rates | CEO | | council |
| section 159(10) | Determine that proper cause for a rebate of rates no longer applies | CEO | | council |
| section 159(11) | Recover rates, or rates at an increased level, proportionate to the remaining part of the financial year if an entitlement to a rebate of rates no longer applies | CEO | | council |
| section 161(1) | Grant a rebate of rates greater than 75% on land used for service delivery or | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | administration by a community service organisation | | | |
| section 165(1) | Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes | CEO | | council |
| section 165(2) | Grant a rebate of rates greater than 75% on land being used by a university or university college to provide accommodation and other forms of support on a not-for-profit basis | CEO | | council |
| section 166(1) | Grant a rebate of rates or service charges in prescribed circumstances | CEO | | council |
| section 166(2) | Attach conditions to the grating of a rebate of rates or service charges under section 166(1) of the Local Government Act | CEO | | council |
| section 167(1) | Adopt valuations | CEO | | council |
| section 167(6) | Publish a notice of the adoption of valuations in the Gazette | CEO | | council |
| section 168(1) | Request the Valuer-General to value land in the council area | CEO | | council |
| section 168(2) | Furnish information to the Valuer-General requested information | CEO | | council |
| section 168(3)(b) | Enter valuation into the assessment record | CEO | | council |
| section 168(3)(c) | Provide notice to the principal ratepayer in respect of land of the valuation of that land | CEO | | council |
| section 169(3)(b) | Allow an extension of time in which to object to the valuation of land | CEO | | council |
| section 169(5) | Refer an objection to the valuation of land to the valuer who made the valuation with a request to reconsider the valuation | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 169(7) | Provide written notice to an objector of the outcome of the objection | CEO | | council |
| section 169(10) | Refer request for a review of the valuation of land to the Valuer-General | CEO | | council |
| section 169(11) | Make representations to the valuer in regard to the valuation of land which is the subject of the objection | CEO | | council |
| section 169(15) | Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal | CEO | | council |
| section 169(16) | Pay the prescribed fee to the Valuer-General | CEO | | council |
| section 170 | Publish a notice of the declaration of a rate or service charge in the Gazette and a newspaper circulating in the council area | CEO | | council |
| section 173(5) | Determine a review of the outcome of a request to alter the assessment record | ND | | council |
| section 173(6) | Provide written notice of decision on review | ND | | council |
| section 173(7) | Participate in a review of decision of council | ND | | council |
| section 174(1) | Provide the assessment record for inspection at the principal offices of the council | CEO | | council |
| section 174(2) | Provide for the purchase of an entry in the assessment record | CEO | | council |
| section 178(3) | Recover rates as a debt | CEO | | council |
| section 178(4) | Provide written notice requiring a lessee or licensee of land to pay rent or other consideration to the council under the | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | lease or licence in satisfaction of the liability for rates | | | |
| section 178(6) | Remit a charge payable under section 178(5) of the Local Government Act in whole or in part | CEO | | council |
| section 179(2) | Adopt a valuation of land | CEO | | council |
| section 179(5) | Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land | CEO | | council |
| section 180(1) | Provide a rates notice to the principal ratepayer | CEO | | council |
| section 181(2) | Determine the day on which an instalment of rates falls due | ND | | council |
| section 181(3) | Adjust the months in which instalments of rates are payable | ND | | council |
| section 181(4)(b) | Agree with a principal ratepayer the dates on which instalments of rates are payable | CEO | | council |
| section 181(5) | Provide rates notice to principal ratepayer | CEO | | council |
| section 181(7a) | Agree with a principal ratepayer to vary the period for the provision of a rates notice | CEO | | council |
| section 181(9) | Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act | CEO | | council |
| section 181(11) | Grant discounts or other incentives in relation to the payment of rates | CEO | | council |
| section 181(12)(b) | Impose a surcharge or administrative levy not exceeding 1 per cent of the rates payable in a particular financial year with | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | respect to the payment of rates by instalments | | | |
| section 181(13) | Impose different requirements than those under section 181 of the Local Government Act in relation to the payment of separate rates or service rates | CEO | | council |
| section 181(15) | Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year | CEO | | council |
| section 182(1)(a) | Postpone payment of rates | CEO | | council |
| section 182(1)(b) | Remit the whole or part payment of rates | CEO | | council |
| section 182(2)(a) | Impose a condition that the ratepayer pay interest on postponed rates | CEO | | council |
| section 182(2)(b) | Impose other conditions on the postponement of rates | CEO | | council |
| section 182(2)(c) | Revoke a postponement of rates | CEO | | council |
| section 182(3) | Postpone the payment of rates | CEO | | council |
| section 182(4) | Grant a remission of rates | CEO | | council |
| section 182(5) | Require a ratepayer to verify an entitlement to the remission of rates | CEO | | council |
| section 182(6) | Revoke a determination under section 182(4) of the Local Government Act to remit rates | CEO | | council |
| section 182A(1) | Receive an application for a postponement of the payment of the prescribed proportion of rates for the current or a future financial year | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 182A(2) | Determine the manner and form of an application under section 182A(1) of the Local Government Act | CEO | | council |
| section 182A(3)(a) | Reject an application under section 182A(1) of the Local Government Act in accordance with the regulations | CEO | | council |
| section 182A(3)(b) | Impose conditions on the postponement of rates in accordance with the regulations | CEO | | council |
| section 183 | Apply amount received in respect of rates in manner prescribed by section 183 of the Local Government Act | CEO | | council |
| section 184(1) | Sell land where an amount of rates in respect of the land has been in arrears for more than three years | ND | | council |
| section 184(2) | Send a notice to the principal ratepayer | CEO | | council |
| section 184(3) | Send a copy of the notice sent to the principal ratepayer to any other owner of the land, any registered mortgagee, the holder of any caveat over the land and, if the land is held from the Crown under a lease, licence or agreement to purchase, to the Minister who is responsible for the administration of the Crown Lands Act 1929. | CEO | | council |
| section 184(4)(a) | Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State | CEO | | council |
| section 184(4)(b) | Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land | CEO | | council |
| section 184(6) | Set a reserve price for the auction | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 184(7) | Seek the consent of the Minister who is responsible for the administration of the Crown Lands Act 1929 to have the land sold by public auction | CEO | | council |
| section 184(8) | Advertise an auction to sell land under section 184 of the Local Government Act in a newspaper circulating throughout the State | CEO | | council |
| section 184(9) | Call off an auction | CEO | | council |
| section 184(10) | Sell land by private contract | CEO | | council |
| section 184(11) | Apply money receive in respect of the sale of land under section 184 of the Local Government Act as prescribed in section 184(11) | CEO | | council |
| section 184(12) | Deal with money under the Unclaimed Money Act 1891 | CEO | | council |
| section 185(1) | Apply to the Minister who is responsible for the administration of the Crown Lands Act 1929 for an order under section 185 of the Local Government Act | CEO | | council |
| section 186(2)(a) | Repay an amount of overpaid rates | CEO | | council |
| section 186(2)(a) | Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates | CEO | | council |
| section 186(2)(b) | Take action to recover an additional amount in arrears payable on account of an alteration of the valuation or decision | CEO | | council |
| section 186(2)(b) | Give notice to recover an additional amount in arrears payable on account of an alteration of the valuation or decision | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 186(5) | Refund an amount to a person ceasing to be a ratepayer | CEO | | council |
| section 187(1) | Issue a certificate stating the amount of any liability for rates or charges on the land and any amount received on account of rates or charges that is held in credit against future liabilities for rates or charges on the land | CEO | | council |
| section 187A(5)(b) | Receive a report from the Ombudsman | CEO | | council |
| section 187B(5) | Receive a report from the Ombudsman | CEO | | council |
| section 187B(6) | Provide a written response to the Ombudsman and complainant | CEO | | council |
| section 187B(7) | Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest | CEO | | council |
| section 188(1)(a) | Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council | CEO | | council |
| section 188(1)(b) | Impose fees and charges for services supplied to a person at his or her request | CEO | | council |
| section 188(1)(c) | Impose fees and charges for carrying out work at a person's request | CEO | | council |
| section 188(3) | Provide for:<br>(a) specific fees and charges;<br>(b) maximum fees and charges and minimum fees and charges;<br>(c) annual fees and charges;<br>(d) the imposition of fees or charges according to specified conditions or circumstances;<br>(e) the variation of fees or charges according to specified factors; | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | (f) the reduction, waiver or refund, in whole or in part, of fees or charges. | | | |
| section 188(5)(b) | Fix, vary or revoke fees and charges for the purposes of section 188(1)(a), 188(1)(b) and 188(1)(c) of the Local Government Act | CEO | | council |
| section 188(7) | Take reasonable steps to bring a variation of a fee or charge to the notice of a person who may be affected | CEO | | council |
| section 190 | Agree to acquire land | CEO | | council |
| section 191(1) | Seek the Minister's consent to acquire land compulsorily | CEO | | council |
| section 191(1) | Acquire land compulsorily | CEO | | council |
| section 191(2) | Acquire land compulsorily | CEO | | council |
| section 192(4) | Publish a copy of a resolution under section 192(1) of the Local Government Act in the Gazette | CEO | | council |
| section 193(2) | Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land | CEO | | council |
| section 193(3) | Obtain approval of owner of land to exclude land from classification as community land | CEO | | council |
| section 193(6) | Give notice in the Gazette of a resolution to exclude land from classification as community land or to classify land as community land | CEO | | council |
| section 194(2)(a) | Prepare and make publicly available a report on a proposal to revoke the classification of community land | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 194(2)(b) | Follow steps on public consultation policy in respect of a proposal to revoke the classification of land as community land | CEO | | council |
| section 194(3)(a) | Submit the proposal to revoke the classification of land as community land with a report on all submissions made in respect of the proposal to the Minister | CEO | | council |
| section 194(4) | Participate in consultation with the Minister | ND | | council |
| section 195(2) | Giver notice of the revocation of the classification of land as community land to the Registrar-General | CEO | | council |
| section 196(1) | Prepare and adopt a management plan for community land | CEO | | council |
| section 196(4) | Consult with the owner of land at an appropriate stage in the preparation of a management plan | CEO | | council |
| section 197(1)(a) | Make copies of a proposed management plan available or inspection of purchase at the council's principal office | CEO | | council |
| section 197(1)(b) | Follow the relevant steps in the council's public consultation policy | CEO | | council |
| section 197(3) | Give public notice of the adoption of the management plan | CEO | | council |
| section 198(1) | Amend or revoke a management plan | ND | | council |
| section 198(2) | Undertake public consultation of a proposal to amend or revoke a management plan | CEO | | council |
| section 198(4) | Give public notice of the adoption of a proposal to amend or revoke a management plan | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 199 | Manage community land in accordance with any relevant management plan | CEO | | council |
| section 200(1) | Approve the use of community land for a business purpose | CEO | | council |
| section 200(3) | Impose conditions on an approval to use community land for a business purpose | CEO | | council |
| section 201(1) | Sell or otherwise dispose of an interest in land | ND | | council |
| section 202(1) | Grant a lease or licence over community land | CEO | | council |
| section 202(2) | Follow the relevant steps in the councils public consultation policy in regard to granting a lease or licence relating to community land | CEO | | council |
| section 207(1) | Keep a register of community land in the council area | CEO | | council |
| section 207(2)(c) | Determine that the register of community land in the council area will consist of a computer record | CEO | | council |
| section 208(4) | Cause a copy of a resolution declaring a road or land to be a public road or preserving an easement to be published in the Gazette | CEO | | council |
| section 209(3) | Enter an agreement in regard to the ownership of fixture and equipment installed on a public road | CEO | | council |
| section 210(1) | Declare a private road to be a public road | CEO | | council |
| section 210(2)(a) | Give written notice to the owner of the private road of a proposed declaration | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 210(2)(ab) | Give written notice to the holder of a registered interest over the private road of a proposed declaration | CEO | | council |
| section 210(2)(b) | Give public notice to the owner of the private road of a proposed declaration | CEO | | council |
| section 210(5) | Publish a declaration under section 210 of the Local Government Act in the Gazette | CEO | | council |
| section 210(7) | Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General | CEO | | council |
| section 211(1)(a) | Enter an agreement with the Commissioner of Highways or other authority that has the care, control and management of a highway | CEO | | council |
| section 211(1)(b) | Act in accordance with a notice issued by the Commissioner of Highways | CEO | | council |
| section 212(1) | Carry out roadwork in the council area | CEO | | council |
| section 212(1) | Enter an agreement with another council to carry out roadwork in that other council's area | CEO | | council |
| section 212(2) | Do anything reasonably necessary for, or incidental to, roadwork | CEO | | council |
| section 212(3)(b) | Consult with the Commissioner of Highways | CEO | | council |
| section 212(3)(c)(i) | Obtain the agreement of the owner of a private road | CEO | | council |
| section 212(3)(c)(ii) | Give notice to the owner of a private road and a reasonable opportunity to make representations on proposed roadwork | CEO | | council |
| section 212(3)(c)(ii) | Consider any representations by the owner of a private road on proposed roadwork | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 212(3)(d) | Obtain the agreement of the owner of private land | CEO | | council |
| section 213(1) | Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement | CEO | | council |
| section 213(2) | Recover the cost of roadwork to repair damage to a road from the person who damaged a road or is the owner of infrastructure which damaged the road | CEO | | council |
| section 213(3)(a) | Recover the cost of roadwork on private land or a contribution to the cost of the work determined by the council as a debt from the owner of the private | CEO | | council |
| section 214(2)(a) | Agree the amount of contribution to roadwork with another council | CEO | | council |
| section 214(2)(b) | Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council | CEO | | council |
| section 214(3) | Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations | CEO | | council |
| section 215(2) | Carry out roadwork to allow water from a road to drain into adjoining property | CEO | | council |
| section 215(4) | Give notice to the owner of land in regard to the proposed action to drain water into the land | CEO | | council |
| section 216(1) | Issue an order requiring the owner of private land to carry out specified road work or improve the road | CEO | | council |
| section 217(1) | Issue an order requiring the owner of a structure or equipment installed in, on, across, under or over a road to carry out specified road work by way of | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | maintenance or repair or move the structure or equipment to allow the council to carry out roadwork | | | |
| section 217(2)(a) | Take action under an order issued under section 217(1) of the Local Government Act if it is not complied with by the owner of the structure or equipment | CEO | | council |
| section 217(2)(a) | Recover the cost of taking action under section 217(2)(a) of the Local Government Act as a debt from the owner of the structure or equipment | CEO | | council |
| section 218(1) | Issue an order requiring the owner of land adjoining a road to carry out specified work to construct, remove or repair a crossing place from the road to the land | CEO | | council |
| section 219(1) | Assign a name to a public or private road, or to a public place, or change the name of a public or private road, or a public place | CEO | Where an objection to a change of road name is received, the matter will be considered by the Council and not under delegation. | council |
| section 219(1a) | Assign a name to a public road created by land division | CEO | | council |
| section 219(2)(a) | Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council | CEO | | council |
| section 219(2)(b) | Consider any representations of an adjoining council in response to a notice under section 219(2)(a) of the Local Government Act | CEO | | council |
| section 219(3)(a) | Notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a road name or change of a road name | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 219(3)(b) | Provide information to the Registrar-General, the Surveyor-General and the Valuer-General about the name of roads and public places in the council area | CEO | | council |
| section 219(4) | Provide public notice on the assigning or changing of a road name | CEO | | council |
| section 219(5) | Prepare and adopt a policy on the assigning of road names | CEO | | council |
| section 219(6) | Alter or substitute a policy on the assigning of road names | ND | | council |
| section 219(7) | Publish notice of adopting or altering a policy on the assigning of road name in the Gazette, in a newspaper circulating within the council area and on a website determined by the chief executive | CEO | | council |
| section 220(1) | Adopt a numbering system for buildings and allotments adjoining the road | ND | | council |
| section 220(1a) | Assign a number to all buildings and allotments adjoining a public road | CEO | | council |
| section 220(2) | Alter or substitute a new numbering system | ND | | council |
| section 220(3) | Give public notice of the adoption, alteration or substitution of a numbering system for a particular road | CEO | | council |
| section 220(4) | Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system | CEO | | council |
| section 220(6) | Request the owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the council | CEO | | council |
| section 221(1) | Grant an authorisation to alter a public road | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 222(1) | Grant a permit authorising the use of a public road for business purposes | CEO | | council |
| section 223(1) | Follow the relevant steps in the council's public consultation policy | CEO | | council |
| section 223(2) | Give written notice of the proposal to agencies prescribe by regulation | CEO | | council |
| section 224(1) | Attach conditions to an authorisation or permit | CEO | | council |
| section 224(2) | Comply with any requirements prescribed by the regulations in relation to attaching conditions under section 224(1) of the Local Government Act | CEO | | council |
| section 225(1) | Cancel an authorisation or permit | CEO | | council |
| section 225(2)(a) | Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit | CEO | | council |
| section 225(2)(b) | Consider any representation by the holder of an authorisation or permit | CEO | | council |
| section 225(3) | Determine a shorter period than one month for a response from the holder of an authorisation or permit | CEO | | council |
| section 231(1) | Keep a register of public roads in the council area | CEO | | council |
| section 232 | Plant vegetation on a road | CEO | | council |
| section 232 | Authorise the planting of vegetation on a road | CEO | | council |
| section 233(2) | Take action to recover damages from a person who without the council's permission intentionally or negligently damages a road of structure belonging to the councils associated with a road | ND | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 234(1) | Remove and dispose of any structure, object or substance from a road | CEO | | council |
| section 234(2) | Recover the cost of acting under section 234(1) from the person who erected, placed or deposited the structure, object or substance on the road | CEO | | council |
| section 234(3) | Clear a road of wreckage, objects or material on the road as a result of a vehicle accident | CEO | | council |
| section 234(3) | Recover the cost of clearing the road from a driver of a vehicle involved in the accident | CEO | | council |
| section 234A(5) | Erect barricades or other traffic control devices as necessary to give effect to a resolution to exclude vehicles from a road or public place | CEO | | council |
| section 234A(6) | Give public notice of a resolution under section 234A(1) or 234A(2) of the Local Government Act | CEO | | council |
| section 236(2) | Apply to the court for an order that a person convicted of the offence under section 236(1) of the Local Government Act pay any costs incurred by the council in removing or disposing of the abandoned vehicle | CEO | | council |
| section 237(4)(a) | Notify the owner of a vehicle of the removal of the vehicle by written notice | CEO | | council |
| section 237(4)(b) | Notify the owner of a vehicle of the removal of the vehicle by public notice published in a newspaper circulating generally within the State | CEO | | council |
| section 237(5) | Sell a vehicle by public auction or public tender | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 237(6) | Dispose of a vehicle | CEO | | council |
| section 237(7) | Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act | CEO | | council |
| section 238(3) | Erect a notice regarding access to or use of a particular piece of land under a council by-law in a prominent place or in the immediate vicinity of the land | CEO | | council |
| section 242(3) | Notify an applicant in writing of a decision or presumptive decision on an application which is subject to section 242 of the Local Government Act | CEO | | council |
| section 242(4) | Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act | CEO | | council |
| section 243(1) | Apply to the Registrar-General for the issue of a certificate of title for land which has vested in fee simple in the council under the Local Government Act | CEO | | council |
| section 245(2) | Take reasonable action to respond to a request by the owner or occupier of property adjacent to a road to avert a risk of damage from a tree | CEO | | council |
| section 245A(1) | Require a person to enter into an agreement with the council in regard to work under an approval under the Planning, Development and Infrastructure Act 2016 which could cause damage to any local government land (including a road) within the vicinity of the site of the development | CEO | | council |
| section 245A(3) | Participate in the hearing of an appeal by a person against the requirements to enter | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | and agreement of the terms or conditions of the agreement | | | |
| section 246(4a) | Publish a notice of a determination under section 246(3)(b) in the Gazette and a newspaper circulating generally in the council area | CEO | | council |
| section 246(5)(b) | Fix an expiation fee for alleged offences against the by-laws | CEO | | council |
| section 249(1)(a) | Make copies of a proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection at the principal offices of the council and on the internet | CEO | | council |
| section 249(1)(b) | Publish a notice in a newspaper circulating in the council area informing the public of the availability of the by-laws and the terms of the by-law, or describing the by-laws nature and effect | CEO | | council |
| section 249(2) | Consider submissions made on a proposed by-law | CEO | | council |
| section 249(4) | Obtain a certificate signed by a legal practitioner | CEO | | council |
| section 249(5) | Publish a by-law in the Gazette | CEO | | council |
| section 249(7) | Publish a notice of making a by-law | CEO | | council |
| section 250(5) | Publish a resolution adopting a model by-law in the Gazette | CEO | | council |
| section 250(7) | Publish a resolution adopting a model by-law in a newspaper circulating in the council area | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 252(1) | Maintain a register of the by-laws made or adopted by the council | CEO | | council |
| section 252(5) | Provide for purchase a certified copy of a by-law | CEO | | council |
| section 254(1) | Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | CEO | | council |
| section 255(1) | Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act | CEO | | council |
| section 255(2) | Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land | CEO | | council |
| section 255(3) | Consider any representations made in response to a notice under section 255(1) of the Local Government Act | CEO | | council |
| section 255(3)(a) | Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | CEO | | council |
| section 255(3)(b) | Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | CEO | | council |
| section 255(3)(c) | Determine not to proceed to make an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | CEO | | council |
| section 255(7) | Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | CEO | | council |
| section 255(8) | Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 255(11) | Vary an order | CEO | | council |
| section 255(12) | Make an order | CEO | | council |
| section 256(3) | Participate in a review of an order by the South Australian Civil and administrative Tribunal | CEO | | council |
| section 257(1) | Take action required by an order made under section 255 of the Local Government Act | CEO | | council |
| section 257(2) | Authorise a person to take action under section 257(1) of the Local Government Act | CEO | | council |
| section 257(3) | Recover the costs of taking action under section 257(1) of the Local Government Act | CEO | | council |
| section 257(5) | Provide notice fixing a period in which a person must pay an amount recoverable by the council under section 257 of the Local Government Act | CEO | | council |
| section 257(5)(b) | Impose a charge over land for an unpaid amount recoverable by the council under section 257 of the Local Government Act | CEO | | council |
| section 259(1) | Prepare and adopt policies concerning the operation of Part2, Chapter 12 of the Local Government Act | CEO | | council |
| section 259(2)(a) | Prepare a draft policy | CEO | | council |
| section 259(2)(b) | Give notice in a newspaper circulating in the council area of the place or places where copies of the draft policy are available for inspection and purchase and invite written submissions | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 259(3) | Consider submissions | CEO | | council |
| section 259(4) | Amend a policy | CEO | | council |
| section 259(5) | Take steps in section 259(2) and 259(3) prior to amending a policy | CEO | | council |
| section 260(1) | Appoint an authorised person | CEO | | council |
| section 260(2) | Impose conditions or limitations on the appointment of an authorised person | CEO | | council |
| section 260(3) | Issue an identity card to an authorised person | CEO | | council |
| section 260(5) | Revoke the appointment of an authorised person | CEO | | council |
| section 270(a1) | Develop and maintain policies, practices and procedures for dealing with requests for the provision of services by the council or complaints about the activities of the council, employees of the council or person acting on behalf of the council | CEO | | council |
| section 270(1) | Establish procedures for the review of decisions | CEO | | council |
| section 270(2a)(b) | Allow an application to be made more than 6 months after the reviewable decision | CEO | | council |
| section 270(3a) | Reduce, waive or refund a fee | CEO | | council |
| section 270(4) | Refuse an application for the review of a decision | CEO | | council |
| section 270(5) | Provide for inspection copies if policies, practices and procedures applying under section 270 of the Local Government Act at the principal office of the council | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 270(6) | Amend policies, practices and procedures applying under section 270 of the Local Government Act | CEO | | council |
| section 270(8) | Initiate and consider a report for the purpose of section 270(8) of the Local Government Act | CEO | | council |
| section 271(1) | Make provision in a procedure under section 270 of the Local Government Act for disputes between a person and the council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation | CEO | | council |
| section 271(2) | Constitute panels of mediators, conciliators and evaluators | CEO | | council |
| section 271(7) | Pay costs of mediation, conciliation and evaluation | CEO | | council |
| section 271A(1) | Provide requested information to the Minister | CEO | | council |
| section 271B(1)(a) | Obtain an independent assessment of the council's probity or compliance with any requirements placed on the council under legislation | CEO | | council |
| section 271B(1)(b) | Take specified action to meet standards in the conduct or administration of the affairs of the council identified by the Minister | CEO | | council |
| section 272(3) | Provide an explanation and make submissions to the Minister | CEO | | council |
| section 272(5) | Make submissions to the Minister in relation to the subject matter of an interim report | CEO | | council |
| section 273(3) | Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 275(2) | Make submissions to the Minister in relation to a report under section 274 of the Local Government Act | CEO | | council |
| section 276(2)(a) | Bring proceedings under section 276(1) of the Local Government Act | CEO | | council |
| section 276(5)(b) | Take necessary steps for and hold a ballot or poll in accordance with an order of the District Court | CEO | | council |
| section 276(5)(f) | Produce or deliver books, voting-paper or documents in accordance with an order of the District Court | CEO | | council |
| section 279(1) | Serve a document | CEO | | council |
| section 281(1) | Notify a lessee or licensee of land to pay the council rent or other consideration payable under the lease or licence in satisfaction of the landowner's liability to the council | CEO | | council |
| section 281(2)(b) | Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act | CEO | | council |
| section 282(1) | Approve an occupier of land undertaking work | CEO | | council |
| section 294(1a) | Provide notice to an owner or occupier of land | CEO | | council |
| section 294(3)(a) | Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court | CEO | | council |
| section 294(3)(b) | Pay to the owner of occupier of land reasonable compensation for dame to any crops on land | CEO | | council |
| section 294(3)(c)(i) | Remedy damage to land caused by the council | CEO | | council |

| Local Government Act 1999 | | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| section 294(3)(c)(ii) | Pay compensation for any other loss or damage caused by the council | CEO | | council |
| section 294(5) | Erect a fence | CEO | | council |
| section 294(5) | Comply with the relevant requirements of the Mining Act 1971 | CEO | | council |
| section 296(1) | Recover the cost or a portion of the costs of works as a debt | CEO | | council |
| section 296(3) | Give notice of a valuation to the owner of land | CEO | | council |
| section 296(5) | Participate in an objection or review to a valuation | CEO | | council |
| section 297 | Sell or dispose of rubbish collected by the council | CEO | | council |
| section 298(1) | Order action in response to flooding or imminent flooding | CEO | | council |
| section 300(1) | Pay the cost of advertising | CEO | | council |
| clause 13(c), Schedule 1A | Enter an arrangement with the Stormwater Management Authority to make use of council staff, equipment or facilities | CEO | | council |
| clause 17(1), Schedule 1A | Prepare a stormwater management plan | CEO | | council |
| clause 18(1), Schedule 1A | Prepare a stormwater management plan or revise an existing stormwater management plan | CEO | | council |
| clause 18(2), Schedule 1A | Provide a stormwater management plan to the Stormwater Management Authority for approval | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| clause 19(3), Schedule 1A | Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan | CEO | | council |
| clause 20(1), Schedule 1A | Comply with an order issued by the Stormwater Management Authority under clause 2091), Schedule 1A of the Local Government Act | CEO | | council |
| clause 20(5), Schedule 1A | Make submissions to the Stormwater Management Authority | CEO | | council |
| clause 20(6), Schedule 1A | Enter into an agreement with the Stormwater Management Authority for the repayment of costs and expenses of the authority by the council | CEO | | council |
| clause 24(1), Schedule 1A | Take action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under clause 20(a), schedule 1B of the Local Government Act by:<br>(a) entering and occupying any land;<br>(b) constructing, maintaining or removing any infrastructure;<br>(c) excavating any land;<br>(d) inspecting, examining or surveying any land and for that purpose:<br>(i) fixing posts, stakes or other markers on the land;<br>(ii) digging trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and<br>(iii) removing samples for analysis; and<br>(e) altering water table levels, stopping or reducing the flow of water in a watercourse, diverting water flowing in a watercourse to another watercourse or to a lake or controlling the flow of water in any other manner; | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | (f) holding water in a watercourse or lake or by any other means;<br>(g) diverting water to an underground aquifer, disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner;<br>(h) deepening, widening or changing the course of a watercourse, deepening or widening a lake or taking action to remove any obstruction to the flow of water;<br>(i) undertaking any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation);<br>(j) undertaking any testing, monitoring or evaluation; and<br>(k) undertaking any other activity of a prescribed kind. | | | |
| clause 24(2)(a), Schedule 1A | Enter into an agreement with the owner of private land | CEO | | council |
| clause 24(2)(b), Schedule 1A | Acquire an easement or other appropriate interest over land by agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws | CEO | | council |
| clause 24(3), Schedule 1A | Acquire land by agreement for the purposes of constructing any infrastructure or performing any work | CEO | | council |
| clause 25(2), Schedule 1A | Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24 | CEO | | council |
| clause 25(3)(b), Schedule 1A | Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24 | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| clause 26(3), Schedule 1A | Make submissions to the Minister regarding the vesting of the care, control and management of infrastructure or land in the council | CEO | | public authority |
| clause 26(4), Schedule 1A | Maintain and repair infrastructure and maintain land vested in the council | CEO | | public authority |
| clause 2(1), Schedule 1B | Enter a building upgrade agreement | CEO | The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the CEO. | council |
| clause 2(4), Schedule 1B | Agree to other parties entering a building upgrade agreement | CEO | The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the CEO. | council |
| clause 4, Schedule 1B | Agree to vary or terminate a building upgrade agreement | CEO | The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | | | Government Act 1999, be subdelegated by the CEO. | |
| clause 6(1), Schedule 1B | Declare a building upgrade charge | CEO | The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the CEO. | council |
| clause 6(2), Schedule 4B | Provide written notice of the declaration of a building upgrade charge | CEO | The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the CEO. | council |
| clause 6(4), Schedule 1B | Give notice of each payment of a building upgrade charge | CEO | The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | | | subdelegated by the CEO. | |
| clause 7(2), Schedule 1B | Deduct and retain any service fee and late payment fee | CEO | | council |
| clause 7(3)(a), Schedule 1B | Hold money pending payment to the finance provider | CEO | | council |
| clause 7(3)(b), Schedule 1B | Pay money to the finance provider | CEO | | council |
| clause 9(1), Schedule 1B | Sell land if a building upgrade charge remains outstanding for more than 3 years | CEO | | council |
| clause 9(2), Schedule 1B | Apply money received on the sale of land as prescribed by clause 9(2), schedule 1B of the Local Government Act | CEO | | council |
| clause 9(3), Schedule 1B | Deal with unclaimed money in accordance with the Unclaimed Moneys Act 1891 | CEO | | council |
| clause 10(2)(a), Schedule 1B | Adjust a building upgrade charge | CEO | | council |
| clause 10(2)(a), Schedule 1B | Give notice to the building owner of the adjustment of a building upgrade charge | CEO | | council |
| clause 10(3)(d), Schedule 1B | Refund excess payments to the building owner | CEO | | council |
| clause 11(1), Schedule 1B | Recover a building upgrade charge in accordance with a building upgrade agreement | CEO | | council |
| clause 13(1), Schedule 1B | Keep a register of building upgrade agreements | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| clause 13(3), Schedule 1B | Provide the register of building upgrade agreements for inspection at the principal office of the council | CEO | | council |
| clause 13(4), Schedule 1B | Provide an extract of the register of building upgrade agreements | CEO | | council |
| clause 1(4), Schedule 2 | Publish a copy of the charter of a subsidiary in the Gazette | CEO | | council |
| clause 3(1), Schedule 2 | Prepare a charter for a subsidiary | CEO | | council |
| clause 3(4), Schedule 2 | Review a charter for a subsidiary | CEO | | council |
| clause 3(4)(a), Schedule 2 | Furnish a copy of an amended charter for a subsidiary to the Minister | CEO | | council |
| clause 3(4)(b), Schedule 2 | Publish a copy of an amended charter for a subsidiary on a website determined by the chief executive officer | CEO | | council |
| clause 3(4)(c), Schedule 2 | Publish a notice in the Gazette of the fact of the amendment and website address at which the charter is available for inspection | CEO | | council |
| clause 4(1), Schedule 2 | Determine the membership of the board of management of a subsidiary | CEO | | council |
| clause 4(2), Schedule 2 | Appoint members of the board of management of a subsidiary | CEO | | council |
| clause 4(6), Schedule 2 | Appoint a deputy of a board member | CEO | | council |
| clause 4(8), Schedule 2 | Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility between offices held concurrently | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| clause 5(9), Schedule 2 | Act on advice of a board of management that the subsidiary owes a duty of confidence in regard to a matter | CEO | | council |
| clause 5(12), Schedule 2 | Direct the board of management as to procedures | CEO | | council |
| clause 8(1), Schedule 2 | Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan | CEO | | council |
| clause 8(4), Schedule 2 | Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan | CEO | | council |
| clause 8(4), Schedule 2 | Participate in consultation with a subsidiary on the amendment of the subsidiary's business plan | CEO | | council |
| clause 9(2)(d), Schedule 2 | Fix a date by which a subsidiary's budget must be adopted | CEO | | council |
| clause 9(3), Schedule 2 | Approve the amendment by a subsidiary of an adopted budget | CEO | | council |
| clause 9(5), Schedule 2 | Participate in consultation with a subsidiary on the subsidiary incurring spending before the adoption of its budget for the year | CEO | | council |
| clause 10(1), Schedule 2 | Give a direction to a subsidiary | CEO | | council |
| clause 10(2), Schedule 2 | Make a copy of a direction given to a subsidiary available at the principal office of the council | CEO | | council |
| clause 11(1), Schedule 2 | Request a subsidiary to furnish information or records in the possession or control of the subsidiary | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| clause 11(2), Schedule 2 | Act on advice of a board of management that information or a record should be treated as confidential | CEO | | council |
| clause 12(1), Schedule 2 | Request a subsidiary to report on a matter to the council | CEO | | council |
| clause 12(2), Schedule 2 | Receive a report on the work and operations of the subsidiary | CEO | | council |
| clause 12(4), Schedule 2 | Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council | CEO | | council |
| clause 13(3), Schedule 2 | Determine or approve members of the audit committee of the subsidiary | CEO | | council |
| clause 14(2), Schedule 2 | Approve borrowing by a subsidiary | CEO | | council |
| clause 16(1)(a), Schedule 2 | Request the Minister wind up a subsidiary | CEO | | council |
| clause 17(4), Schedule 2 | Publish (in conjunction with the other constituent councils) a copy of the charter of a subsidiary in the Gazette | CEO | | council |
| clause 19(1), Schedule 2 | Prepare (in conjunction with the other constituent councils) a charter of a subsidiary | CEO | | council |
| clause 19(4), Schedule 2 | Review (in conjunction with the other constituent councils) a charter of a subsidiary | CEO | | council |
| clause 19(5)(a), Schedule 2 | Furnish (in conjunction with the other constituent councils) a copy of an amended charter of a subsidiary to the Minister | CEO | | council |
| clause 19(5)(b), Schedule 2 | Publish (in conjunction with the other constituent councils) a copy of the amended charter of a subsidiary on a | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | website determined by the chief executive officer | | | |
| clause 20(1), Schedule 2 | Determine (in conjunction with the other constituent councils) the membership of the board of management of a subsidiary | CEO | | council |
| clause 20(7), Schedule 2 | Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility | CEO | | council |
| clause 21(8), Schedule 2 | Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the meeting | CEO | | council |
| clause 21(8), Schedule 2 | Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the meeting | CEO | | council |
| clause 21(9), Schedule 2 | Act on advice of a board of management that a matter should be treated confidentially | CEO | | council |
| clause 21(12), Schedule 2 | Direct (in conjunction with the other constituent councils) procedures for the board of management | CEO | | council |
| clause 24(1), Schedule 2 | Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in the preparation and adoption of a business plan | CEO | | council |
| clause 24(1), Schedule 2 | Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in an annual review of the subsidiary's business plan | CEO | | council |
| clause 24(1), Schedule 2 | Participate (in conjunction with the other constituent councils) in consultation with | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| | the subsidiary on the amendment of the subsidiary's business plan | | | |
| clause 25(2)(d), Schedule 2 | Fix (in conjunction with the other constituent councils) a date before which a budget must be adopted by the subsidiary | CEO | | council |
| clause 25(3), Schedule 2 | Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary | CEO | | council |
| clause 25(5), Schedule 2 | Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on incurring spending prior to the adoption of a budget | CEO | | council |
| clause 26, Schedule 2 | Issue (in conjunction with the other constituent councils) a direction to the subsidiary | CEO | | council |
| clause 27(1), Schedule 2 | Request the subsidiary to furnish information or records in the possession or control of the subsidiary to the council | CEO | | council |
| clause 27(2), Schedule 2 | Act on advice of a board of management that information or a record should be treated as confidential | CEO | | council |
| clause 28(1), Schedule 2 | Fix (in conjunction with the other constituent councils) a date before which a subsidiary must furnish to the constituent councils report on the work and operations of the subsidiary | CEO | | council |
| clause 28(1), Schedule 2 | Incorporate a report under clause 28(1), Schedule 2 of the Local Government Act in the annual report of the council | CEO | | council |
| clause 30(3), Schedule 2 | Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee | CEO | | council |

| Local Government Act 1999 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| clause 33(1), Schedule 2 | Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary | CEO | | council |
| clause 2(1), Schedule 6 | Deliver a notice to the Registrar-General for the purpose of registering a charge over land | CEO | | council |
| clause 3(1)(b), Schedule 6 | Exercise the powers of a mortgagee given by the Real Property Act 1886 under a mortgage in respect of which default has been made in payment of money secured by the mortgage | CEO | | council |
| clause 4(1), Schedule 6 | Provide notice to the Registrar-General that the amount a charge relates to has been repaid and apply for the discharge of the charge | CEO | | council |

# INSTRUMENT OF DELEGATION UNDER THE LOCAL GOVERNMENT (ELECTIONS) ACT 1999

| Local Government (Elections) Act 1999 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 4(2)(d) | Fix a day for a poll | CEO | council |
| section 8(1) | Appoint a person or persons to the office or offices not filled by a supplementary election which has wholly or partially failed or been declared void | CEO | council |
| section 8(1)(a) | Appoint a person or persons to the office or offices that remain unfilled where not all vacancies are filled | CEO | council |
| section 9(1) | Hold a poll | CEO | council |
| section 9(3) | Fix a day as polling day for a poll by notice published on the council website | CEO | council |
| section 9(4) | Fix a day as the day on which the voters roll for the purposes of the poll closes | CEO | council |
| section 10(3) | Nominate a person as a deputy returning office of the council area | CEO | council |
| section 10(9) | Participate in consultation with the Electoral Commissioner regarding the proposed removal of a deputy returning officer nominated by the council | CEO | council |
| section 12(b) | Provide information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area, and to advise its local community about the outcome of elections and polls conducted in its area | CEO | council |
| section 13A(2)(a) | Inform potential electors in the council area of the requirements to be enrolled on the voters roll | CEO | council |
| section 13A(2)(b) | Arrange advertising Informing potential electors in the council area of the requirements to be enrolled on the voters roll | CEO | council |
| section 15(14) | Provide copies of the voters roll for the council area for inspection at the principal office of the council | CEO | council |

| Local Government (Elections) Act 1999 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 15(15) | Provide a copy of the voters roll to a nominated candidate for the election | CEO | council |
| section 55(1) | Participate in consultation with the returning officer regarding the use of a computer program to carry out steps involved in the recording, scrutiny or counting of votes in an election or poll | CEO | council |
| section 70(3) | Contest a petition to the Court by lodging a reply | CEO | council |
| section 75(1)(a) | Participate in proceedings as a party pursuant to an order of the Court | CEO | council |
| section 75(1)(b) | Apply to intervene in proceedings | CEO | council |
| section 75(3) | Intervene in proceedings in the manner and to the extent directed by the Court and on such other conditions as the court directs | CEO | council |
| section 76 | Engage counsel to represent the council in proceedings | CEO | council |
| section 77 | Apply to the court to refer a question of law to the Court of Appeal | CEO | council |
| section 91A(1) | Prepare and adopt a caretaker policy | CEO | council |
| section 91A(3) | Apply in writing for an exemption from the prohibition against making a designated decision during an election period | CEO | council |

# INSTRUMENT OF DELEGATION UNDER THE LOCAL GOVERNMENT (GENERAL) REGULATIONS 2013

| Local Government (General) Regulations 2013 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| regulation 8AB | Publish information listed in regulation 8AB of the Local Government (General) Regulations on a website determined by the chief executive officer as soon as practicable after the holding of an information or briefing session | CEO | council |
| clause 2(1), Schedule 2A | Prepare and maintain a policy relating to complaints against employees | CEO | council |

## INSTRUMENT OF DELEGATION UNDER THE OMBUDSMAN ACT 1972

| Ombudsman Act 1972 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 12D(1) | Comply with directions and guidelines prepared by Ombudsman governing reporting or misconduct or maladministration in public administration | CEO | public authority |
| section 12D(3) | Report to the Ombudsman any matter the council reasonably suspects involves misconduct or maladministration in public administration | CEO | public authority |
| section 12H(1)(b) | Act on a referral from the Ombudsman | CEO | public authority |
| section 12H(2)(a) | Produce a specified document or a document relating to a specified matter | CEO | public authority |
| section 12H(2)(b) | Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration | CEO | public authority |
| section 18(4) | To comment on the subject matter of a report | CEO | public authority |
| section 19A(1) | Comply with a notice of the Ombudsman | CEO | agency |
| section 19A(5) | Advise the Ombudsman that the council's failure to comply with a notice is reasonable and justifiable | CEO | agency |
| section 25(2) | Act in accordance with a recommendation of the Ombudsman | CEO | public authority |
| section 28 | Apply to the Supreme Court for a determination regarding the Ombudsman's jurisdiction | CEO | agency |
| section 28A(1) | Comply with directions of the Ombudsman | CEO | public authority |
| section 28A(2) | Comply with varied or further directions of the Ombudsman | CEO | public authority |

| Ombudsman Act 1972 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| section 28A(3) | Provide comments to the Ombudsman | CEO | public authority |
| section 29(8) | Act on a referral of the inspector | CEO | public authority |
| section 31(1)(b) | Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty or disciplinary investigation or action | CEO | agency / prosecution authority |

CITY OF ONKAPARINGA

**DELEGATIONS UPDATE MAY 2022**

**INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A 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) | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s7(5)(b) | 1. Environment and Food Production Areas – Greater Adelaide<br>1.1 The power pursuant to Section 7(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development. | CEO | |
| s22(4)(a)(i) | 2. Functions<br>2.1 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 | |
| s35(1)(a) | 3. Planning Agreements<br>3.1 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. | ND | |
| s35(3) | 3. Planning Agreements<br>3.2 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:<br>3.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and | ND | |
| s35(3) | 3. Planning Agreements<br>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions | ND | |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:<br>3.2.2 the constitution of a joint planning board including, in relation to such a board:<br>3.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and<br>3.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and<br>3.2.2.3 the procedures to be followed with respect to the appointment of members; and<br>3.2.2.4 the terms of office of members; and<br>3.2.2.5 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 35.2.2.6 the appointment of deputy members; and<br>3.2.2.7 the procedures of the board; and | | |
| s35(3) | 3. Planning Agreements<br>3.2 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:<br>3.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and | CEO | |
| s35(3) | 3. Planning Agreements<br>3.2 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:<br>3.2.4 the staffing and other support issues associated with the operations of the joint planning board; 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) | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s35(3) | 3. Planning Agreements<br>3.2 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:<br>3.2.5 financial and resource issues associated with the operations of the joint planning board, including:<br>3.2.5.1 the formulation and implementation of budgets; and<br>3.2.5.2 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 | CEO | |
| s35(3) | 3. Planning Agreements<br>3.2 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:<br>3.2.6 such other matters as the delegate thinks fit. | CEO | |
| s35(5)(a) | 3. Planning Agreements<br>3.3 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 | |
| s35(5)(b) | 3. Planning Agreements<br>3.4 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 | |
| s44(6)(a) | 4. Community Engagement Charter<br>4.1 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 | 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) | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council). | | |
| s44(9)(b) | 4. Community Engagement Charter<br>4.2 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 | |
| s44(10) | 4. Community Engagement Charter<br>4.3 The power pursuant to Section 44(10) of the PDI Act to:<br>4.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and<br>4.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter. | CEO | |
| s45(2)(c) | 5. Preparation and Amendment of Charter<br>5.1 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 | |
| s73(6) | 6. Preparation and Amendment<br>6.1 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:<br>6.1.1 to prepare a draft of the relevant proposal; and<br>6.1.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and<br>6.1.3 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 | CEO | |

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| | 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<br>6.1.4 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:<br>6.1.4.1 an owner or occupier of the land; and<br>6.1.4.2 an owner or occupier of each piece of adjacent land,<br>a notice in accordance with the regulations; and<br>6.1.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and<br>6.1.6 to carry out such investigations and obtain such information specified by the Commission; and<br>6.1.7 to comply with any requirement prescribed by the regulations. | | |
| s73(8) | 6. Preparation and Amendment<br>6.2 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 | |
| s73(9) | 6. Preparation and Amendment<br>6.3 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 | CEO | |

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| | under Section 73(4)(b) of the PDI Act (if relevant)). | | |
| s74(8)(c) | 7. Parliamentary Scrutiny<br>7.1 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. | CEO | |
| s75(3) | 8. Complying Changes – Planning and Design Code<br>8.1 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the Chief Executive). | CEO | |
| s82(d) | 9. Entities Constituting Relevant Authorities<br>9.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel. | ND | |
| s83(1) | 10. Panels Established by Joint Planning Boards or Councils<br>10.1 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:<br>10.1.1 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;<br>10.1.2 determine:<br>10.1.2.1 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 | ND | |

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| | 10.1.2.2 the procedures to be followed with respect to the appointment of members; and<br>10.1.2.3 the terms of office of members; and<br>10.1.2.4 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<br>10.1.2.5 the appointment of deputy members; and<br>10.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member. | | |
| s83(1)(h) | 10. Panels Established by Joint Planning Boards or Councils<br>10.2 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 | |
| s83(1)(i) | 10. Panels Established by Joint Planning Boards or Councils<br>10.3 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. | ND | |
| s83(2) | 10. Panels Established by Joint Planning Boards or Councils<br>10.4 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 | |
| s86(2)(a) | 11. Substitution of Local Panels | CEO | |

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| | 11.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry. | | |
| s89(b) | 12. Notification of Acting<br>12.1 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 | |
| s102(1)(c)(iv) | 13. Matters Against which Development Must be Assessed<br>13.1 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 | |
| s102(1)(d)(iv) | 13. Matters Against which Development Must be Assessed<br>13.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting. | CEO | |
| s102(11)(b) | 13. Matters Against which Development Must be Assessed<br>13.3 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 | |
| s110(2)(b) | 14. Restricted Development<br>14.1 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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| s110(c)(ii) | 14. Restricted Development<br>14.2 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 | |
| s110(7) | 14. Restricted Development<br>14.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development. | CEO | |
| s112(b) | 15. Level of Detail<br>15.1 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 | |
| s130(6) | 16. Essential Infrastructure – Alternative Assessment Process<br>16.1 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 | |
| s130(14) | 16. Essential Infrastructure – Alternative Assessment Process<br>16.2 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 | |
| s131(7) | 17. Development Assessment – Crown Development<br>17.1 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 | |

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| s131(15) | 17. Development Assessment – Crown Development<br>17.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition. | CEO | |
| s138(1) | 18. Land Division Certificate<br>18.1 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 | |
| s138(2) | 18. Land Division Certificate<br>18.2 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 | |
| s141(1) | 19. Action if Development Not Completed<br>19.1 The power pursuant to Section 141(1) of the PDI Act, if:<br>19.1.1 an approval is granted under the PDI Act; but<br>19.1.2 -<br>19.1.2.1 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<br>19.1.2.2 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,<br>to apply to the Court for an order under Section 141 of the PDI Act. | CEO | |

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| s141(5) | 19. Action if Development Not Completed<br>19.1.3 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 | |
| s141(6) | 19. Action if Development Not Completed<br>19.1.4 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:<br>19.1.4.1 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 | |
| s142(1) | 20. Completion of Work<br>20.1 The power pursuant to Section 142(1) of the PDI Act, if:<br>20.1.1 an approval is granted under the PDI Act; but<br>20.1.2 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,<br>to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice. | CEO | |
| s142(2) | 20. Completion of Work<br>20.2 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 | |
| s142(3) | 20. Completion of Work<br>20.3 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 | CEO | |

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| | Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act. | | |
| s142(4) | 20. Completion of Work<br>20.4 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:<br>20.4.1 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 | |
| s146(3) | 21. Notification During Building<br>21.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications. | CEO | |
| s151(2) | 22. Classification of Buildings<br>22.1 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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |
| s151(3) | 22. Classification of Buildings<br>22.2 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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |

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| s152(2) | 23. Certificates of Occupancy<br>23.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy. | CEO | |
| s152(3)(a) | 23. Certificates of Occupancy<br>23.2 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 | |
| s152(5) | 23. Certificates of Occupancy<br>23.4 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 | |
| s152(6) | 23. Certificates of Occupancy<br>23.5 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 | |
| s152(10) | 23. Certificates of Occupancy<br>23.6 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of:<br>23.6.1 the refusal; and<br>23.6.2 the reasons for the refusal; and<br>23.6.3 the applicant's right of appeal under the PDI Act. | CEO | |
| s152(12) | 23. Certificates of Occupancy<br>23.7 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 | |

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| s152(13) | 23. Certificates of Occupancy<br>23.8 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 | |
| s153(1) | 24. Temporary Occupation<br>24.1 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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |
| s153(2) | 24. Temporary Occupation<br>24.2 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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |
| s153(3) | 24. Temporary Occupation<br>24.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of:<br>24.3.1 the refusal; and<br>24.3.2 the reasons for the refusal; and<br>24.3.3 the applicant's right of appeal under the PDI Act. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |
| s155(5) | 25. Emergency Orders<br>25.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the | CEO | |

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| | necessary work to be carried out. | | |
| s155(6) | 25. Emergency Orders<br>25.2 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 | |
| s155(7) | 25. Emergency Orders<br>25.3 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 | |
| s157(16) | 26. Fire Safety<br>26.1 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. | ND | |
| s157(17) | 26. Fire Safety<br>26.2 The power pursuant to Section 157(17) of the PDI Act to:<br>26.2.1 appoint to the appropriate authority:<br>26.2.1.1 a person who holds prescribed qualifications in building surveying; and<br>26.2.1.2 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<br>26.2.1.3 a person with expertise in the area of fire safety; and<br>26.2.1.4 if so determined by the delegate, a person selected by the delegate; | CEO | |

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| s157(17) | 26. Fire Safety<br>26.2 The power pursuant to Section 157(17) of the PDI Act to:<br>26.2.2 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 | |
| s157(17) | 26. Fire Safety<br>26.2 The power pursuant to Section 157(17) of the PDI Act to:<br>26.2.3 remove a member of the appropriate authority from office for any reasonable cause; | CEO | |
| s157(17) | 26. Fire Safety<br>26.2 The power pursuant to Section 157(17) of the PDI Act to:<br>26.2.4 appoint deputy members; | CEO | |
| s157(17) | 26. Fire Safety<br>26.2 The power pursuant to Section 157(17) of the PDI Act to:<br>26.2.5 determine the appropriate authority's procedures (including as to quorum). | CEO | |
| s166(1)(c) | 27. Consideration of Proposed Scheme<br>27.1 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. | CEO | |
| s169(2)(b) | 28. Funding Arrangements<br>28.1 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 | |
| s169(9) | 28. Funding Arrangements | CEO | |

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| | 28.2 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. | | |
| s180(7) | 29. Imposition of Charge by Councils<br>29.1 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 | |
| s187(1) | 30. Authorised Works<br>30.1 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 | |
| s187(5) | 30. Authorised Works<br>30.2 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:<br>30.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and<br>30.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and<br>30.2.3 ensure that proper consideration is given to the views of the road maintenance authority. | CEO | |
| s187(5)(b) | 30. Authorised Works<br>30.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter. | CEO | |

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| s187(6) | 30. Authorised Works<br>30.4 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 | |
| s188(1) | 31. Entry onto Land<br>31.1 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:<br>31.1.1 enter and pass over any land; and<br>31.1.2 bring onto any land any vehicles, plant or equipment; and<br>31.1.3 temporarily occupy land; and<br>31.1.4 do anything else reasonably required in connection with the exercise of the power. | CEO | |
| s188(4) | 31. Entry onto Land<br>31.2 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 | |
| s192(1) | 32. Land Management Agreements<br>32.1 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 | |
| s192(2) | 32. Land Management Agreements<br>32.2 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 | |
| s192(4) | 32. Land Management Agreements | CEO | |

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| | 32.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to:<br>32.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and<br>32.3.2 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. | | |
| s192(5) | 32. Land Management Agreements<br>32.4 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 | |
| s192(8) | 32. Land Management Agreements<br>32.5 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 | |
| s192(9) | 32. Land Management Agreements<br>32.6 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 | |
| s192(10) | 32. Land Management Agreements<br>32.7 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 | CEO | |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | benefit of, a person or body who or which is not a party to the agreement. | | |
| s192(11) | 32. Land Management Agreements<br>32.8 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 | |
| s192(12) | 32. Land Management Agreements<br>32.9 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 | |
| s192(15) | 32. Land Management Agreements<br>32.10 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 | |
| s192(16) | 32. Land Management Agreements<br>32.11 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 | |
| s192(17) | 32. Land Management Agreements<br>32.12 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 | |
| s192(18) | 32. Land Management Agreements<br>32.13 The power pursuant to Section 192(18) of the | CEO | |

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| | 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. | | |
| s193(1) | 33. Land Management Agreements – Development Applications<br>33.1 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:<br>33.1.1 the person; and<br>33.1.2 any other person who has the benefit of the development authorisation; and<br>33.1.3 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 | |
| s193(2) | 33. Land Management Agreements – Development Applications<br>33.2 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 | |
| s193(3) | 33. Land Management Agreements – Development Applications<br>33.3 The power pursuant to Section 193(3) of the PDI Act to have regard to:<br>33.3.1 the provisions of the Planning and Design Code; and<br>33.3.2 the principle that the entering into of an | CEO | |

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| | agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act. | | |
| s193(5) | 33. Land Management Agreements – Development Applications<br>33.4 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 | |
| s193(10) | 33. Land Management Agreements – Development Applications<br>33.5 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 | |
| s193(11) | 33. Land Management Agreements – Development Applications<br>33.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land. | CEO | |
| s193(13) | 33. Land Management Agreements – Development Applications<br>33.7 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 | |
| s193(15) | 33. Land Management Agreements – Development Applications<br>33.8 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 | CEO | |

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| | rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land. | | |
| s193(16) | 33. Land Management Agreements – Development Applications<br>33.9 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 | |
| s197(2) | 34. Off-setting Contributions<br>34.1 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:<br>34.1.1 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<br>34.1.2 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<br>34.1.3 any other initiative or policy:<br>34.1.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;<br>34.1.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act. | CEO | |
| s197(3) | 34. Off-setting Contributions<br>34.2 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act:<br>34.2.1 an ability or requirement for a person who is | CEO | |

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| | proposing to undertake development (or who has the benefit of an approval under the PDI Act):<br>34.2.1.1 to make a contribution to a fund established as part of the scheme; or<br>34.2.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or<br>34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act,<br>in order to provide for or address a particular matter identified by the scheme; and<br>34.2.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and<br>34.2.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act. | | |
| s197(4) | 34. Off-setting Contributions<br>34.3 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 | |
| s197(4)(c) | 34. Off-setting Contributions<br>34.4 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 | |
| s198(1) | 35. Open Space Contribution Scheme<br>35.1 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:<br>35.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; | CEO | |

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| | or<br>35.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or<br>35.1.3 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. | | |
| s198(3) | 35. Open Space Contribution Scheme<br>35.2 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 | |
| s198(4)(a) | 35. Open Space Contribution Scheme<br>35.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council. | CEO | |
| s198(11) | 35. Open Space Contribution Scheme<br>35.4 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 | |
| s198(12) | 35. Open Space Contribution Scheme<br>35.5 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 | |
| s200(2) | 36. Urban Trees Fund | CEO | |

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| | 36.1 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette. | | |
| s200(3) | 36. Urban Trees Fund<br>36.2 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 | |
| s200(5) | 36. Urban Trees Fund<br>36.3 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 | |
| s200(6) | 36. Urban Trees Fund<br>36.4 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund:<br>36.4.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or<br>36.4.2 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. | CEO | |
| s200(7) | 36. Urban Trees Fund<br>36.5 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 | |
| s210(1) | 37. Appointment of Authorised Officers<br>37.1 The power pursuant to Section 210(1) of the | CEO | |

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| | PDI Act to:<br>37.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and<br>37.1.2 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. | | |
| s210(2) | 37. Appointment of Authorised Officers<br>37.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions. | CEO | |
| s210(3) | 37. Appointment of Authorised Officers<br>37.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:<br>37.3.1 containing a photograph of the authorised officer; and<br>37.3.2 stating any conditions of appointment limiting the authorised officer's appointment. | CEO | |
| s210(5) | 37. Appointment of Authorised Officers<br>37.4 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 | |
| s213(1) | 38. Enforcement Notices<br>38.1 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:<br>38.1.1 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;<br>38.1.2 direct a person to make good any breach in a | CEO | |

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| | manner, and within a period, specified by the delegate;<br>38.1.3 take such urgent action as is required because of any situation resulting from the breach. | | |
| s213(2) | 38. Enforcement Notices<br>38.2 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 | |
| s213(5) | 38. Enforcement Notices<br>38.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken. | CEO | |
| s213(6) | 38. Enforcement Notices<br>38.4 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 | |
| s213(7) | 38. Enforcement Notices<br>38.5 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 | |
| s214(1) | 39. Applications to Court<br>39.1 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 | |

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| s214(2) | 39. Applications to Court<br>39.2 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 | |
| s214(4) | 39. Applications to Court<br>39.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act. | CEO | |
| s214(6) | 39. Applications to Court<br>39.4 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 | |
| s214(9) | 39. Applications to Court<br>39.5 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 | |
| s214(10) | 39. Applications to Court<br>39.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act. | CEO | |
| s214(11) | 39. Applications to Court<br>39.7 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 | |
| s214(12) | 39. Applications to Court<br>39.8 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 | CEO | |

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| | 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 | | |
| s214(13) | 39. Applications to Court<br>39.9 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. | CEO | |
| s214(17) | 39. Applications to Court<br>39.10 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 | |
| s219(1) | 40. Proceedings for Offences<br>40.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act. | CEO | |
| s223(2) | 41. Adverse Publicity Orders<br>41.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order. | CEO | |
| s223(4) | 41. Adverse Publicity Orders<br>41.2 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:<br>41.2.1 take the PDI Action or actions specified in the order; and<br>41.2.2 authorise a person in writing to take the PDI Action or actions specified in the order. | CEO | |
| s223(5) | 41. Adverse Publicity Orders | CEO | |

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| | 41.3 The power pursuant to Section 223(5) of the PDI Act, if:<br>41.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and<br>41.3.2 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,<br>to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions. | | |
| s223(6) | 41. Adverse Publicity Orders<br>41.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council. | CEO | |
| s225(1) | 42. Civil Penalties<br>42.1 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 | |
| s225(2) | 42. Civil Penalties<br>42.2 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 | CEO | |

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| | or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors. | | |
| s225(3) | 42. Civil Penalties<br>42.3 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 | |
| s225(13) | 42. Civil Penalties<br>42.4 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 | |
| s225(17) | 42. Civil Penalties<br>42.5 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. | CEO | |
| s228(7) | 43. Make Good Order<br>43.1 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 | |
| s229(5) | 44. Recovery of Economic Benefit<br>44.1 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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| s230(1) | 45. Enforceable Voluntary Undertakings<br>45.1 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 | |
| s230(4) | 45. Enforceable Voluntary Undertakings<br>45.2 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 | |
| s230(7) | 45. Enforceable Voluntary Undertakings<br>45.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to:<br>45.3.1 vary the undertaking; or<br>45.3.2 withdraw the undertaking. | CEO | |
| s230(11) | 45. Enforceable Voluntary Undertakings<br>45.4 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 | |
| s230(12) | 45. Enforceable Voluntary Undertakings<br>45.5 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 | |
| s230(14) | 45. Enforceable Voluntary Undertakings<br>45.6 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 | |

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| s231(1) | 46. Advertisements<br>46.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding:<br>46.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or<br>46.1.2 is contrary to the character desired for a locality under the Planning and Design Code,<br>to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice). | CEO | |
| s231(3) | 46. Advertisements<br>46.2 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 | |
| s235(1) | 47. Professional Advice to be Obtained in Relation to Certain Matters<br>47.1 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 | |
| s235(2) | 47. Professional Advice to be Obtained in Relation to Certain Matters | CEO | |

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| | 47.2 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. | | |
| s239(1) | 48. Charges on Land<br>48.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed. | CEO | |
| s239(6) | 48. Charges on Land<br>48.2 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 | |
| s240(1) | 49. Registering Authorities to Note Transfer<br>49.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act. | CEO | |
| cl13(3)(b) sch2 | 50. Reporting<br>50.1 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 | 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) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | any other information or report required by the delegate. | | |
| cl3(16) sch4 | 51. Review of Performance<br>51.1 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. | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| r11B(1) | 52. Mutual Liability Scheme – Rights of Indemnity<br>52.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:<br>52.1.1 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<br>52.1.2 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,<br>have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel. | CEO | |
| r11B(5) | 52. Mutual Liability Scheme – Rights of Indemnity<br>52.2 The power pursuant to Regulation 11B(5) of the General Regulations to:<br>52.2.1 in being responsible under Section 87(f) of the | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 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<br>52.2.2 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,<br>have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager. | | |
| r47(4)(d) | 53. Performance Assessed Development and Restricted Development<br>53.1 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 | |
| r78(1) | 54. Underground Main Areas<br>54.1 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 | |
| r78(2) | 54. Underground Main Areas<br>54.2 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 | |
| r81(4) | 55. Width of Roads and Thoroughfares<br>55.1 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 | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services. | | |
| r81(5) | 55. Width of Roads and Thoroughfares<br>55.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate. | CEO | |
| r81(6) | 55. Width of Roads and Thoroughfares<br>55.3 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 | |
| r82(1) | 56. Road Widening<br>56.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area. | CEO | |
| r83(1) | 57. Requirement as to Forming of Roads<br>57.1 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 | |
| r83(2) | 57. Requirement as to Forming of Roads<br>57.2 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 | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| r83(4) | 57. Requirement as to Forming of Roads<br>57.3 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 | |
| r83(5) | 57. Requirement as to Forming of Roads<br>57.4 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 | |
| r83(6) | 57. Requirement as to Forming of Roads<br>57.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations. | CEO | |
| r84(1) | 58. Construction of Roads, Bridges, Drains and Services<br>58.1 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 | |
| r85(1) | 59. Supplementary Provisions<br>59.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations. | CEO | |
| r85(2) | 59. Supplementary Provisions<br>59.2 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 | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work. | | |
| r85(4) | 59. Supplementary Provisions<br>59.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and need to be laid under the surface of the proposed road, have been made. | CEO | |
| r89(1) | 60. General Provisions<br>60.1 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 | |
| r89(3) | 60. General Provisions<br>60.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which:<br>60.2.1 evidences the consent of the Council to an encroachment by a building over other land; and<br>60.2.2 sets out:<br>60.2.2.1 the date on which any relevant building was erected (if known); and<br>60.2.2.2 the postal address of the site. | CEO | |
| r89(6)(b) | 60. General Provisions<br>60.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations. | CEO | |
| r89(8) | 60. General Provisions<br>60.4 The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension of the period prescribed by Regulation 89(7). | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| r93(1)(b) | 61. Notifications During Building Work<br>61.1 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 | |
| r93(1)(c) | 61. Notifications During Building Work<br>61.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate. | CEO | |
| r94(13) | 62. Essential Safety Provisions<br>62.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if:<br>62.1.1 the essential safety provisions were installed<br>62.1.1.1 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<br>62.1.1.2 as part of a performance solution under the Building Code; or<br>62.1.2 the building has been the subject of a notice under Section 157 of the PDI Act. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r102(3) | 63. Classification of Buildings<br>63.1 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:<br>63.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | building's classification. | | required by the Act or Regulations |
| r102(4) | 63. Classification of Buildings<br>63.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r102(5) | 63. Classification of Buildings<br>63.3 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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r102(6) | 63. Classification of Buildings<br>63.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act:<br>63.4.1 the maximum number of persons who may occupy the building (or part of the building); and<br>63.4.2 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. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r103A(1) | 64. Required Documentation<br>64.1 The power pursuant to Regulation 103A(1) of the | CEO | The CEO ('the Delegate') shall exercise any powers, |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 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:<br>64.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied;<br>64.1.2 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 –<br>64.1.2.1 in the case of a building more than 1 storey – that the requirements of any relevant Ministerial building standard have been complied with; or<br>64.1.2.2 in any other case – that the building is suitable for occupation. | | duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r103A(2) | 64. Required Documentation<br>64.2 The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 July 2022 of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation:<br>64.2.1 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, | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r103A(3) | 64. Required Documentation<br>64.3 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 –<br>64.3.1 the delegate is satisfied that a person required to | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 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<br>64.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation. | | Regulations |
| r103C(1)(c) | 65. Statement of site suitability<br>65.1 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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r103D(1) | 66. Report from fire authority<br>66.1 The power pursuant to Regulation 103D(1) of the General Regulations, if –<br>66.1.1 a building is –<br>66.1.1.1 to be equipped with a booster assembly for use by a fire authority; or<br>66.1.1.2 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<br>66.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act,<br>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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r103D(2) | 66. Report from fire authority<br>66.2 The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | not received within 15 business days, to presume that the fire authority does not desire to make a report. | | |
| r103D(3) | 66. Report from fire authority<br>66.3 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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r103E(1)(b) | 67. Issue of certificate of occupancy<br>67.1 The power pursuant to Regulation 103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building work will be inspected by an authorised officer. | CEO | |
| r103E(3)(c) | 67. Issue of certificate of occupancy<br>67.2 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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r103F | 68.Revocation<br>68.1The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy –<br>68.1.1if –<br>68.1.1.1there is a change in the use of the building; or<br>68.1.1.2the classification of the building changes; or<br>68.1.1.3building work involving an alteration or extension to the building that will increase the floor area | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | of the building by more than 300m2 is about to commence, or is being or has been carried out; or<br>68.1.1.4the building is about to undergo, or is undergoing or has undergone, major refurbishment,<br>68.1.2if 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<br>68.1.3if 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<br>68.1.4if the delegate considers –<br>68.1.4.1that 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<br>68.1.4.2that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate. | | Regulations |
| r109(1)(b) | 69. Mining Production Tenements<br>69.1 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 | |
| r111(2) | 70. Register of Land Management Agreements (Section 193)<br>70.1 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 | |
| r111(3) | 70. Register of Land Management Agreements (Section 193)<br>70.2 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 | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | information the delegate considers appropriate. | | |
| r112(1) | 71. Authorised Officers and Inspections<br>71.1 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:<br>71.1.1 who is an accredited professional who is:<br>71.1.1.1 an Accredited professional - building level 1; or<br>71.1.1.2 an Accredited professional - building level 2; or<br>71.1.1.3 an Accredited professional - building level 3; or<br>71.1.1.4 an Accredited professional - building level 4; or<br>71.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or<br>71.1.3 who holds an approval from the Chief Executive. | CEO | |

| Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| r5(1) | 72. Calculation of Assessment of Fees<br>72.1 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):<br>72.1.1 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<br>72.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority). | CEO |
| r5(2) | 72. Calculation of Assessment of Fees<br>72.2 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 |
| r5(3) | 72. Calculation or Assessment of Fees<br>72.3 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 | CEO |

| Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| | fee payable under the Fees Regulations or a related set of Regulations. | |
| r7 | 73. Waiver or Refund of Fee<br>73.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:<br>73.1.1 waive the payment of the fee, or the payment of part of the fee; or<br>73.1.2 refund the whole or a part of the fee. | CEO |

| State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| cl5(1) | 74. Requirements in Relation to Preparing an Engagement Plan<br>74.1 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:<br>74.1.1 meets the principles and performance outcomes of the Charter;<br>74.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:<br>74.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act<br>74.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;<br>74.1.2.3 who must be consulted with under the Charter;<br>74.1.3 outlines any relevant previous engagement undertaken to inform the proposal;<br>74.1.4 describes the evaluation framework for the engagement. | CEO |
| cl5(2) | 74. Requirements in Relation to Preparing an Engagement Plan<br>74.2 The power pursuant to clause 5(2) of PD2 to submit all engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan to the Commission for approval prior to commencement of formal engagement on the proposal. | CEO |
| cl6(2) | 75. Preparation of an Engagement Report (Following Consultation)<br>75.1 The power pursuant to clause 6(2) of PD2 to set out in an engagement report:<br>75.1.1 details of the engagement undertaken and how that engagement met the engagement plan, and reasons for variations, if any to the engagement plan;<br>75.1.2 the outcome of the engagement including a summary of the written submission or feedback made;<br>75.1.3 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: | CEO |

| State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| | 75.1.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and<br>75.1.3.2 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. | |
| cl6(3) | 75. Requirements in Relation to Preparing an Engagement Report Following Consultation<br>75.2 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:<br>75.2.1 the principles of the Charter have been achieved; and<br>75.2.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable). | CEO |
| cl7(1) | 76. Initiating a Code Amendment<br>76.1 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:<br>76.1.1 Code Policy – an outline of:<br>76.1.1.1 any overlay, general policy, zone or subzones in the Code being proposed for amendment; and/or<br>76.1.1.2 the intended spatial application of an overlay, general policy, zone or subzone in the Code over an identified area;<br>76.1.2 Affected Area<br>76.1.2.1 a map or description of the Affected Area;<br>76.1.3 State Planning Policies<br>76.1.3.1 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;<br>76.1.4 Regional Plan<br>76.1.4.1 Identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by<br>the proposed Code Amendment will relate to the relevant regional plan;<br>76.1.5 Consultation -<br>76.1.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment;<br>76.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed code Amendment;<br>76.1.6 Investigations -<br>76.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment<br>76.1.6.2 an outline of the further investigations that will be undertaken to support the | CEO |

| State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| | proposed Code Amendment;<br>76.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided;<br>76.1.6.4 details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment<br>76.1.7 Timetable<br>76.1.7.1 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. | |
| cl7(3) | 76. Initiating a Code Amendment<br>The power pursuant to clause 7(3) 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:<br>76.2.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes:<br>76.2.1.1 all relevant property details and descriptions (including images);<br>76.2.1.2 historical background and thematic analysis;<br>76.2.1.3 a statement of heritage value;<br>76.2.1.4 an assessment against the Local Heritage Criteria; and<br>76.2.1.5 the extent of listing (including any exclusions);<br>76.2.2 includes an analysis of historic themes of importance to the area;<br>76.2.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and<br>76.2.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act. | CEO |
| cl 7(4) | 76. Initiating a Code Amendment<br>76.3 The power pursuant to clause 7(4) 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:<br>76.3.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary)<br>76.3.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;<br>76.3.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report. | CEO |

| State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| cl8(1) | 77. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)<br>77.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to:<br>77.1.1 carry out investigations and obtain such information:<br>77.1.1.1 as provided in the Proposal to Initiate approved by the Minister;<br>77.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and<br>77.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;<br>77.1.2 provide the Department with:<br>77.1.2.1 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<br>77.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment;<br>77.1.3 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;<br>77.1.4 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<br>77.1.5 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. | CEO |
| cl8(2) | 77. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)<br>77.2 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 |
| cl9(1) | 78. Requirements for a Draft Code Amendment<br>78.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information:<br>78.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment)<br>78.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;<br>78.1.3 an assessment of the strategic planning outcomes intended to be achieved | CEO |

| State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| | 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;<br>78.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and<br>78.1.5 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. | |
| cl11(1) | 79. Complying Changes to the Code<br>79.1 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:<br>79.1.1 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<br>Amendment;<br>79.1.2 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;<br>79.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and<br>79.1.4 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 | CEO |
| cl12(1) | 80. Early Commencement of a Code Amendment<br>80.1 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:<br>80.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:<br>80.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and<br>80.1.1.2 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; | CEO |

| State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| | 80.1.2 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<br>80.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment | |

| State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019 | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| cl6(3)(b) | 81. Responsibility to Undertake Notification<br>81.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act. | CEO |

| State Planning Commission Practice Direction (Council Inspections) 2020 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| cl2(2) | 82. Mandatory Inspections<br>82.1 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:<br>82.1.1 primary structural elements;<br>82.1.2 structural framing and roof trusses;<br>82.1.3 wet areas and waterproofing;<br>82.1.4 barriers to prevent falls;<br>82.1.5 cladding;<br>82.1.6 egress provisions;<br>82.1.7 bushfire protection systems;<br>82.1.8 passive and active fire safety elements; | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |

| State Planning Commission Practice Direction (Council Inspections) 2020 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 82.1.9 private bushfire shelters; and<br>82.1.10 performance solutions. | | |
| cl3(2) | 83. Additional Inspections<br>83.1 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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| cl4(3) | 84. Inspections Generally<br>84.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| cl1(2) | 85. General Requirements<br>85.1 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 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| cl5(2) | 86. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building<br>86.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |

| Urban Tree Canopy Off-set Scheme | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** |
| cl 9 | 87. Use of Money from Fund<br>87.1 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):<br>87.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a<br>designated local government area; or<br>87.1.2 the purchase of land within a designated local government area to ensure:<br>87.1.2.1 the preservation of trees; or<br>87.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss. | CEO |

## 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 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s7(5)(a) | 1. Environment and Food Production Areas – Greater Adelaide<br>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. | CEO | |
| s7(5)(d) | 1. Environment and Food Production Areas – Greater Adelaide<br>1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development. | CEO | |
| s99(2)(b)(ii) | 2. Related Provisions<br>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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |

| 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s99(3) | 2. Related Provisions<br>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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |
| s102(1) | 3. Matters Against Which Development Must be Assessed<br>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). | CEO | |
| s102(8) | 3. Matters Against Which Development Must be Assessed<br>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 | |
| s118(1) | 4. Building Consent<br>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 | |
| s118(2)(a) | 4. Building 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 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. | | |
| s118(2) | 4. Building Consent<br>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:<br>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:<br>4.3.1.1 that:<br>(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<br>(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<br>4.3.1.2 in a case where the consent is being sought after the development has occurred - that the variance is justifiable in the circumstances of the particular case. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |

| 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s118(4) | 4. Building Consent<br>4.4 The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission for an opinion on whether or not it complies with the performance requirements of the Building Code or a Ministerial building standard. | CEO | |
| s118(6) | 4. Building Consent<br>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 | |
| s118(7) | 4. Building Consent<br>4.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard. | CEO | |
| s118(8) | 4. Building Consent<br>4.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work | 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | complies with the Building Rules to the extent that:<br>4.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or<br>4.7.2 such compliance is certified by a building certifier. | | |
| s118(10) | 4. Building Consent<br>4.8 The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |
| s118(11) | 4. Building Consent<br>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):<br>4.9.1 the variance; and<br>4.9.2 the grounds on which the decision is being made. | CEO | |
| s119(1)(b) | 5. Application and Provision of Information<br>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 | |

| 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | any information as the delegate may reasonably require. | | |
| s119(3) | 5. Application and Provision of Information<br>5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:<br>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;<br>5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;<br>5.2.3 to consult with an authority or body prescribed by the regulations;<br>5.2.4 to comply with any other requirement prescribed by the regulations. | CEO | |
| s119(6)(b) | 5. Application and Provision of Information<br>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. | CEO | |
| s119(7) | 5. Application and Provision of Information<br>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 | |
| s119(9) | 5. Application and Provision of Information<br>5.5 The power pursuant to Section 119(9) of the PDI Act to:<br>5.5.1 permit an applicant: | 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 5.5.1.1 to vary an application;<br>5.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application,<br>(provided that the essential nature of the proposed development is not changed); | | |
| s119(9) | 5. Application and Provision of Information<br>5.5 The power pursuant to Section 119(9) of the PDI Act to:<br>5.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations; | CEO | |
| s119(9) | 5. Application and Provision of Information<br>5.5 The power pursuant to Section 119(9) of the PDI Act to:<br>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); | CEO | |
| s119(9) | 5. Application and Provision of Information<br>5.5 The power pursuant to Section 119(9) of the PDI Act to:<br>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 | 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | matter until any specified matter is resolved, rectified or addressed. | | |
| s119(10) | 5. Application and Provision of Information<br>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 | |
| s119(12) | 5. Application and Provision of Information<br>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 | |
| s119(14) | 5. Application and Provision of Information<br>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 | |
| s120(1) | 6. Outline Consent<br>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 | |
| s120(3) | 6. Outline Consent<br>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:<br>6.2.1 grant any consent contemplated by the outline consent; and | 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 6.2.2 not impose a requirement that is inconsistent with the outline consent. | | |
| s122(1) | 7. Referrals to Other Authorities or Agencies<br>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:<br>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<br>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. | CEO | |
| s122(5)(b) | 7. Referrals to Other Authorities or Agencies<br>7.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:<br>7.2.1 to refuse the application; or<br>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)<br>where the regulations so provide. | CEO | |
| s122(7) | 7. Referrals to Other Authorities or Agencies | 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 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. | | |
| s122(10) | 7. Referrals to Other Authorities or Agencies<br>7.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment. | CEO | |
| s124(1) | 8. Proposed Development Involving Creation of Fortifications<br>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 | |
| s124(5) | 8. Proposed Development Involving Creation of Fortifications<br>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:<br>8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application;<br>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. | 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s124(6) | 8. Proposed Development Involving Creation of Fortifications<br>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 | |
| s124(7) | 8. Proposed Development Involving Creation of Fortifications<br>8.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act, to apply to the Court to be joined as a party to the appeal. | CEO | |
| s126(1) | 9. Determination of Application<br>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 | |
| s126(3) | 9. Determination of Application<br>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 | 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); | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | prescribed under Section 126(2) of the PDI Act. | | |
| s127(1) | 10. Conditions<br>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 | |
| s127(2)(c) | 10. Conditions<br>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 | |
| s128(2)(d) | 11. Variation of Authorisation<br>11.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative. | CEO | |
| s133(3) | 12. Saving Provisions<br>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 | |
| s134(1) | 13. Requirement to Up-grade<br>13.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |

| 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); | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s134(1) | 13. Requirement to Up-grade<br>13.2 The power pursuant to Section 134(1) of the PDI Act, if:<br>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<br>13.2.1.2 a change of classification of a building; and<br>13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,<br>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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |
| s134(2) | 13. Requirement to Up-grade<br>13.3 The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |
| s134(3) | 13. Requirement to Up-grade<br>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:<br>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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |

| 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); | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 13.4.2 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 | | |
| s134(4) | 13. Requirement to Up-grade<br>13.5 The power pursuant to Section 134(4) of the PDI Act if:<br>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<br>13.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities, to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be). | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |
| s134(5) | 13. Requirement to Up-grade<br>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:<br>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 | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations. |

| 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | relevant authority will grant building consent; and<br>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. | | |
| s135(2)(d) | 14. Urgent Building Work<br>14.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction. | CEO | |
| s143(1) | 15. Cancellation of Development Authorisation<br>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 | |
| s143(2) | 15. Cancellation of Development Authorisation<br>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 | |
| s235(1) | 16. Professional Advice to be Obtained in Relation to Certain Matters<br>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. | 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); | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s235(2) | 16. Professional Advice to be Obtained in Relation to Certain Matters<br>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 | |
| cl18(2) sch8 | 17. Continuation of Processes<br>17.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:<br>17.1.1 adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and<br>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<br>17.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and<br>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<br>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, | 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); | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | powers or duties under Clause 18 of Schedule 8 of the PDI Act. | | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| r25(7)(c) | 18. Accredited Professionals<br>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 | |
| r31(1) | 19. Verification of Application<br>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:<br>19.1.1 determine the nature of the development; and | CEO | |
| r31(1) | 19. Verification of Application<br>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 | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:<br>19.1.2 if the application is for planning consent - determine:<br>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<br>19.1.2.2 the category or categories of development that apply for the purposes of development assessment; and | | |
| r31(1) | 19. Verification of Application<br>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:<br>19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and | CEO | |
| r31(1) | 19. Verification of Application<br>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:<br>19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):<br>19.1.4.1 check that the appropriate documents and information have been lodged with the application; and | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 19.1.4.2 confirm the prescribed fees required to be paid at that point ; and<br>19.1.4.3 provide an appropriate notice via the SA planning portal; and | | |
| r31(1) | 19. Verification of Application<br>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:<br>19.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):<br>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<br>19.1.5.2 provide an appropriate notice via the SA planning portal. | CEO | |
| r35(3) | 20. Amended Applications<br>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 repeat an action otherwise required under Division 2 or Division 3. | CEO | |
| r35(4) | 20. Amended Applications<br>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 | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations. | | |
| r38(1) | 21. Withdrawing/Lapsing Applications<br>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:<br>21.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and<br>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. | CEO | |
| r38(2) | 21. Withdrawing/Lapsing Applications<br>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 | |
| r38(3) | 21. Withdrawing/Lapsing Applications<br>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:<br>21.3.1 take reasonable steps to notify the applicant of the action under consideration; and<br>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. | CEO | |
| r40 | 22. Court Proceedings<br>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 | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | proceedings under the PDI Act have been concluded. | | |
| r42(1) | 23. Additional Information or Amended Plans<br>23.1 The power pursuant to Regulation 42(1) of the General Regulations if the relevant authority has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process. | CEO | |
| r45(1) | 24. Building Matters<br>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:<br>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<br>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<br>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,<br>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. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r45(2) | 24. Building Matters<br>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 | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | days, to presume that the fire authority does not desire to make a report. | | |
| r45(3) | 24. Building Matters<br>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 | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |
| r45(4) | 24. Building Matters<br>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:<br>24.4.1 recommends against the granting of building consent; or<br>24.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate:<br>24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or<br>24.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent, to:<br>24.4.5 refer the application to the Commission; and<br>24.4.6 not grant consent unless the Commission concurs in the granting of the consent. | CEO | |
| r45(5) | 24. Building Matters<br>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 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| r57(4)(a) | 25. Notice of Decision (Section 126(1))<br>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 | |
| r60 | 26. Consideration of Other Development Authorisations<br>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 | |
| r61(4)(c) | 27. Certificate of Independent Technical Expert in Certain Cases<br>27.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation. | CEO | |
| r63(1) | 28. Urgent Work<br>28.1 The power pursuant to Regulation 63(1) of the General Regulations to,<br>28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and<br>28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations. | CEO | |
| r63(2) | 28. Urgent Work | CEO | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 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. | | |
| r63(3) | 28. Urgent Work<br>28.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period. | CEO | |
| r65(1)(a) | 29. Variation of Authorisation (Section 128)<br>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 | |
| r99(4) | 30. Construction Industry Training Fund<br>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 applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable. | CEO | |
| r99(5) | 30. Construction Industry Training Fund<br>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 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| cl4(3)<br>sch8 | 31. Plans for Building Work<br>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:<br>31.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or<br>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,<br>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. | CEO | The CEO ('the Delegate') shall exercise any powers, duties and functions only upon receipt of formal written advice from a person who holds the prescribed qualifications and knowledge as required by the Act or Regulations |

| Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 | | |
|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** |
| r5(1) | 32. Calculation or Assessment of Fees<br>32.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal):<br>32.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and | CEO |

| Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 | | |
|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** |
| | 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) | |
| r5(2) | 32. Calculation or Assessment of Fees<br>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 |
| r5(3) | 32. Calculation or Assessment of Fees<br>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 |
| r7 | 33. Waiver or Refund of Fee<br>33.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:<br>33.1.1 waive the payment of the fee, or the payment of part of the fee; or<br>33.1.2 refund the whole or a part of the fee. | CEO |

# INSTRUMENT OF DELEGATION UNDER THE SOUTH AUSTRALIA PUBLIC HEALTH (LEGIONELLA) REGULATIONS 2013

| South Australia Public Health (Legionella) Regulations 2013 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| regulation 5(3) | Approve the manner and form for applying to register a high risk manufactured water system | CEO | relevant authority |
| regulation 5(3) | Receive fee for registration of a high risk manufactured water system | CEO | relevant authority |
| regulation 5(3) | Register a high risk manufactured water system | CEO | relevant authority |
| regulation 5(6) | Approve the manner and form for applying to renew the registration of a high risk manufactured water system | CEO | relevant authority |
| regulation 5(6) | Receive fee for renewal of registration of a high risk manufactured water system | CEO | relevant authority |
| regulation 5(6) | Register a renewal of the registration of a high risk manufactured water system | CEO | relevant authority |
| regulation 6(1) | Keep a register of high risk manufactured water system | CEO | relevant authority |
| regulation 6(2) | Determine manner and form of keeping a register of high risk manufactured water system | CEO | relevant authority |
| regulation 6(4) | Receive notice of a change in particulars from the owner of premises on which a high risk manufactured water systems registered with the council | CEO | relevant authority |
| regulation 6(5) | Receive notice of the permanent decommissioning or removal of a high risk manufactured water systems registered with the council | CEO | relevant authority |
| regulation 15(1)(a) | Cause an inspection of a high risk manufactured water systems registered with the council | CEO | relevant authority |
| regulation 15(1)(b) | Arrange for a NATA accredited laboratory to conduct microbiological testing of water taken from each cooling water and each warm water system | CEO | relevant authority |

| South Australia Public Health (Legionella) Regulations 2013 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Capacity of Council** |
| regulation 15(2)(a) | Notify the owner of premises on which a high risk manufactured water systems registered with the council of inspection and microbiological testing requirements | CEO | relevant authority |
| regulation 15(2)(b) | Receive reports from the owner of premises on which a high risk manufactured water systems registered with the council in regard to inspection of the system and microbiological testing | CEO | relevant authority |
| regulation 16(1) | Notify the owner of premises with a high risk manufactured water system of microbiological testing requirements | CEO | relevant authority |
| regulation 16(1)(d) | Receive report from the owner of premises on which a high risk manufactured water system is installed regarding microbiological testing | CEO | relevant authority |
| regulation 17(1)(b) | Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella | CEO | relevant authority |
| regulation 17(2)(b) | Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella | CEO | relevant authority |
| regulation 17(3) | Forward a report regarding detection of Legionella under regulation 17 to the Department of Health and Wellbeing | CEO | relevant authority |
| regulation 21(3) | Notify a person liable to pay a fee of a period in which the fee must be paid | CEO | relevant authority |

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## 9.12 NOMINATION TO THE POWER LINE ENVIRONMENT COMMITTEE

| Report contact | Meeting |
|---|---|
| David Stobbe, Director Corporate | Council |
| 08 8488 2058 | |
| **Approving officer** | **Date** |
| Julia Grant, Chief Executive Officer (Acting) | 17 May 2022 |

### 1. Purpose

The Local Government Association (LGA) is seeking nominations from local government members for one position on the Power Line Environment Committee (PLEC) for a three-year term (Attachment 1).

Following the resignation of Mr Klinton Devenish from the City of Adelaide, the LGA is seeking nominations from suitably qualified council members or employees of a council, or other local government entity, to fill this position for a term of up to three years.

Approval is sought from Council to nominate an employee. It is noted that David Stobbe, Director Corporate has expressed an interest in nominating for this position.

### 2. Recommendations

**That Council nominate ..... to the Power Line Environment Committee and be considered by the Local Government Association for the position for a three-year term.**

### 3. Executive summary

The PLEC sits informally under section 58A of Electricity Act 1996.The Committee exists to assist local government with initiatives to enhance the aesthetics of a location by undergrounding power lines. Undergrounding can enable trees to be established and streetscaping projects to be implemented thereby improving the appearance of a locality. The PLEC has developed Guidelines which define the roles and responsibilities for PLEC projects and provide guidance to the PLEC process.

The PLEC comprises eight members with one member representing the interests of each of the following:

- Department of Environment and Water;
- Transport SA (or its equivalent);
- Tourism interests;
- The Local Government Association of South Australia;
- Conservation interests;
- Holders of licenses under the Electricity Act which authorise the operation of networks (Network Licensees);
- Two Community representatives

The PLEC operates under a Charter (Attachment 2) assigned by the Minister in August 2000. The Charter defines the scope of PLEC activities, its composition, financial arrangements, reporting requirements and associated administrative processes.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **people:** connected, engaged, active, healthy<br>**place:** green, inviting, accessible, liveable<br>**prosperity:** economically strong, environmentally thriving<br>**performance:** accountable, efficient, inclusive, sustainable<br>Place – Our city is green and inviting, we encourage sustainable residential development that improves our city's liveability and natural areas. |
| Policy and/or relevant legislation | The PLEC sits informally under section 58A of Electricity Act 1996 |
| Who did we talk to/who will we be talking to | Directors were notified of the opportunity via the Local Government Association of South Australia CEO's update, Vol 7: Issue 6 - Wednesday 30 March 2022.<br>Elected members were advised via Weekly News 8 April 2022 that nominations were being sought for a local government member on the Committee. |

## 5. Discussion

The Committee meets 12 times per year for approximately 2 hours per session. The remuneration for the role is $2,110 p.a.

In accordance with the *LGA Appointments and Nominations to Outside Bodies Policy* (Policy) the Nominations Committee of the LGA Board of Directors may undertake preliminary consideration of nominees and make recommendations to the LGA Board of Directors.

LGA nominations on Outside Bodies will, unless determined otherwise by the LGA Board of Directors, be currently serving council members or employees of a council or other local government entity. Only nominations submitted following a resolution of council will be considered.

## 6. Financial implications

There are no financial implications for Council to nominate an Employee to the LGA to be considered for the position on the Power Line Environment Committee for a three-year term.

## 7. Risk and opportunity management

| Opportunity | |
|---|---|
| **Identify** | **Maximising the opportunity** |
| City of Onkaparinga Representative on the Power Line Environment Committee | With 20 years electricity industry experience, commercial acumen, and firsthand experience with PLEC projects (whilst at SA Power Networks) David Stobbe, Director Corporate is well positioned to take on this role and represent the interests of the City of Onkaparinga and the Local Government Association more broadly. |

## 8. Timelines and deadlines

The nominee and council are required to complete the Nomination Form (Attachment 3) and forward to nominationscoordinator@lga.sa.gov.au by **5pm 20 May 2022.**

## 9. Next steps

Nominations will be considered by the LGA Board of Directors' by circular resolution.

## 10. Attachments

Attachment 1 – Call for Nominations Information Sheet (1 page)

Attachment 2 – The Charter of Power Line Environment Committee (9 pages)

Attachment 3 – Nomination Form (2 pages)

- END OF REPORT –

**PART A**

# LGA Appointments and Nominations to Outside Bodies — Call for Nominations

| **Power Line Environment Committee (PLEC)** | |
|---|---|
| **Governing Statute (if applicable)** | Advisory Committee |
| **Purpose/Objective** | Assisting the Minister responsible for the Electricity Act 1996 in assessing and recommending the undergrounding of overhead power lines. |
| **Administrative Details** | • The Committee meets 12 times per year for approximately 2 hours per session. Currently every fourth Thursday of the month.<br>• Hybrid model meetings – members attending in person (11 Waymouth Street, Adelaide) or via MS Teams.<br>• Generally, no reimbursement for travel expenses to attend meetings in person.<br>• On occasion, the committee members travel to sites to inspect the progress of projects. On some occasions site visits may require an overnight stay – those actual costs e.g., travel, meal allowance and overnight stay would be covered by the Department.<br>• The remuneration for the role is $2,110 p.a. |
| **Selection Criteria (*to be addressed by applicant*)** | • Local government knowledge and experience<br>• Knowledge and experience of the Electricity Act and Local Government impacts<br>• Knowledge of the PLEC Program and infrastructure related projects would be an advantage.<br>• Ability to advocate and represent the interest of Local Government. |
| **Board / Committee Experience** | • Previous experience on intergovernmental boards and committees |

| **Liability and indemnity cover**<br>*The LGA requires that persons appointed to Outside Bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the Outside Body on an annual basis.* | |
|---|---|
| Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body | **Yes** |
| Insurance Policies are valid & current | **Yes** |

**For more information contact:** LGA Nominations Coordinator at nominationscoordinator@lga.sa.gov.au or 8224 2000

Attachment 2

# The Charter

of the

# Power Line Environment Committee



## THE CHARTER OF THE COMMITTEE

The Charter of the Committee is to advise the Minister responsible for the *Electricity Act 1996* (the *Minister*) in relation to the preparation of programs for undergrounding work pursuant to section 58A of the *Electricity Act* and (on the Minister's behalf) to undertake such consultations, and seek such proposals and submissions, as are required to be undertaken and sought by the Minister for the purposes of that section. In addition, the Committee is responsible for monitoring the progress and costs of undergrounding work which is undertaken pursuant to such programs. The purpose of undergrounding work that is the subject of these programs is to improve the aesthetics of an area for the benefit of the general community having regard to road safety and the provisions for electrical safety pursuant to the *Electricity Act 1996*.

## ESTABLISHMENT OF COMMITTEE, MEMBERSHIP AND PROCEEDINGS

1. The Committee shall comprise eight members with one member representing the interests of each of the following:
    - Department of Environment and Heritage (or its equivalent)
    - Department of Planning, Transport & Infrastructure (or its equivalent)
    - tourism
    - the Local Government Association of South Australia
    - conservation
    - the holders of licences issued under the Electricity Act which authorise the operation of transmission or distribution networks (Network Licensees), and
    - two community representatives.
2. Each member of the Committee shall be appointed by the Minister for a period of up to three years.
3. Upon the expiry of a member's term of office, the Minister may appoint the member for a further term.
4. The Minister shall appoint one of the members as Chairperson (who shall preside at each meeting of the Committee at which that person is present), and may appoint another member as Deputy Chairperson.
5. Members who are not employees of a Government department or statutory authority shall be paid fees which shall be determined by the Minister and paid by the Essential Services Commission of South Australia.
6. The Essential Services Commission of South Australia shall provide secretarial services to, and fund the operation of, the Committee (including funding the remuneration package for an executive officer of the Committee and the costs of producing the annual report referred to in clause 26).
7. A quorum at a meeting of the Committee shall consist of five members.
8. Each member present at a meeting of the Committee shall have one vote on any question arising for decision and, if the votes are equal, the member presiding at the meeting may exercise a casting vote.
9. A decision carried by a majority of the votes cast by members at a meeting of the Committee shall be a decision of the Committee.
10. The Committee shall cause accurate minutes to be kept of its proceedings.
11. Except as set out in this Charter, the Committee may determine its own procedures (including the procedures for holding meetings by teleconference).

## PREPARATION OF UNDERGROUNDING PROGRAMS

12. (a) In July of each year the Committee shall, by written notice, invite proposals and submissions, on behalf of the Minister, from Councils, bodies responsible for the care, control or management of roads, Network Licensees, and such other persons as the Minister considers appropriate for undergrounding work to be included in an undergrounding program to be prepared under section 58A of the Electricity Act for the six months commencing on 1 July after the date of publication of the notice. The notice must state that such proposals and submissions must be provided to the Committee no later than 31 August in the year in which that notice is published.

    (b) In January of each year the Committee shall, by written notice, invite proposals and submissions, on behalf of the Minister, from Councils, bodies responsible for the care, control or management of roads, Network Licensees, and such other persons as the Minister considers appropriate for undergrounding work to be included in an undergrounding program to be prepared under section 58A of the Electricity Act for the six months commencing on 1 January after the date of publication of the notice. The notice must state that such proposals and submissions must be provided to the Committee no later than 28 February in the year in which that notice is published.

13. The Committee shall prepare and publish guidelines to assist Councils and others in the preparation of proposals and submissions for undergrounding work to be included in an undergrounding program as described in clause 12 and for the coordination of undergrounding work as described in clause 21. Such guidelines must be consistent with any guidelines which are issued by the Minister under clause 22.

14. Annexure 1 sets out an indicative timetable for the development of undergrounding programs for a financial year.

15. The Committee must consider all of the proposals and submissions received by it within the time period specified in the relevant notice referred to in clause 12 in relation to undergrounding work to be carried out in the relevant six month period.

16. In preparing any undergrounding program the Committee must, on behalf of the Minister, consult with Councils, bodies responsible for the care, control or management of roads, Network Licensees and such other persons as the Minister considers appropriate.

17. No later than seven months before the commencement of the six month period to which an undergrounding program is to relate, the Chairperson must provide to the Minister:

    (a) a comprehensive summary of all proposals and submissions received by it in relation to undergrounding work to be carried out in that six month period;

    (b) a draft program (including a schedule) for undergrounding work to be carried out in that six month period;

    (c) details of all consultations undertaken by the Committee in relation to the preparation of that draft undergrounding program (including the matters raised by the parties consulted and the response of the Committee to those matters);

(d) the cost of undertaking each item of undergrounding work included in that draft undergrounding program, as estimated by the Committee; and

(e) such other information as the Minister may request.

18. (a) Undergrounding work must not be included in a draft undergrounding program provided to the Minister under clause 17 unless:

(i) the Council of each area concerned has agreed to contribute to the cost of such work as is proposed to be carried out in its area on the basis determined by the Minister; or

(ii) the Minister determines, in relation to that work, that the relevant Council need not contribute to the cost of the work.

Unless the Minister otherwise determines, the basis on which a Council must agree to contribute to the cost of the work proposed to be carried out in its area for that work to be eligible for inclusion in an undergrounding program is $1 for every $2 of the cost of the work proposed to be carried out in its area, at the expense of Network Licensees, pursuant to the program.

(b) Without detracting from clause 18(a), undergrounding work may also be included in a draft undergrounding program provided to the Minister under clause 17 where the Minister approves of a body other than a Council (eg. the National Parks and Wildlife Service) contributing to the cost of the works.

19. After considering the draft undergrounding program provided to the Minister under clause 17 (together with the summary of all proposals and submissions, the details of all consultations undertaken in relation to it and the estimated cost of undertaking each item of undergrounding work included in it, as provided to the Minister under clause 17) and such other matters as the Minister considers appropriate or as may be submitted to the Minister (whether by the Committee, Councils, bodies responsible for the care, control or management of roads, Network Licensees or otherwise), the Minister shall approve the relevant draft undergrounding program provided to the Minister, together with such amendments as the Minister thinks fit.

20. Once an undergrounding program has been approved by the Minister, any variation to that program may only be made in accordance with the Electricity Act and with the approval of the Committee.

21. Unless the Committee otherwise determines, the proponent of any undergrounding project which is included in an undergrounding program will be responsible for coordinating the work relating to that project (including liaising between the relevant Network Licensee and any bodies the cooperation or services of which are required to facilitate that work).

22. The Minister may from time to time, and after consulting with the Committee, issue written guidelines to the Committee which specify the nature of the projects to be included in draft undergrounding programs prepared by the Committee, the priority to be given to such

projects and such other matters relating to undergrounding programs as the Minister considers appropriate.

23. Where any undergrounding work included in an undergrounding program includes work that is initiated by the Department of Planning, Transport & Infrastructure (DPTI) as part of DPTI's road reconstruction program, DPTI, the relevant Network Licensee and the relevant Council must contribute to the cost of the work proposed to be carried out in the manner specified in Annexure 2.

24. The Committee may make recommendations for the development of proposals or submissions for undergrounding work where the resultant work (for instance, tourist routes) would traverse more than one Council area and may co-ordinate that work with the Councils concerned.

25. Network Licensees which are required to carry out undergrounding work in accordance with an undergrounding program approved by the Minister must report each month to the Committee on the progress of that undergrounding work. Such reports must, if requested by the Committee, include details of the cost of that work and copies of all relevant invoices. The Committee must make a written report to the Minister if it considers any such costs to be unreasonable and must include in that report its reasons for reaching that conclusion.

26. The Committee must provide to the Minister, by 30 September each year, an annual report covering the activities of the Committee to 30 June of that year. The report must include, in respect of that year, a list of the proposals and submissions for undergrounding work considered, the undergrounding work which has been commenced and the undergrounding work which has been completed, together with details of the costs incurred in undertaking undergrounding work pursuant to undergrounding programs approved by the Minister and details of the contribution to that cost by each Council, each Network Licensee and each other body that contributed to that cost.

27. The Committee must provide to the Minister such advice in relation to matters related to the undergrounding of powerlines as the Minister may request from time to time.

28. This Charter may be amended by the Minister after consulting the Committee and the Essential Services Commission of South Australia.

## ANNEXURE 1

## INDICATIVE TIMETABLE FOR THE DEVELOPMENT OF UNDERGROUNDING PROGRAMS

[The following timetable relates to the development of undergrounding programs for the financial year ending 30 June 2002, this year being chosen for the purposes of an example only.]

- July 2000 – invite proposals and submissions for undergrounding work to be included in the undergrounding program for 1/7/01 to 31/12/01 (Charter, cl.12(a)).
- 31 August 2000 – receive proposals and submissions for undergrounding work to be included in the undergrounding program for 1/7/01 to 31/12/01(Charter, cl.12(a)).
- mid November 2000 – Minister advises total cost of work to be undertaken at the expense of Network Licensees and to be included in the undergrounding program for 1/7/01 to 31/12/01. This will be an estimate because the values of the consumer price index for the March 2001 quarter (CPIx), the total cost of undergrounding work for 2000/01 (TCx) and the goods and services tax payable in relation to the undergrounding work for 2000/01 (GSTx) will not be known as at that date (see Electricity (General) Regulations 2012, reg. 44(c)).
- from September 2000 to November 2000 – the Committee considers all the proposals and submissions, prepares a draft undergrounding program for 1/7/01 to 31/12/01 and consults in relation to it (Charter, cl.15-16).
- 1 December 2000 – the Committee provides to the Minister a draft undergrounding program for 1/7/01 to 31/12/01, together with copies of all the submissions and proposals, details of all consultations undertaken and the estimated cost of each item of undergrounding work (Charter, cl.17).
- 24 December 2000 – having considered the material provided to the Minister and such other matters as the Minister considers appropriate or as may otherwise be submitted to the Minister, the Minister approves the draft undergrounding program for 1/7/01 to 31/12/01 with such amendments as the Minister thinks fit (Charter, cl.19).
- 31 December 2000 – the undergrounding program for 1/7/01 to 31/12/01 is provided to the Network Licensees that are required to undertake work pursuant to it (Electricity Act 1996, s.58A(6)).
- January 2001 – invite proposals and submissions for undergrounding work to be included in the undergrounding program for 1/1/02 to 30/6/02 (Charter, cl.12(b)).
- 28 February 2001 – receive proposals and submissions for undergrounding work to be included in the undergrounding program for 1/1/02 to 30/6/02 (Charter, cl.12(b)).
- mid May 2001 – Minister advises total cost of work to be undertaken at the expense of Network Licensees and to be included in the undergrounding program for 1/1/02 to 30/6/02. The values of "CPI" and "A" for 2000/01 will be known by this time, while the values of "TC" and "GST" for 2000/01 should be able to be estimated fairly accurately because the 2000/01 undergrounding program will have only six weeks to run until completion. In determining this cost, the Minister will need to take into account that

section 58A(3) of the Electricity Act (together with reg. 8A of the Electricity (General) Regulations) requires the Minister to ensure that the total cost of the work to be carried out at the expense of the Network Licensees in each financial year (as estimated by the Minister) is not less than the amount prescribed by regulation. Accordingly, any difference between the Minister's estimate and the minimum amount referred to above (which should only result from a difference between the estimated and actual "TC" and "GST" factors) will need to be carried forward and treated as an adjustment to the analogous cost determined by the Minister (in mid November 2001) for the undergrounding program for 1/7/02 to 31/12/02.

- from March 2001 to May 2001 – the Committee considers all the proposals and submissions, prepares a draft undergrounding program for 1/1/02 to 30/6/02 and consults in relation to it (Charter, cl.15-16).
- 1 June 2001 – the Committee provides to the Minister a draft undergrounding program for 1/1/02 to 30/6/02, together with copies of all the submissions and proposals, details of all consultations undertaken and the estimated cost of each item of undergrounding work (Charter, cl.17).
- 23 June 2001 – having considered the material provided to the Minister and such other matters as the Minister considers appropriate or as may otherwise be submitted to the Minister, the Minister approves the draft undergrounding program for 1/1/02 to 30/6/02 with such amendments as the Minister thinks fit (Charter, cl.19).
- 30 June 2001 – the undergrounding program for 1/1/02 to 30/6/02 is provided to the Network Licensees that are required to undertake work pursuant to it (Electricity Act, s.58A(6)).

## ANNEXURE 2

## UNDERGROUNDING WORK INITIATED BY THE DEPARTMENT OF PLANNING, TRANSPORT AND INFRASTRUCTURE (DPTI)

When undergrounding work is initiated by DPTI as part of DPTI's road reconstruction program, costs will be shared on the basis of:

### CONTRIBUTIONS OF DPTI

- Cost of relocation of mains
- Full cost of trenching and reinstatement, including costs of coordination, less 2/3 of trenching costs

### CONTRIBUTIONS OF NETWORK LICENSEE

- 2/3 of (undergrounding costs of the Network Licensee less DPTI's contribution for the relocation of mains)
- 2/3 of cost of registration of easements
- 2/3 of cost of customer service alterations
- 2/3 of trenching costs

### CONTRIBUTIONS OF COUNCIL

- 1/3 of (undergrounding costs of the Network Licensee less DPTI contribution for the relocation of mains)
- 1/3 of cost of registration of easements
- 1/3 of cost of customer service alterations

The Network Licensee and the Council will share the remaining costs on a 2:1 basis.

Local Government Association of South Australia

# Nominations to Outside Bodies - Part B

*This form:*

- *must not exceed 2 pages;*
- *must be submitted by a council;*
- *must be emailed in PDF format to lgasa@lga.sa.gov.au; and*
- *upon receipt at the LGA, will be acknowledged by return email.*

## Power Line Environment Committee

| **Council details** | | | |
|---|---|---|---|
| Name of council submitting the nomination | | | |
| Name of council officer submitting this form – refer LGA Policy | Name:<br>Position:<br>Email:<br>Telephone: | | |
| Council meeting minute reference and date (if relevant) | | | |
| **Nominee details** | | | |
| Full Name | | | Gender |
| Current Elected Member ☐ | or | Current council officer ☐ | |
| Home / Postal Address | | | |
| | | | |
| Phone | | Mobile: | |
| Email | | | |
| Resume / CV | Attached ☐ | Forwarding separately ☐ | |
| **Information relevant to the appointment sought**<br>*(address the selection criteria from Part A)* | | | |
| **Industry Experience:** | | | |
| **Board/Committee Experience:** | | | |
| **Key Expertise:** | | | |
| **Any other comments:** | | | |

**Undertaking:**

*The LGA Board resolved in January 2015 to ensure that appointees to external Boards and Committees remain current local government members or officers. If you leave local government for any reason during the term of your appointment, are you prepared to resign your appointment if requested to do so by the LGA?*

Yes ☐ No ☐

Signature of Nominee: _____

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## 9.13 CARETAKER POLICY 2022

| Report contact | Meeting |
|---|---|
| Therese Brunotte, Senior Civic and Elected Member Advice Officer<br>8301 7228 | Council |
| **Approving officer** | **Date** |
| David Stobbe, Director Corporate | 17 May 2022 |

### 1. Purpose

This report presents a draft Caretaker Policy for adoption by the Council to govern council's operations during the election period in 2022.

### 2. Recommendations

1. **That Council adopt the Caretaker Policy as presented at attachment 1 to the agenda report.**
2. **That Council note that the 'election period' commences at 12 noon on Tuesday, 6 September 2022, at which time the application of the Caretaker Policy for elected members and the administration will apply.**

### 3. Executive summary

During a local government election period for a general election, Council will assume a caretaker mode and will avoid actions and decisions which could be perceived as intended to influence voters or otherwise to have a significant impact on/or unnecessarily bind the incoming Council.

Under section 91A of the *Local Government (Elections) Act 1999* (the Act) a Council's Caretaker Policy must, at a minimum, prohibit the Council from making designated decisions and prohibit the use of council resources for the advantage of a particular candidate or group of candidates, during the election period.

There are three designated decisions that are prohibited by the Act:

- A decision relating to the employment or remuneration of the Chief Executive Officer (CEO), or to appoint an acting CEO or to suspend the CEO for serious and wilful misconduct.
- A decision to terminate the appointment of the CEO.
- A decision to enter into a contract, arrangement or understanding (other than for road works, road maintenance and drainage works) where the total value exceeds 1% of Council's revenue from rates, in the preceding financial year, which is $1.38 million in this instance for the City of Onkaparinga. (Exceptions do apply to this particular decision, and are included in full on page 2-3 of the Caretaker Policy, attachment 1.)

The election period for the Local Government general elections will commence on the day on which nominations close, that being 12 noon Tuesday 6 September 2022 and expire at the

conclusion of the general election (meaning when last result is certified by the Returning Officer).

During the election period, the Council:

- must avoid decisions which are prohibited by section 91A of the *Local Government (Elections) Act 1999* and other significant decisions as defined within the policy.
- must ensure that council resources are not used for the purposes of electioneering.

## 4. Background

| | |
|---|---|
| Community Plan 2030 | **performance:** accountable, efficient, inclusive, sustainable |
| Policy and/or relevant legislation | Section 91A of the *Local Government (Elections) Act 1999*<br>*'A council must, within 6 months of the commencement of this section, prepare and adopt a caretaker policy governing the conduct of the council and its staff during the election period of a general election.'* |
| Who did we talk to/who will we be talking to | Director Group and relevant staff initially advised via email in March that from 6 September 2022, and until after the Council election in November, we will be operating in 'caretaker' mode and to schedule Council and Committee reports accordingly to avoid breaching the caretaker provisions.<br>On 10 May 2022 an elected member briefing was held in relation to Council's responsibilities during the Caretaker period. Michael Kelledy of Kelledy Jones Lawyers gave a presentation and answered questions from elected members on the legislative requirements and consequences of breaching the Act. |

## 5. Discussion

In addition to the legislative requirements for a caretaker policy on 19 February 2019 Council resolved:

*That conferences, dinners and similar type expenses are not supported once nominations have closed during an election period. That under extenuating circumstances if an elected member seeks exemption, the full chamber considers the merit of the request and either refuses or accepts the request and subsequent funding.*

This condition has subsequently been included in council's Caretaker Policy 2022.

To supplement the Caretaker Policy an Administrative Instruction has been drafted to assist staff in providing guidance and applying the Policy appropriately during the election period.

## 6. Financial implications

To ensure compliance with legislative requirements, legal advice may be sought where a situation arises and the interpretation of the *Local Government (Elections) Act 1999* is required.

## 7. Risk and opportunity management

| Risk | |
|---|---|
| **Identify** | **Mitigation** |
| Decisions made during the election period that are prohibited - due to provisions for designated decisions. | Inform all staff to ensure:<br>Awareness about what is deemed as designated and are therefore prohibited decisions.<br>Designated decisions are scheduled for consideration either before the commencement of the election period or deferred to after the conclusion of the election period.<br>Proactively seeking matters of this nature to determine their management. |
| Invalidity of decisions made during the election period leading to potential claims for compensation | Ensure that decisions are appropriately screened and scheduled outside of the caretaker period, thereby removing the risk of invalidity. |
| Inability to enforce the obligations imposed by the Caretaker Policy | Several obligations relate to the manner in which elected members and staff use council resources during the election period. The attached policy clearly articulates the responsibility of all elected members and the administration to monitor those obligations and report any breaches to the Chief Executive Officer for investigation and assessment in accordance with the policy.<br>Support for elected members is available through the Civic and Elected Member Liaison team. |
| **Opportunity** | |
| **Identify** | **Maximising the opportunity** |
| Accountability | The Caretaker Policy supports council's commitment to continue to develop our governance and decision making practices to ensure they are open, accountable and comply with relevant legislation. |

## 8. Next steps

Further communication will occur via Weekly News and email upon commencement of the caretaker period ensuring that elected members and staff are aware of their and council's obligations during caretaker.

## 9. Attachments

Attachment 1 – Caretaker Policy 2022 (7 pages)

- END OF REPORT –

Council Policy

# Caretaker policy 2022

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*Uncontrolled once removed from webpage or Onkanet (printed or downloaded).*
*Before using a printed or downloaded copy, verify that it is the current version.*

## 1 Preamble

The contents of and the commitments that council makes in this policy are not intended to be and should not be interpreted to be any more than a statement of the City of Onkaparinga's general position in relation to those matters, and to facilitate its aspirations wherever it is reasonable to do so.

## 2 Policy purpose

The purpose of this policy is to implement the statutory caretaker period requirements under section 91A of the *Local Government (Elections) Act 1999*.

During a local government 'election period' for a general election, Council will assume a 'caretaker mode' and will avoid actions and decisions which could be perceived as intended to influence voters or otherwise to have a significant impact on or unnecessarily bind the incoming Council.

## 3 Scope

This policy applies throughout the nominated election period for a general election.

This policy does not apply to supplementary elections.

This policy applies during an 'election period' of Council to cover:

a) 'designated decisions' as defined in the *Local Government (Elections) Act 1999* that are made by the Council

b) 'other significant decisions' that are made by the Council.

This policy applies to both the elected Council and to staff (as well as contractors and consultants engaged in council business) and captures all 'designated decisions' and 'other significant decisions' of the Council, a committee of the Council, or a delegate of the Council.

## 4 Definitions

**election period** means the period commencing on the day of the close of nominations for a general election and expiring at the conclusion of the general election.

**general election** means a general election of council members held under section 5 of the *Local Government (Elections) Act 1999*, or an election pursuant to a proclamation or notice under the *Local Government Act 1999*.

**Minister** means the Minister for Local Government or other minister of the South Australian government vested with responsibility for the *Local Government (Elections) Act*.

**Designated decision** means decisions expressly prohibited from being made by section 91A of the *Local Government (Elections) Act 1999*. (see clause 5.1 below).

**Council resources** includes but not limited to:

- materials published by Council
- facilities and goods owned by the Council

- attendance and participation at functions and events
- access to Council information
- media services.

**Major policy** decision may include any decision (not being a designated decision):

- to spend unbudgeted monies
- to conduct unplanned public consultation
- to endorse a new Council policy
- to dispose of Council land
- to approve community grants
- to progress any matter which has been identified as an election issue
- any other issue that is considered a major policy decision by the Chief Executive Officer.

## 5 Policy

It is a long established democratic principle that outgoing elected bodies should not use public resources for election campaigning, nor make decisions which may unreasonably, inappropriately, or unnecessarily bind an incoming Council; such as making significant appointments, entering into major contracts or undertaking or making major policy decisions.

This policy affirms Council's commitment to fair and democratic elections, and adherence to this principle. This policy includes a commitment to comply with the requirements of Section 91A of the *Local Government (Elections) Act 1999.*

### 5.1 Designated decisions

Council, a committee of Council, a delegate of the Council, including the Chief Executive Officer and sub-delegates of the Chief Executive Officer are prohibited from making a designated decision during an elected period.

The following table outlines those decisions which are expressly prohibited by section 91A of the *Local Government (Elections) Act 1999.*

| Designated Decisions | |
|---|---|
| (a) | A decision relating to the employment or remuneration of the Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer or to suspend the Chief Executive Officer for serious and willful misconduct; |
| (b) | A decision to terminate the appointment of the Chief Executive Officer |
| (c) | A decision to enter into a contract, arrangement or understanding (other than a contract for road works, road maintenance or drainage works) the total value of which exceeds whichever is the greater of |

| | |
|---|---|
| | $100 000 or 1% of the Council's revenue from rates in the preceding financial year, except if the decision :<br><br>(i) relates to the carrying out of works in response to an emergency or disaster within the meaning of the *Emergency Management Act 2004* (SA), or under section 298 of the *Local Government Act 1999* (SA);<br><br>(ii) is an expenditure or other decision required to be taken under an agreement by which funding is provided to the Council by the Commonwealth or State Government or otherwise for the Council to be eligible for funding from the Commonwealth or State Government;<br><br>(iii) relates to the employment of a particular Council employee (other than the Chief Executive Officer);<br><br>(iv) is made in the conduct of negotiations relating to the employment of Council employees generally, or a class of Council employees, if provision has been made for funds relating to such negotiations in the budget of the Council for the relevant financial year and the negotiations commenced prior to the election period; or<br><br>(v) relates to a Community Wastewater Management Systems scheme that has, prior to the election period, been approved by the Council. |

A designated decision made by the Council during the election period without an exemption from the Minister is invalid. Council is liable to pay compensation to any person who suffers loss or damage as a result of acting in good faith in reliance on such an invalid designated decision.

Council, if faced with extraordinary circumstances, may apply in writing to the Minister for an exemption. If the Minister chooses to grant an exemption it may be subject to any conditions or limitations that the Minister considers appropriate.

This Policy applies to actual decisions made during an 'election period', not the announcement or implementation of decisions made prior to the 'election period'.

### 5.2 Other significant decisions

So far as is reasonably practicable, the Chief Executive Officer should avoid scheduling major policy decisions for consideration during an 'election period' and, endeavour to ensure that such decisions:

(a) are considered by Council prior to the 'election period'; or

(b) are scheduled for determination by the incoming Council.

A 'significant decision' is any major policy decision or other decision which will significantly affect the Council area community as a whole or will bind the incoming Council.

### 5.3 Prohibition on the use of council resources

Section 91A(2)(b) of the *Local Government (Elections) Act 1999* prohibits the use of Council resources, as defined in Section 4 of this policy, for the advantage of a particular candidate or group of candidates. This includes a candidate or candidates who are currently elected members of the Council.

For clarity, neither the *Local Government (Elections) Act 1999* nor this Caretaker Policy prohibits a council providing resources to all members of the public, which incidentally includes all candidates for election.

On 19 February 2019 Council resolved:

*Conferences, dinners and similar type expenses are not supported once nominations have closed during an election period. That under extenuating circumstances if an elected member seeks exemption, the full chamber considers the merit of the request and either refuses or accepts the request and subsequent funding.*

Council resources must be used exclusively for normal Council business during an 'election period', and must not be used in connection with an election (including election campaigning) other than uses strictly relating to the election process of promoting public participation in the election, informing the local community about the candidates who are standing in the elections and the outcome of the election. This requirement applies to both elected members and the administration.

Under section 12(b) of the *Local Government (Elections) Act*, each Council is responsible for the provision of information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area and to advise its local community about the outcome of the elections and polls conducted in its area.

### 5.4 Continuing the functions of the Council during the caretaker period

Nothing in this policy prevents the Mayor, elected members and staff carrying on the business of the Council during the caretaker period.

The Chief Executive Officer will ensure as far as is practical that Council initiatives will not be launched during the caretaker period where they are deemed to conflict with the provisions of this policy.

During the caretaker period the Mayor will continue to be Council's spokesperson in the media or at other official functions.

## 6 Relevant legislation and references

Code of Conduct for Council Members

*Local Government Act 1999*

*Local Government (Elections) Act 1999*

## 7 Further information

This policy is available for inspection, downloading or printing from our website www.onkaparingacity.com

## 8 Document control

| **Author (to whom changes are to be recommended):** | | | |
|---|---|---|---|
| **Position** | **Name** | | |
| Senior Civic and Elected Member Advice Officer | Therese Brunotte | | |
| **Reviewed by:** | | | |
| **Position** | **Name** | **Date reviewed** | |
| Team Leader Civic & Elected Member Liaison<br>Manager Governance<br>Director Corporate | Karyn Ryan<br>Desma Morris<br>David Stobbe | | |
| **Approved by (document owner):** | | | |
| **Position / Group** | **Name** | **Approval date** | **Approval DSID number** |
| Council | N/A | | |
| **Current version:** | | | |
| **Current version number** | **Release date** | **Review cycle** | |
| V 1.0 | | Review June 2022 | |

| **History:** | | | |
|---|---|---|---|
| **Date** | **Author** | **Version** | **Nature of change** |
| 01/11/2011<br>15/07/2014 | Therese Brunotte | | Reviewed and adopted by Council |

| | | | |
|---|---|---|---|
| 15/05/2018 | | | |

| **Related documents:**<br>**(internal documents that need to be reviewed when this document is amended)** | |
|---|---|
| **Title of document** | **Document number** |
| Caretaker Administrative Instruction | ECM 5733406 |
| **Document location:** | |
| **Published location** | **Original in ECM** |
| Onkanet and public website. | ECM |

## 9.14 COUNCIL AND COMMITTEE REPORTING SCHEDULE

| Report contact | Meeting |
|---|---|
| Sue Hammond, Council and Committee Meeting Coordinator | Council |
| 8384 0747 | |
| **Approving officer** | **Date** |
| David Stobbe, Director Corporate | 17 May 2022 |

### 1. Purpose

This report provides an update on the reporting for upcoming Council and Committee meetings.

### 2. Recommendations

**That Council note the agenda report and Reporting Schedules (attachments 1 and 2 to the agenda report).**

### 3. Executive summary

This report is provided as per the following resolution of Council at its meeting of 21 March 2017:

That the item "Updated Work Program" from the agenda of the Strategic Directions Committee be duplicated as a monthly agenda item for Council meetings.

As the Reporting Schedule is a guide only and subject to change, members are encouraged to utilise the Elected Member website for an up to date version of the Reporting Schedule.

### 4. Attachments

Attachment 1 – Reporting Schedule to 19 August 2022 (3 pages)

Attachment 2 – Schedule of elected member sessions to end of year (2 pages)

- END OF REPORT –

Attachment 1

Report Schedule as at 12 May 2022

**EM Session 24/05/2022**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| Water Assets Strategic Review -TBC | Calder, Benjamin | CS | |

**Special ARC meeting 30/5/22**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| Review of Draft 2022-23 Budget, Annual Business Plan and LTFP update | Bird, Jade | C | |

**Special Council meeting (Budget) 31/5/22**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| Draft 2022-23 budget | Bird, Jade | C | |
| Water Assets Strategic Review - confidential | Calder, Benjamin | C | |
| Draft 2022-23 Annual Business Plan | Onsman, Ynys | SE | |

**EM Session 31/5/2022 ([post SCM)**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| 2022-23 Rates Modelling | Spartalis, George | C | |

**SDC meeting - 07/06/2022**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| Biodiversity Projects | Sowerby, Daryl | CO | |
| Community Capacity Strategic Plan 2021-24 progress report | Wright, Paul | CS | |
| Inclusive Communities Action Plan 2021-24 progress report | Wright, Paul | CS | |
| Management of Waverley Homestead, Willunga | Carr, Nicholas | CS | |
| Sport And Active Recreation Action Plan 2021-2025 Annual Progress Report | Carr, Nicholas | CS | |
| Water Assets Strategic Review - confidential | Calder, Benjamin | C | |
| Council and Committee Reporting Schedule | Luke, Jonathan | PRS | |
| Heritage Awards and Heritage Event - Planning | Bali Dogra, Divya | PRS | |
| McLaren Vale Township Planning Review - engagement summary report and draft policy recommendations | Lacis, Heidi | PRS | |
| Federal election update | Hirschausen, Amanda | SE | |
| First Nations People Advisory Group update' | Brown, Michael | SE | |

**EM Session 14/06/2022**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| Reconciliation Action Plan - rescheduled from 28 June '22 | Wright, Paul | CS | |

| | | | |
|---|---|---|---|
| Review of Sport Club Fees, Charges and Subsidies - TBC | Carr, Nicholas | CS | |

**Council meeting - 21/06/2022**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| Disability access Gilbertson Avenue Reynella | Webster, Andrew | CO | |
| Annual Art Commission | Wright, Paul | CS | |
| Coast to Vines Trail Signage Upgrade | Wright, Paul | CS | |
| 2022-23 Rate rebates | Rice, Justin | C | |
| 2022-23 Rates Modelling | Bird, Jade | C | |
| ARC meeting minutes of 6/6/22 | Hammond, Susan | C | |
| Council and Committee Reporting Schedule | Hammond, Susan | C | |
| Strategic Directions Committee minutes | Hammond, Susan | C | |
| Working relationship between council and surf life saving clubs | Ashby, Scott | C | |
| McLaren Vale Township Planning Review - engagement summary report and draft policy recommendations | Lacis, Heidi | PRS | |
| Revised policy for the Disposal of Land and other Assets 2022 | Dallimore, Fiona | PRS | |
| Car Park Fund Review | McDonald, Carol | SE | |
| Climate Change Response Plan 2022-27 | McGlennon, Jennifer | SE | |

**Special Council meeting (Budget) 28/6/22**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| 2022-23 Budget Updates | Bird, Jade | C | |
| Community Engagement Outcomes | Bird, Jade | C | |

**EM Session 28/06/2022 (post SCM)**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| City Wide Heritage Review - TBC | Bali Dogra, Divya | PRS | |
| Expanded Activation Program - rescheduled from 14 June '22 | Bolger, Eulonda | SE | |

**Special Council meeting (Budget) 5/7/22 (to be held after SDC)**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| Adoption of the 2022-23 ABP and Budget and Declaration of Rates | Bird, Jade | C | |
| Adoption of the updated LTFP | Spartalis, George | C | |

**SDC meeting - 05/07/2022**

| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
|---|---|---|---|
| Strategic Asset Management Plan - Annual Update | Flaherty, Lisa | CO | |
| Hard Court (Netball and Tennis) Review | Bell, Jeremy | CS | |
| Oval Lighting Levels of Service | Hobart, Craig | CS | |
| Council and Committee Reporting Schedule | Luke, Jonathan | PRS | |

| EM Session 12/07/2022 | | | | |
|---|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF | |

| Council meeting - 19/07/2022 | | | | |
|---|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF | |
| Fleurieu Connections - Asset Ownership and Handover | Ellingham, Morgan | CO | | |
| Northern District Pitch/Oval Needs Analysis | Bell, Jeremy | CS | | |
| Confidential items quarterly report | Hammond, Susan | C | | |
| Council and Committee Reporting Schedule | Hammond, Susan | C | | |
| Strategic Directions Committee minutes | Hammond, Susan | C | | |
| By-law 7 Dogs Review | Hawkins, Ian | PRS | | |
| Beach Road vision and action plan | Collins, Vivonne | SE | | |
| Expanded Activation Program | Bolger, Eulonda | SE | | |

| EM Session 26/07/2022 | | | | |
|---|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF | |

| SDC meeting - 02/08/2022 | | | | |
|---|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF | |
| City Wide Review of Local Heritage Places - Stage 2 review | Bali Dogra, Divya | PRS | | 1 |
| Council and Committee Reporting Schedule | Luke, Jonathan | PRS | | 0 |
| Climate Change Response Plan 2022-27 | McGlennon, Jennifer | SE | | 0 |

| EM Session 09/08/2022 | | | | |
|---|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF | |

| Council meeting - 16/08/2022 | | | | |
|---|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF | |
| Noarlunga United Soccer Club facility upgrades | Kenchington, Emily | CO | | |
| Review of Fees and Charges for Sporting Clubs | Maschotta, Christopher | CS | | |
| City of Onkaparinga Awards policy | McElligott, Sheryn | C | | |
| Council and Committee Reporting Schedule | Hammond, Susan | C | | |
| Strategic Directions Committee minutes | Hammond, Susan | C | | |

Department acronyms
CO – City Operations
CS – Community Services
C – Corporate
PRS – Planning and Regulatory Services
SE – Strategy and Engagement

Meeting acronyms
ARC – Audit and Risk Committee
SDC – Strategic Directions Committee
EM Session – Elected Member Session
CEOPMC – CEO Performance Management Committee

Attachment 2

**Report Schedule as at 12 May 2022**
**Elected member sessions to end 2022**

| EM Session 24/05/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
| Water Assets Strategic Review -TBC | Calder, Benjamin | CS | |

| EM Session 31/5/2022 ([post SCM) | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
| 2022-23 Rates Modelling | Spartalis, George | C | |

| EM Session 14/06/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
| Reconciliation Action Plan - rescheduled from 28 June '22 | Wright, Paul | CS | |
| Review of Sport Club Fees, Charges and Subsidies - TBC | Carr, Nicholas | CS | |

| EM Session 28/06/2022 (post SCM) | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
| City Wide Heritage Review - TBC | Bali Dogra, Divya | PRS | |
| Expanded Activation Program - rescheduled from 14 June '22 | Bolger, Eulonda | SE | |

| EM Session 12/07/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |

| EM Session 26/07/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |

| EM Session 09/08/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |

| EM Session 23/08/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |
| TBC - Special Council Meeting WASR Project | Calder, Benjamin | CS | |

| EM Session 13/09/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |

| EM Session 27/09/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |

| EM Session 11/10/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |

| EM Session 25/10/2022 | | | |
|---|---|---|---|
| REPORT SCHEDULED | RESPONSIBLE OFFICER | DEPT | CF |

| EM Session 22/11/2022 | | | |
|---|---|---|---|
| **REPORT SCHEDULED** | **RESPONSIBLE OFFICER** | **DEPT** | **CF** |
| **Full Session - New Council Induction** | Brunotte, Therese | C | |

| EM Session 29/11/2022 | | | |
|---|---|---|---|
| **REPORT SCHEDULED** | **RESPONSIBLE OFFICER** | **DEPT** | **CF** |
| **Full Session - New Council Induction** | Brunotte, Therese | C | |

| EM Session 6/12/2022 | | | |
|---|---|---|---|
| **REPORT SCHEDULED** | **RESPONSIBLE OFFICER** | **DEPT** | **CF** |
| **Full Session - New Council Induction** | Brunotte, Therese | C | |

**Department acronyms**
CO – City Operations
CS – Community Services
C – Corporate
PRS – Planning and Regulatory Services
SE – Strategy and Engagement

# 10. Questions on notice

## 10.1 QUESTIONS ON NOTICE – CR EATON – SOUTHERN FOOTBALL LEAGUE NO-DOG POLICY AT OVALS

**Background**

The editorial in The Advertiser, 5 May 2022 indicates the Southern Football League executive are introducing a no-dog policy at grounds as per the Recreation Grounds (Regulations) Act 2011 which presumably includes the ovals at Flagstaff Hill, Morphett Vale, Noarlunga, Port Noarlunga, Reynella, Cove, Happy Valley, Christies Beach, and Aldinga ovals and virtually covers the whole of the City of Onkaparinga.

I regularly attend the Happy Valley and Flagstaff ovals board meeting and the issue has not been raised in the three years since my appointment. On the two years of being one of the elected members on the City of Onkaparinga Clubs Forum I have not been aware of this matter being raised. I am concerned that just one group could be making a decision that impacts on many others outside of football.

Could the elected members please be informed of the following:

*The validity of the League's decision?*

*Current restrictions on dogs at ovals in our area?*

*Proposed restrictions on dogs at organised sport? (as per Council's proposed By-law dogs which commenced community engagement on 5 May 2022).*

The responses to these questions will be included in the minutes of this meeting.

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# 11. Motions on notice

## 11.1 NOTICE OF MOTION - CR THEMELIOTIS - HUB GYMNASTICS

1. **That Council provide in-principle support towards Building Code requirements including disability access, fire services, building renewal works (expected costs) and carparking as part of the redevelopment of the Paul Murray Recreation Centre.**
2. **That Council staff with Hub Gymnastics work through next steps.**
3. **That a report come back to Council's August meeting updating Council on the redevelopment.**

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## 11.2 NOTICE OF MOTION - CR PEAT - PAUSE TO PLACE NAMING REVIEW

### Background

The First Nations People Advisory Group (FNPAG) nominated “Place Naming” as a topic of interest.

At the FNPAG meeting 16 February members discussed council’s Place Naming procedures and in particular the process for assigning Aboriginal names to council public places and a desire to ‘pause’ any new place naming while the review of the Policy and Procedure is undertaken.

The upcoming review of council’s Place Naming policy provides an opportunity to involve FNPAG and seek their advice in assigning traditional Kaurna names for public places, rather than Kaurna names suggested by community members.

Subsequently the FNPAG is requesting Council pause any new place naming proposals until the review of the Place Naming policy is completed.

### Motion

- Council approve that any new Place Naming proposals will be placed on hold until the review of the Place Naming Policy has been completed.
- That individuals and community stakeholders requesting a Place Naming be advised that no Place Naming will be considered until the Place Naming policy review is completed
- That the three (3) active place naming requests currently underway continue to completion.
- Advice from the First Nations People Advisory Group will inform the review of the Place Naming Policy.
- An updated Place Naming policy will be presented to Council along with a community engagement plan for approval.
- On completion of the community engagement the Policy will be updated and presented to Council for approval along with the community engagement outcomes.
- Council’s approval of the updated Place Naming Policy will allow Place Naming to resume.

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## 11.3 NOTICE OF MOTION – CR GREAVES – HAPPY VALLEY CFS MEMORIAL FOR LOUISE HINCKS

### Background

In the Acting Mayor's report at the 15 February Council meeting, on behalf of the community we paid our respects to Happy Valley CFS volunteer, Louise Hincks who tragically lost her life in the line of duty. I recently met with the Happy Valley CFS Brigade to offer my condolences, and discuss how Council could support them in their initiative to establish a memorial to commemorate Louise.

The Brigade have indicated that they would like to establish a permanent memorial at the Happy Valley CFS Brigade's site consisting of a memorial plaque, seating, paving and landscaping (refer Attachment 1). The memorial will serve not only as a place to honour Louise, but provide a physical place of reflection for CFS members and the wider community.

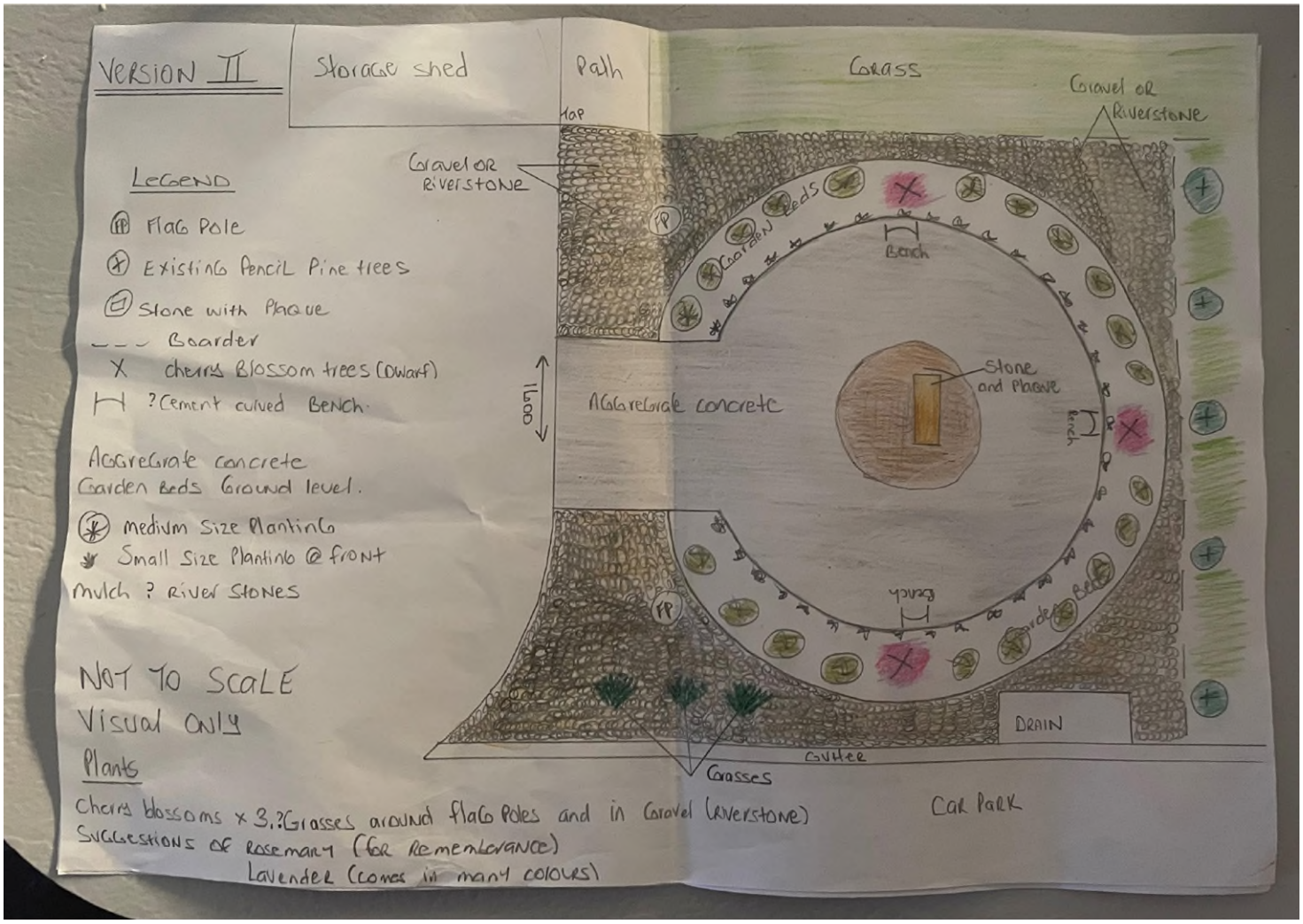
The Overall cost of the project is estimated to be around $25-30k and they would appreciate any financial support from Council towards the project.

Since meeting with the Brigade in March, the CFS Foundation was approached by the Brigade and has agreed to manage the project on their behalf. As well as providing financial support, they will also be seeking support from local businesses and other organisations. Given the size of the project and the limitations on Volunteer time in the brigade, this assistance is welcomed in seeing this project through to fruition.

I spoke with staff who indicated that we have funding available from returned grants from community events that have been cancelled due to COVID-19.

### Motion

**That Council approves $5,000 funding from returned grants from cancelled events to support a memorial at the Happy Valley CFS Brigade's site to commemorate Happy Valley CFS volunteer, Louise Hincks who tragically lost her life in the line of duty.**




Louise's Garden: Version 2

- Garden to be on existing grassed area (which will be replaced by concrete and gravel) which will require a retaining wall to be built to levelled out the garden area
- Grassed area to be replaced by the following: a circle of aggregate concrete incorporating an outer and inner boarder to house a garden bed
- In the middle of the aggregate concrete a plinth stone with plaque
- x3 bench seating (possibly concrete seating for ease of maintenance) to be placed around the inside boarder of the garden
- Garden to house x3 cherry blossom trees (Louise's favourite tree) with medium size planting at the back of the garden bed and smaller size planting at the front of the garden bed
- The rest of the area the non-aggregate concrete area to be filled in with gravel or river stone with possible grasses to the side of the garden by the car park area
- x2 flag poles to be erected near the entrance to the garden (one flag pole has been erected and paid for by the Brigade. The other flag pole has been secured in a grant)
- The garden possibly going to the line of existing pine trees, to the beginning of the path by the storage shed and down to the gutter of the existing car park area

**Gloria Berni** | Chief Executive Officer

CFS FOUNDATION
Supporting Volunteer Firefighters

## 12. Petitions

Nil.

## 13. Urgent business

## 14. Confidential items

CONFIDENTIAL CLAUSE

If the Council so determines items 14.1 to 14.5 may be considered in confidence under Section 90(2) of the *Local Government Act 1999* on grounds contained in the Recommendations below.



Julia Grant
**Chief Executive Officer (Acting)**

## 14.1 NOTICE OF MOTION – CR PEAT - LEGAL PANEL

1. Exclusion of the public

   That:

   a. under the provisions of Section 90(2) of the *Local Government Act 1999* an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.

   b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:

      Section 90(3)(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—

      (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

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

   c. 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 discussion confidential.

2. Confidential background and motion

3. Period of confidentiality and delegations

   a. That the matter of Notice of Motion – Cr Peat – Legal Panel having been considered by the Council in confidence under sections 90(2) and 90(3)(d) of the *Local Government Act 1999* that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the agenda report, related attachments, discussion and minutes of the Council relating to the subject matter be kept confidential until seven years after the expiration of any related contract to this issue..

   b. That, pursuant to section 91(9)(a) of the *Local Government Act 1999*, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.

   c. That, pursuant to section 91(9)(c) of the *Local Government Act 1999,* Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.

## 14.2 LEAVE OF ABSENCE REQUEST

1. Exclusion of the public

   That:

   a. under the provisions of Section 90(2) of the *Local Government Act 1999* an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.

   b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:

      Section 90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

   c. 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 discussion confidential.

2. Confidential recommendations

3. Period of confidentiality and delegations

   a. That the matter of Leave of Absence Request having been considered by the Council in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999* that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the agenda report, related attachments, discussion and minutes of the Council relating to the subject matter be kept confidential until 12 September 2022.

   b. That, pursuant to section 91(9)(a) of the *Local Government Act 1999*, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.

   c. That, pursuant to section 91(9)(c) of the *Local Government Act 1999,* Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.

## 14.3 LEAVE OF ABSENCE REQUEST

1. Exclusion of the public

   That:

   a. under the provisions of Section 90(2) of the *Local Government Act 1999* an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.

   b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:

      Section 90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

   c. 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 discussion confidential.

2. Confidential recommendations

3. Period of confidentiality and delegations

   a. That the matter of Leave of Absence Request having been considered by the Council in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999* that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the agenda report, related attachments, discussion and minutes of the Council relating to the subject matter be kept confidential until 22 August 2022.

   b. That, pursuant to section 91(9)(a) of the *Local Government Act 1999*, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.

   c. That, pursuant to section 91(9)(c) of the *Local Government Act 1999,* Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.

## 14.4 STRATEGIC DIRECTIONS COMMITTEE MEETING CONFIDENTIAL MINUTES OF 3 MAY 2022

1. Exclusion of the public

   That:

   a. under the provisions of Section 90(2) of the *Local Government Act 1999* an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.

   b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the matter at the meeting on the following grounds:

      Section 90(3)(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.

   c. 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 discussion confidential.

2. Confidential recommendation

3. Period of confidentiality and delegations

   a. That the matter of Strategic Directions Committee Meeting Confidential Minutes of 3 May 2022, having been considered by the Council in confidence under sections 90(2) and 90(3)(e) of the *Local Government Act 1999* that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the discussion and minutes of the Council relating to the subject matter be kept confidential.

   b. That, pursuant to section 91(9)(a) of the Local Government Act 1999, the Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.

   c. That, pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.

## 14.5 AUDIT AND RISK COMMITTEE MEETING CONFIDENTIAL MINUTES OF 9 MAY 2022

Re: Item 12.1 Internal Audit Report - Procurement

1. Exclusion of the public

   That:

   a. under the provisions of Section 90(2) of the *Local Government Act 1999* an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.

   b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:

      Section 90(3)(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.

      The information contained within this report contains confidential information relating to procurement processes that have been audited and the disclosure of which could prejudice the Council's position.

   c. 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 discussion confidential.

3. Period of confidentiality and delegations

   a. That the matter of Internal Audit Report - Procurement having been considered by the Audit and Risk Committee on 9 May 2022 in confidence under sections 90(2) and 90(3)(e) of the *Local Government Act 1999* that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the agenda report, related attachments and discussion of the Committee relating to the subject matter be kept confidential until 30 June 2024.

   b. That, pursuant to section 91(9)(a) of the *Local Government Act 1999*, the Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.

   c. That, pursuant to section 91(9)(c) of the *Local Government Act 1999,* the Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.

Re: Item 12.3 Internal Audit Action Items

**1.** Exclusion of the public

   That:

   a. under the provisions of Section 90(2) of the *Local Government Act 1999* an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.

   b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:

      Section 90(3)(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.

The reason for confidentiality is due to the nature of the action items resulting from the internal audit.

c. 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 discussion confidential.

**2.** Confidential recommendation

3. Period of confidentiality and delegations

a. That the matter of Internal Audit Action Items having been considered by the Council in confidence under sections 90(2) and 90(3)(e) of the *Local Government Act 1999* that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the agenda report, discussion and minutes of the Council relating to the subject matter be kept confidential until 30 June 2023.

b. That, pursuant to section 91(9)(a) of the *Local Government Act 1999*, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.

c. That, pursuant to section 91(9)(c) of the *Local Government Act 1999,* Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.

# 15. Closure

CITY OF ONKAPARINGA

# Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

| Councillor: | Date: |
|---|---|
| Meeting name: | Agenda item no: |

1. I have identified a conflict of interest as:

MATERIAL ☐ ACTUAL ☐ PERCEIVED ☐

**MATERIAL**: Conflict arises when a councillor or a nominated person will gain a benefit or suffer a loss (whether directly or indirectly and whether pecuniary or personal) if the matter is decided in a particular manner. If declaring a material conflict of interest, Councillors must declare the conflict and leave the meeting at any time the item is discussed.

**ACTUAL:** Conflict arises when there is a conflict between a councillor's interests (whether direct or indirect, personal or pecuniary) and the public interest, which might lead to decision that, is contrary to the public interest.

**PERCEIVED:** Conflict arises in relation to a matter to be discussed at a meeting of council, if a councillor could reasonably be taken, from the perspective of an impartial, fair-minded person, to have a conflict of interest in the matter – whether or not this is in fact the case.

2. The nature of my conflict of interest is as follows:

*(Describe the nature of the interest, including whether the interest is direct or indirect and personal or pecuniary)*

3. I intend to deal with my conflict of interest in the following transparent and accountable way:

☐ I intend to **leave** the meeting

OR

☐ I intend to **stay** in the meeting *(complete part 4)*

4. The reason I intend to stay in the meeting and consider this matter is as follows:

*(This section must be filled in. Ensure sufficient detail is recorded of the specific circumstances of your interest.)*

and that I will receive no benefit or detriment direct or indirect, personal or pecuniary from considering and voting on this matter.

CONFLICTS MUST ALSO BE DECLARED VERBALLY DURING MEETINGS

Governance use only: Member voted FOR/AGAINST the motion.

### Ordinary Business Matters

A **material**, **actual** or **perceived** Conflict of Interest does not apply to a matter of ordinary business of the council of a kind prescribed by regulation.

*(1) The following ordinary business matters are prescribed under Regulation 8AAA of the Local Government (General) Regulations 2013.*

- *(a) the preparation, discussion, conduct, consideration or determination of a review under section 12 of the Act*
- *(b) the preparation, discussion, adoption or revision of a policy relating to allowances and benefits payable to members if the policy relates to allowances and benefits payable equally to each member (rather than allowances and benefits payable to particular members or particular office holders)*
- *(c) the preparation, discussion, adoption or alteration of a training and development policy under section 80A of the Act*
- *(d) the preparation, discussion, adoption or amendment of a strategic management plan under section 122 of the Act*
- *(e) the adoption or revision of an annual business plan*
- *(f) the adoption or revision of a budget*
- *(g) the declaration of rates (other than a separate rate) or a charge with the character of a rate, and any preparation or discussion in relation to such a declaration*
- *(h) a discussion or decision of a matter at a meeting of a council if the matter—*
  - *(i) relates to a matter that was discussed before a meeting of a subsidiary or committee of the council*
  - *(ii) the relevant interest in the matter is the interest of the council that established the committee or which appointed, or nominated for appointment, a member of the board of management of the council subsidiary or regional subsidiary.*

*(2) For the purposes of section 75(3)(b) of the Act, a member of a council who is a member, officer or employee of an agency or instrumentality of the Crown (within the meaning of section 73(4) of the Act) will not be regarded as having an interest in a matter before the council by virtue of being a member, officer or employee.*

### Engagement and membership with groups and organisations exemption

A member will not be regarded as having a conflict of interest **actual** or **perceived** in a matter to be discussed at a meeting of council **by reason only of**:

- an engagement with a community group, sporting club or similar organisation undertaken by the member in his or her capacity as a member; or membership of a political party
- membership of a community group, sporting club or similar organisation ( as long as the member **is not** an office holder for the group, club or organisation)
- the member having been a student of a particular school or his or her involvement with a school as parent of a student at the school
- a nomination or appointment as a member of a board of a corporation or other association, if the member was nominated for appointment by a Council.

However, the member will still be required to give careful consideration to the nature of their association with the above bodies. Refer Conflict of Interest Guidelines.

**For example:** If your **only** involvement with a group is in your role as a Council appointed liaison as outlined in the Council appointed liaison policy, you will not be regarded as having a conflict of interest actual or perceived in a matter, and are NOT required to declare your interest.