

COUNCIL AGENDA

Council Meeting

Notice is hereby given pursuant to the provisions of the *Local Government Act, 1999*, that the next Meeting of City of Unley will be held in the Council Chambers, 181 Unley Road, Unley on

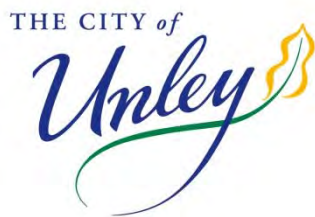
Monday

28 May 2018

7.00pm

for the purpose of considering the items included on the Agenda.

Peter Tsokas
Chief Executive Officer



OUR VISION 2033

Our City is recognised for its vibrant community spirit, quality lifestyle choices, diversity, business strength and innovative leadership.

COUNCIL IS COMMITTED TO

- Ethical, open honest behaviours
- Efficient and effective practices
- Building partnerships
- Fostering an empowered, productive culture – “A Culture of Delivery”
- Encouraging innovation – “A Willingness to Experiment and Learn”

ACKNOWLEDGEMENT

We would like to Acknowledge that the land we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their Country.

We also acknowledge the Kaurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

PRAYER AND SERVICE ACKNOWLEDGEMENT

Almighty God, we humbly beseech Thee to bestow Thy blessing upon this Council. Direct and prosper our deliberations for the advancement of Thy Kingdom and true welfare of the people of this city.

Members will stand in silence in memory of those who have made the Supreme Sacrifice in the service of their country, at sea, on land and in the air.

Lest We Forget.

WELCOME

ORDER OF BUSINESS

ITEM NO

PAGE NO

APOLOGIES

- Nil

LEAVE OF ABSENCE

- Nil

1167 **CONFLICT OF INTEREST** 6-8

1168 **MINUTES** 9

Minutes of the Council meeting held on
14 May 2018

Minutes issued separately

DEFERRED / ADJOURNED ITEMS

Nil

PETITION

Nil

DEPUTATIONS

Nil

PRESENTATION

Nil

REPORTS OF COMMITTEES

Nil

REPORTS OF OFFICERS

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	If applicable	
CONFIDENTIAL ITEMS		
	Nil	

FUTURE ITEMS – JUNE-AUGUST (subject to change)

Office Closure in July for Annual Achievements Presentation
2018-19 Budget Adoption
Fees and Charges
CEOs KPIs 2018/19
LATM Parkside
Digital Strategy Adoption
Preliminary End of Year Results
Brown Hill Keswick Creek Board Member Subsidiary
King William Road Community Consultation
Community Events Sponsorship – Recommendations for Funding Round 2017/18
Footpath Trading Policy
Unley Gourmet Gala and Tour Down Under Road Closure
King William Road Detailed Design Report
Canopy Cover

NEXT MEETING

Monday 25 June 2018 – 7.00pm

CONFLICT OF INTEREST

TITLE: CONFLICT OF INTEREST
ITEM NUMBER: 1167
DATE OF MEETING: 28 MAY 2018
ATTACHMENTS: 1. CONFLICT OF INTEREST DISCLOSURE FORM

Members to advise if they have any material, actual or perceived conflict of interest in any Items in this Agenda.



Conflict of Interest Declaration Form

I, have received a copy of the agenda
[insert name]

for the:

[delete that which is not applicable]

Ordinary Council / Special Council

Committee:
[insert name]

Board:
[insert name]

meeting to be held on:
[insert date]

I consider that I have a:

[delete that which is not applicable]

***material** conflict of interest pursuant to section 73

***actual** or ***perceived** conflict of interest pursuant to section 74

of the *Local Government Act 1999* ("the LG Act") in relation to the following agenda item:

.....
[insert details]

which is to be discussed by the ***Council / *Committee / *Board** at that meeting.

[delete that which is not applicable]

The nature of my **material** conflict of interest is as follows *[ensure sufficient detail is recorded, including the reasons why you (or a person prescribed in section 73(1) of the LG Act) stands to obtain a benefit or suffer a loss depending on the outcome of the consideration of the matter at the meeting of the Council in relation to the agenda item described above].*

.....

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.....

As a consequence I will leave the meeting and take no part in deliberations relating to the item.

OR

The nature of my **actual** conflict of interest is as follows *[ensure sufficient detail is recorded, including the reasons why the conflict between your interests and the public interest might lead to a decision that is contrary to the public interest in relation to the agenda item described above].*

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.....

I intend to deal with my **actual** conflict of interest in the follow transparent and accountable way *[ensure sufficient detail is recorded as to the manner in which you intend to deal with the actual conflict of interest in a transparent and accountable way]*

.....

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OR

The nature of my **perceived** conflict of interest is as follows *[ensure sufficient detail is recorded, including the reasons why you consider that an impartial fair-minded person could reasonably consider that you have a perceived conflict of interest in the matter]*

.....

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I intend to deal with the **perceived** conflict of interest in the following transparent and accountable way *[ensure sufficient detail is recorded as to the manner in which you intend to deal with the perceived conflict of interest in a transparent and accountable way]*

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Signed:

Date:

For OCEO Use Only	
Received by:	
Signed:	
Date:	
ECM Ref:	

CONFIRMATION OF MINUTES

TITLE: CONFIRMATION OF MINUTES FOR COUNCIL
MEETING HELD ON 14 MAY 2018

ITEM NUMBER: 1168

DATE OF MEETING: 28 MAY 2018

ATTACHMENTS: NIL

1. RECOMMENDATION

That:

1. The minutes of the Council Meeting held on 14 May 2018, as printed and circulated, be taken as read and signed as a correct record.
-

DECISION REPORT

REPORT TITLE: ANNUAL REVIEW OF DELEGATIONS
ITEM NUMBER: 1169
DATE OF MEETING: 28 MAY 2018
AUTHOR: DALLIS VON WALD
JOB TITLE: PRINCIPAL GOVERNANCE OFFICER

1. **EXECUTIVE SUMMARY**

Section 44 (6) of the *Local Government Act 1999* requires that a local government review the delegations for the time being in force at least once in every financial year. A review of the delegations from Council to the Chief Executive Officer has been conducted, and it is proposed that the delegations set out in this report be adopted.

2. **RECOMMENDATION**

That:

1. The report be received.
2. That having conducted its annual review of the Council's Delegations Record in accordance with Section 44(6) of the *Local Government Act 1999*, the following be adopted:

3. **Revocations**

- 3.1. Previous delegations to the Chief Executive Officer of those powers and functions under the legislation listed below, be revoked effective from 1 July 2018:

- 3.1.1. *Community Titles Act 1996.*
- 3.1.2. *Development Act 1993, and Development Regulations 2008.*
- 3.1.3. *Dog & Cat Management Act 1995.*
- 3.1.4. *Electronic Conveyancing National Law (South Australia) Act 2013.*
- 3.1.5. *Environment Protection Act 1993, and Environment Protection (Waste to Resources) Policy 2010.*
- 3.1.6. *Expiation of Offences Act 1996.*
- 3.1.7. *Fences Act 1975.*
- 3.1.8. *Fire and Emergency Services Act 2005, and Fire and Emergency Services Regulations 2005.*
- 3.1.9. *Food Act 2001.*

- 3.1.10. *Freedom of Information Act 1991.*
 - 3.1.11. *Heavy Vehicle National Law (South Australia) Act 2013.*
 - 3.1.12. *Housing Improvement Act 2016.*
 - 3.1.13. *Land & Business (Sale and Conveyancing) Act 1994.*
 - 3.1.14. *Liquor Licensing Act 1997.*
 - 3.1.15. *Local Government Act 1999.*
 - 3.1.16. *Local Nuisance and Litter Control Act 2016, and Local Nuisance and Litter Control Regulations 2017.*
 - 3.1.17. *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005, and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005.*
 - 3.1.18. *Planning, Development and Infrastructure Act 2016.*
 - 3.1.19. *Real Property Act 1886.*
 - 3.1.20. *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014, and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014.*
 - 3.1.21. *Roads (Opening & Closing) Act 1991.*
 - 3.1.22. *Safe Drinking Water Act 2011.*
 - 3.1.23. *South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013, and South Australian Public Health (General) Regulations 2013.*
 - 3.1.24. *Supported Residential Facilities Act 1992.*
 - 3.1.25. *Unclaimed Goods Act 1987.*
 - 3.1.26. *Work Health and Safety Act 2012.*
- 3.2. Previous delegations to the Council Assessment Panel under the legislation listed below, be revoked effective from 1 July 2018:
- 3.2.1. *Development Act 1993 and Development Regulations 2008.*
- 3.3. Previous authorisations to Council Officers under clauses A, B, C, D, and F of the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure be revoked effective from 1 July 2018.
- 4. Delegations made under *Local Government Act 1999***
- 4.1. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 1-32 (each of which is individually identified as indicated below) are hereby delegated from 1 July 2018 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified

herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

- 4.1.1. *Community Titles Act 1996* (Appendix 1)
- 4.1.2. *Dog & Cat Management Act 1995* (Appendix 2)
- 4.1.3. *Electronic Conveyancing National Law (South Australia) Act 2013* (Appendix 3)
- 4.1.4. *Environment Protection Act 1993, and Environment Protection (Waste to Resources) Policy 2010* (Appendix 4)
- 4.1.5. *Expiation of Offences Act 1996 (with effect from 30 April 2018)* (Appendix 5)
- 4.1.6. *Fences Act 1975* (Appendix 6)
- 4.1.7. *Fines Enforcement and Debt Recovery Act 2017 (with effect from 30 April 2018)* (Appendix 7)
- 4.1.8. *Fire and Emergency Services Act 2005, and Fire and Emergency Services Regulations 2005* (Appendix 8)
- 4.1.9. *Freedom of Information Act 1991* (Appendix 9)
- 4.1.10. *Housing Improvements Act 2016* (Appendix 10)
- 4.1.11. *Land & Business (Sale & Conveyancing) Act 1994* (Appendix 11)
- 4.1.12. *Liquor Licensing Act 1997* (Appendix 12)
- 4.1.13. *Local Government Act 1999* (Appendix 13)
- 4.1.14. *Local Nuisance and Litter Control Act 2016, and Local Nuisance and Litter Control Regulations 2017* (Appendix 14)
- 4.1.15. *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005, and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005* (Appendix 15)
- 4.1.16. *Planning, Development and Infrastructure Act 2016* (Appendix 16)
- 4.1.17. *Real Property Act 1886* (Appendix 17)
- 4.1.18. *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014, and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014* (Appendix 18)
- 4.1.19. *Roads (Opening and Closing) Act 1991* (Appendix 19)
- 4.1.20. *Safe Drinking Water Act 2011* (Appendix 20)
- 4.1.21. *South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013, and South Australian Public Health (General) Regulations 2013* (Appendix 21)
- 4.1.22. *Unclaimed Goods Act 1987* (Appendix 22)
- 4.1.23. *Work Health and Safety Act 2012* (Appendix 23)

- 4.2. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.
5. **Delegations made under *Development Act 1993***
- 5.1. In exercise of the powers contained in Section 20 and 34(23) of the *Development Act 1993*, the powers and functions under the *Development Act 1993*, *Development (Development Plans) Amendment Act 2006*, and the *Development Regulations 2008* contained in the proposed Instrument of Delegation (Appendix 24) are hereby delegated from 1 July 2018 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.
- 5.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.
- 5.3. In exercise of the powers contained in Section 20 and 34(23) of the *Development Act 1993* the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the proposed Instrument of Delegation (Appendix 24) and which are specified below are hereby delegated to the Council's Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
- 5.4. In exercise of the powers contained in Section 44 of the *Local Government Act 1999* the powers and functions under Section 36(1) of the *Local Government Act 1999* to conduct (including but not limited to negotiating and settling) proceedings commenced under Section 86 of the *Development Act 1993* to which the Council is a respondent, and anything necessary, expedient or incidental to performing or discharging such powers and functions, and may include consulting with the Council Assessment Panel where the Council Assessment Panel made the original decision, are hereby delegated from 1 July 2018 to the person occupying the office of Chief Executive Officer of the Council subject to the conditions specified herein and such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit.
6. **Delegations made under *Food Act 2001***
- 6.1. In exercise of the powers contained in Section 91 of the *Food Act 2001*, the powers and functions under the *Food Act 2001* contained in the proposed Instrument of Delegation (Appendix 25) are hereby delegated from 1 July 2018 to the person occupying the office of Chief Executive Officer ('the head of the enforcement agency' for the purposes of the *Food Act 2001*), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

- 6.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Food Act 2001*.

7. Delegations under Supported Residential Facilities Act 1992

- 7.1. In exercise of the power contained in Section 9 of the *Supported Residential Facilities Act 1992*, the powers and functions under the *Supported Residential Facilities Act 1992* contained in the proposed Instrument of Delegation (Appendix 26) are hereby delegated from 1 July 2018 to the person occupying the office of Chief Executive Officer subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
- 7.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Supported Residential Facilities Act 1992*.

8. Authorisations and Sub-delegation under the Road Traffic Act 1961

- 8.1. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the Minister's Instrument') the Council authorises the following persons pursuant to Clause A.7 of the Minister's Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such persons shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements (Appendix 28):

- Peter Tsokas, Chief Executive Officer
- John Devine, General Manager City Development
- Ben Willsmore, Manager Urban Planning, Design & Traffic
- Satyen Gandhi, Transportation & Traffic Lead

- 8.2. In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:

- John Devine, General Manager City Development
- Satyen Gandhi, Transportation & Traffic Lead
- Hayden Scharnberg, Transport & Traffic Technical Officer

- 8.3. In accordance with Clause E.2 of the Minister's Instrument, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans (Appendix 28):

- John Devine, General Manager City Development
- Satyen Gandhi, Transportation & Traffic Lead
- Hayden Scharnberg, Transport & Traffic Technical Officer

- 8.4. In exercise of the power contained in, and in accordance with, Clause G.1 of the Minister's Instrument dated 22 August 2013, the power contained in Section 33(1) of the *Road Traffic Act 1961* and delegated to the Council pursuant to Clause G of the Minister's Instrument is hereby sub-delegated to the person occupying the office of Chief Executive Officer of the Council as identified in the proposed instrument of sub-delegation annexed to this Report entitled Sub- delegation to the Chief Executive Officer under the *Road Traffic Act 1961* dated 28 May 2018 (Appendix 28) subject to:
- (i) the conditions contained in the Minister's Instrument; and
 - (ii) any conditions contained in this Resolution or in such instrument; and
 - (iii) the creation of a separate instrument in writing reflecting such sub-delegation under the Minister's Instrument and this Resolution.
9. **Delegations under *Safe Drinking Water Act 2011* (of enforcement agency)**
- 9.1. In exercise of the power contained in Section 43 of the *Safe Drinking Water Act 2011* the powers and functions of the Council as a relevant authority under the *Safe Drinking Water Act 2011* contained in the proposed Instrument of Delegation (Appendix 20) are hereby delegated from 1 July 2018 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
- 9.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Safe Drinking Water Act 2011*.
10. **Delegations under the *Heavy Vehicle National Law (South Australia) Act 2013***
- 10.1. In exercise of the powers contained in Section 44 of the *Local Government Act 1999* and Section 22B of the *Heavy Vehicle National Law (South Australia) Act 2013* (as relevant) the powers and functions under the *Heavy Vehicle National Law (South Australia) Act 2013* contained in the proposed Instrument of Delegation (Appendix 29) are hereby delegated from 1 July 2018 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
- 10.2. Such powers and functions may be further delegated by the Chief Executive as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Heavy Vehicle National Law (South Australia) Act 2013*.
-

3. RELEVANT CORE STRATEGIES/POLICIES

- 3.1 Section 44 of the *Local Government Act 1999* allows a Council to formally delegate many of its powers and functions to the Chief Executive Officer, who may then sub-delegate the powers and functions to other responsible staff.
- 3.2 Council may also delegate their powers and functions to a Committee of Council.
- 3.3 Reference to the *Four-Year Plan 2017-2021*
Objective 4.1: We have strong leadership and governance.
4.1(b): Support Elected Members to provide effective leadership to the City.

4. DISCUSSION

- 4.1 Section 44 of the *Local Government Act 1999* provides Council may delegate a power or function vested or conferred upon it by the *Local Government Act 1999* or another Act. Such powers and functions may be further delegated by the person occupying the office of Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit. A delegation made pursuant to Section 44 of the *Local Government Act 1999* is revocable at will and does not prevent the Council from acting in a matter.
- 4.2 Councils have certain duties which they must perform, and certain powers which they may exercise, pursuant to the *Local Government Act 1999* (the Act), as well as a range of other Acts. In most cases the relevant Acts grant those obligations and powers directly on the Council as a body.
- 4.3 Delegations are the way in which Council enables other people/bodies (usually Council Officers) to undertake these duties or exercise these powers on its behalf. Delegations enhance decision-making processes and allow nominated routine matters to be resolved efficiently and effectively without the need for submission to Council. However, in order to do this, Council must take formal steps to delegate to such people and bodies, the authority to make decisions, or undertake activities on its behalf. It is usual for Council to make delegations to the Chief Executive Officer who will then make sub-delegations to the appropriate Council Officers.
- 4.4 A full review of Delegations is usually undertaken on an annual basis. In addition, Norman Waterhouse Lawyers provide a quarterly service to the LGA whereby they monitor legislative amendments and distribute changes required to delegations via "Delegations Templates". In some instances the changes identified are editorial in nature only; other changes reflect legislative amendments that have occurred since the previous templates review which require new or changed delegations to be made.

- 4.5 The Authorisations and sub-delegations under the *Road Traffic Act 1961* and Minister's Instrument are also provided for Council endorsement. It is a condition of the Minister's Instrument that these authorisations are made by Council direct to the officers (i.e. not via sub-delegation from the CEO) (refer to Appendix 27 in Attachment 1)
- 4.6 Council uses software of RelianSys which operates as a database for managing the delegations. The LGA templates feed directly into that database.
- 4.7 Members are reminded that delegations to individuals under all Acts are revocable at will, and furthermore, do not prevent Council from acting in a matter. The exception to this is Section 34(24) of the *Development Act 1993* in relation to delegations by Council to the Development Assessment Panel.
- 4.8 **Council Assessment Panel**
- 4.8.1 Section 20 of the *Development Act 1993* provides for the powers and functions of the *Development Act 1993* and the *Development Regulations 2008* to be delegated.
- 4.8.2 Pursuant to Section 34(23) of the *Development Act 1993*, a Council must delegate to a person occupying a particular office (e.g. the Chief Executive Officer (CEO)) or to a Council Assessment Panel (CAP), all of its powers as the relevant authority with respect to determining whether or not to grant Development Plan Consent. It is recommended that that Council remake the delegation to the Council Assessment Panel (CAP) pursuant to Appendix 24 as part of this review.
- 4.9 **Road Traffic Act**
- 4.9.1 Authorisations are made under the *Road Traffic Act 1961* in accordance with the Minister's Instrument to enable Council Officers to install traffic control devices such as traffic signs. The delegation document contains authorisations made by Council to Council Officers pursuant to the terms of the Minister's Instrument and the Chief Executive Officer alone in respect of Clause G.1. These are shown at Appendix 28 and the Minister's Instrument is contained in Attachment 27.
- 4.10 **Process to be followed**
- 4.10.1 In order for the statements contained in the instruments of delegation to come into effect, Council must first resolve to revoke the existing delegations. Council then resolves to adopt the new delegations contained in the instruments of delegations.
- 4.10.2 If required, position titles will be updated within the delegations register to reflect changes as a result of implementation of any recent changes to titles or organisation structure. It is important to note, there is likely to be very few instances where this is required

as Council's delegation decisions primarily relate to the delegation of powers/functions to the Chief Executive Officer.

4.10.3 Any sub-delegations that have been made in relation to the existing delegations become void as soon as the 'head' delegation is revoked. In order to ensure that Council Officers have the necessary powers to continue their duties, the resolution is worded so that revocation of the existing delegations does not come into force until such time as the sub-delegations are ready to be approved by the Chief Executive Officer. The new delegations will take effect immediately prior to the Chief Executive Officer approval of the sub-delegations.

4.10.4 The exercise of powers and functions delegated by Council shall be undertaken in accordance with existing Council policies. Even though Council may delegate its powers, functions and duties, this does not prevent the Council from acting in the same matters at any time should the need arise.

5. ANALYSIS OF OPTIONS

Option 1 – Adopt the Delegations as set out in the Recommendation section of this report.

This approach allows for the efficient and effective delivery of council services and operations through facilitating decision-making processes and enabling nominated routine matters to be resolved without the need for submission to Council.

The proposed Delegations are consistent with those that have been historically been approved by Council, so do not change the decision making authority levels that have previously existed.

Option 2 – Review the proposed delegations and where applicable, re-determine the distribution of legislative power.

This approach allows Council to make changes to the delegations proposed in this report. A reduction to proposed delegations may result in an increased level of matters that must be reported to Council for decision, which could have implications for service standards or service delivery.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

7.1 Legislative/Risk Management

7.1.1 There are no policy implications or requirements associated with this recommendation

7.1.2 The following risk has been identified:

7.1.2.1 improper use of delegated powers due to out-dated delegation documentation or inappropriate sub-delegations.

8. REPORT CONSULTATION

8.1 The Chief Executive Officer (CEO), together with the EMT, has reviewed these documents.

9. ATTACHMENTS

- Attachment 1 – Appendices 1-29.

10. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
Tami Norman	Executive Manager Office of the CEO
Peter Tsokas	Chief Executive Officer



Instrument of Delegation
Council to Chief Executive Officer

28 May 2018

Appendix 1

COMMUNITY TITLES ACT 1996

Instrument of Delegation under the *Community Titles Act 1996*

#	Item Delegated	Conditions and Limitations
50143	<p>1. Interpretation</p> <p>1.1 The duty pursuant to Section 3(11) of the Community Titles Act 1996 ("the Act") where the Act requires the scheme description lodged with the Registrar-General to be endorsed by the relevant development authority, and:</p> <p>1.1.1 all the consents or approvals required under the Development Act 1993 in relation to the division of the land (and a change in the use of the land (if any)) in accordance with the scheme description and the plan of community division have been granted; or</p> <p>1.1.2 no consent or approval is required under that Act in relation to the division of the land (or a change in the use of the land), to, as the relevant development authority, endorse a scheme description to the effect of either subsection 3(11)(b)(i) or (ii) of the Act.</p>	
50145	<p>3. Application May Deal With Statutory Encumbrances</p> <p>3.1 The power pursuant to Section 15A(b)(i) of the Act, where the Council is the holder of a statutory encumbrance, to sign a certificate certifying that the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance (if any) have been complied with.</p>	
50146	<p>6. Encroachments</p> <p>6.1 The power pursuant to Section 27(1)(b)(i) of the Act to consent to the encroachment of a building over land not included in a community parcel where the encroachment is over land vested in, or under the control or management of the Council.</p>	
50147	<p>7. Scheme Description</p> <p>7.1 The power pursuant to Section 30(4) of the Act as the relevant development authority to require modifications to a scheme description before endorsing the scheme description to:</p> <p>7.1.1 add any information that is necessary or desirable; or</p> <p>7.1.2 clarify any part of the description; or</p> <p>7.1.3 remove any unnecessary detail.</p>	
50148	<p>8. Scheme Description</p> <p>8.1 The power pursuant to Section 31(3) of the Act as the relevant development authority to endorse a certified copy of an amended scheme description.</p>	
50149	<p>12. Application May Deal With Statutory Encumbrances</p> <p>12.1 The power pursuant to Section 53A(b)(i) of the Act, where the Council is the holder of a statutory encumbrance, to sign a certificate certifying that the</p>	

#	Item Delegated	Conditions and Limitations
	requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance (if any) have been complied with.	

DOG AND CAT MANAGEMENT ACT 1995

Instrument of Delegation under the Dog and Cat Management Act 1995

#	Item Delegated	Conditions and Limitations
50641	<p>1. Appointment of Authorised Persons</p> <p>1.1 The power pursuant to Section 25A(1) of the Dog and Cat Management Act 1995 (the Act) to appoint suitable persons (other than members of the Council) to be authorised persons for the purposes of the Act.</p>	
76415	<p>1. Appointment of Authorised Persons</p> <p>1.2 The power pursuant to Section 25A(2) of the Act to make an appointment subject to conditions specified in the instrument of appointment.</p>	
76416	<p>1. Appointment of Authorised Persons</p> <p>1.3 The power pursuant to Section 25A(3) of the Act to, at any time, revoke the appointment of an authorised person, or vary or revoke the conditions of appointment of an authorised person.</p>	
50642	<p>2. Identification of Authorised Persons</p> <p>2.1 The power pursuant to Section 25B(1) of the Act to issue to an authorised person an identity card in a form approved by the Board.</p>	
50643	<p>2. Identification of Authorised Persons</p> <p>2.2 The power pursuant to Section 25B(2) of the Act, if the powers of the authorised person have been limited by conditions, to issue an identity card to the person containing a statement of those conditions.</p>	
50644	<p>3. Area Limitation on Authorised Persons Appointed by Councils</p> <p>3.1 The power pursuant to Section 25C(c) of the Act to arrange with another council for an authorised person appointed by the Council to exercise powers under the Act within the area of the other council.</p>	
50645	<p>4. Council Responsibility for Management of Dogs and Cats</p> <p>4.1 The power pursuant to Section 26 of the Act to administer and enforce the provisions of the Act relating to dogs and cats within the Council area and for that purpose to:</p>	
160807	<p>4. Council Responsibility for Management of Dogs and Cats</p> <p>4.1.1 maintain a register of dogs containing information required by the Board (which may be kept in the form of a computer record); and</p>	
160808	<p>4. Council Responsibility for Management of Dogs and Cats</p> <p>4.1.2 ensure that the Board is provided with information contained in the register as required by the Board from time to time; and</p>	
160809	<p>4. Council Responsibility for Management of Dogs and Cats</p> <p>4.1.3 maintain such other registers as may be required by the Board; and</p>	
160810	<p>4. Council Responsibility for Management of Dogs and Cats</p> <p>4.1.4 make the registers kept under the Act available for inspection by members of the public in accordance with any guidelines issued by the Board; and</p>	

#	Item Delegated	Conditions and Limitations
160811	4. Council Responsibility for Management of Dogs and Cats 4.1.5 if guidelines issued by the Board so require, limit inspection of a register or part of a register kept under the Act by members of the public; and	
160812	4. Council Responsibility for Management of Dogs and Cats 4.1.6 appoint a suitable person to be Registrar; and	
160813	4. Council Responsibility for Management of Dogs and Cats 4.1.7 make satisfactory arrangements for issuing and replacing certificates of registration and registration discs; and	
160814	4. Council Responsibility for Management of Dogs and Cats 4.1.8 appoint at least 1 full time authorised person or make other satisfactory arrangements for the exercise of the functions and powers of authorised persons; and	
160815	4. Council Responsibility for Management of Dogs and Cats 4.1.9 make satisfactory arrangements for the detention of dogs seized under the Act (and make such arrangements for cats seized under the Act); and	
160816	4. Council Responsibility for Management of Dogs and Cats 4.1.10 make satisfactory arrangements for fulfilling other obligations under the Act.	
50646	4. Council Responsibility for Management of Dogs and Cats 4.2 The power pursuant to Section 26(1a) of the Act, to without limiting Section 26(2) of the Act, nominate a facility approved by the Board at which dogs or cats may be detained.	
50647	4. Council Responsibility for Management of Dogs and Cats 4.3 The power pursuant to Section 26(4) of the Act to keep separate accounts of money received under the Act and of money expended in the administration and enforcement of the provisions of the Act relating to dogs and cats.	
50648	4. Council Responsibility for Management of Dogs and Cats 4.4 The power pursuant to Section 26(5) of the Act to pay into the Fund the percentage fixed by regulation of the dog registration fees received by the Council.	
50649	4. Council Responsibility for Management of Dogs and Cats 4.5 The power pursuant to Section 26(6) of the Act to charge: 4.5.1 fees for the provision of extracts from registers kept under the Act; and 4.5.2 fees for the receipt and management of information relating to a register contemplated by Section 26(1)(ac) of the Act; and 4.5.3 fees which may be differential but which must not exceed an amount prescribed by the regulations for the purposes of paragraph (b) of Section 26(6) of the Act: 4.5.3.1 for the registration of dogs or businesses under Part 4 of the Act; and 4.5.3.2 for the late payment of registration fees; and 4.5.3.3 for meeting any other requirement imposed on the Council under the Act.	
50650	4. Council Responsibility for Management of Dogs and Cats	

#	Item Delegated	Conditions and Limitations
	4.6 The power pursuant to Section 26(7) of the Act, in the case of a standard dog or cat, to, provide for a percentage rebate of a fee that would otherwise be charged for the registration of a dog or cat under the Act.	
50651	<p>5. Plans of Management Relating to Dogs and Cats</p> <p>5.1 The power pursuant to Section 26A(1) of the Act to in accordance with Sections 26A(2) and (3) of the Act, prepare a plan relating to the management of dogs and cats within the Council area.</p>	
50652	<p>5. Plans of Management Relating to Dogs and Cats</p> <p>5.2 The power pursuant to Section 26A(5) of the Act to amend a plan of management at any time during the course of the 5 year period covered by the plan, with the approval of the Board.</p>	
50653	<p>6. Rectification of Register</p> <p>6.1 The power pursuant to Section 39 of the Act upon application by any person aggrieved by an entry in the register, to rectify the register.</p>	
50654	<p>7. Destruction and Control Orders</p> <p>7.1 The power pursuant to Section 50(1) of the Act to, in accordance with Division 3 of Part 5 of the Act, make an order of any of the following classes in relation to a specified dog:</p> <p>7.1.1 a Destruction Order;</p> <p>7.1.2 a Control (Dangerous Dog) Order;</p> <p>7.1.3 a Control (Menacing Dog) Order;</p> <p>7.1.4 a Control (Nuisance Dog) Order;</p> <p>7.1.5 a Control (Barking Dog) Order.</p>	
50655	<p>7. Destruction and Control Orders</p> <p>7.2 The power pursuant to Section 50(2)(b) of the Act to approve some other place to the place specified in the order for a dog to be kept or detained until destroyed.</p>	
50656	<p>8. Grounds on Which Orders May be Made</p> <p>8.1 The power pursuant to Section 51 of the Act to make an order in relation to a dog under Division 3 of Part 5 of the Act, if satisfied that:</p> <p>8.1.1 in the case of a Destruction Order:</p> <p>8.1.1.1 the dog is unduly dangerous; and</p> <p>8.1.1.2 the dog has attacked, harassed or chased a person or an animal or bird owned by or in the charge of a person in circumstances that would constitute an offence against the Act; or</p>	
50657	<p>8. Grounds on Which Orders May be Made</p> <p>8.1.2 in the case of a Control (Dangerous Dog) Order:</p> <p>8.1.2.1 the dog:</p> <p>(a) is dangerous; and</p> <p>(b) has attacked, harassed or chased a person or an animal or bird, or is likely to do so, in circumstances that would constitute an offence against the Act or any other Act; or</p>	

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	8.1.2.2 the dog is subject to an order made under a law of another jurisdiction that corresponds with a Control (Dangerous Dog) Order; or	
50658	<p>8. Grounds on Which Orders May be Made</p> <p>8.1.3 in the case of a Control (Menacing Dog) Order:</p> <p>8.1.3.1 the dog:</p> <p>(a) is menacing; and</p> <p>(b) has attacked, harassed or chased a person or an animal or bird, or is likely to do so, in circumstances that would constitute an offence against the Act or any other Act; or</p> <p>8.1.3.2 the dog is subject to an order made under a law of another jurisdiction that corresponds with a Control (Menacing Dog) Order; or</p>	
156907	<p>8. Grounds on Which Orders May be Made</p> <p>8.1.4 in the case of a Control (Nuisance Dog) Order:</p> <p>8.1.4.1 the dog:</p> <p>(a) is a nuisance; and</p> <p>(b) has attacked, harassed or chased a person or an animal or bird, or is likely to do so, in circumstances that would constitute an offence against the Act or any other Act; or</p> <p>8.1.4.2 the dog is subject to an order made under a law of another jurisdiction that corresponds with a Control (Nuisance Dog) Order; or</p>	
156908	<p>8. Grounds on Which Orders May be Made</p> <p>8.1.5 in the case of a Control (Barking Dog) Order:</p> <p>8.1.5.1 the dog is a nuisance; and</p> <p>8.1.5.2 the dog has created noise by barking or otherwise in circumstances that would constitute an offence against the Act or any other Act.</p>	
156909	<p>9. Procedure for Making and Revoking Orders</p> <p>9.1 The power pursuant to Section 52(1) of the Act to:</p> <p>9.1.1 make an order under Division 3 of Part 5 of the Act on the Delegate's own initiative or on an application made in a manner and form determined by the Council or the Delegate; and</p> <p>9.1.2 to determine the manner and form of an application for an order under Division 3 of Part 5 of the Act.</p>	
156910	<p>9. Procedure for Making and Revoking Orders</p> <p>9.2 The power pursuant to Section 52(1) of the Act before making an order under Division 3 of Part 5 of the Act, to take reasonable steps:</p> <p>9.2.1 to ascertain all persons who own or are responsible for the control of the dog; and</p> <p>9.2.2 to give each of the persons so ascertained at least 7 days written notice:</p> <p>9.2.2.1 identifying the dog in relation to which it is proposed that the order be made;</p> <p>9.2.2.2 setting out the terms of the proposed order; and</p> <p>9.2.2.3 inviting the owner or other person to make submissions to the Council or</p>	

#	Item Delegated	Conditions and Limitations
	the Delegate in respect of the matter within 7 days or such longer period as is allowed by the Council or the Delegate.	
156911	<p>9. Procedure for Making and Revoking Orders</p> <p>9.3 The power pursuant to Section 52(2) of the Act to:</p> <p>9.3.1 make an order in the manner and form required by the Board; and</p> <p>9.3.2 note an order in the register kept by the Council under the Act.</p>	
156912	<p>9. Procedure for Making and Revoking Orders</p> <p>9.4 The power pursuant to Section 52(3) of the Act to take all reasonable steps to give a copy of the order to each person who owns or is responsible for the control of the dog.</p>	
156913	<p>9. Procedure for Making and Revoking Orders</p> <p>9.5 The power pursuant to Section 52(4) of the Act to revoke an order made by the Council by written notice to the person who owns or is responsible for the control of the dog.</p>	
156914	<p>9. Procedure for Making and Revoking Orders</p> <p>9.6 The power pursuant to Section 52(5) of the Act to enter a note of the revocation in the register kept by the Council under the Act.</p>	
156915	<p>9. Procedure for Making and Revoking Orders</p> <p>9.7 The power pursuant to Section 52(6) of the Act to, at the request of the Board, note in the register kept under the Act an order made by the Board.</p>	
156916	<p>10. Directions About How to Comply with Order</p> <p>10.1 The power pursuant to Section 53(1) of the Act to issue, from time to time, written directions to a person who owns or is responsible for the control of a dog subject to an order under Division 3 of Part 5 of the Act about how the order may be complied with in the area of the Council.</p>	
156917	<p>11. Power of Court to Order Destruction or Control of Dog on Application</p> <p>11.1 The power pursuant to Section 59 of the Act to apply to the Magistrates Court for any order in relation to a dog that the Court could have made if the proceedings had been criminal proceedings under the Act.</p>	
156918	<p>12. Prohibition Orders</p> <p>12.1 The power pursuant to Section 59A(1) of the Act to, in accordance with Division 3 of Part 5 of the Act, make a Prohibition Order against a person.</p>	
156919	<p>12. Prohibition Orders</p> <p>12.2 The power pursuant to Section 59A(2)(b)(ii) of the Act to approve some other place to that specified in the order for a dog to be kept or detained until destroyed or disposed of.</p>	
156920	<p>12. Prohibition Orders</p> <p>12.3 The power pursuant to Section 59A(3) of the Act upon the Delegate's own initiative or on application, to make a Prohibition Order against a person if satisfied that, subject to Section 59A(4) of the Act:</p> <p>12.3.1 while the person owned or was responsible for the control of a dog, the dog attacked, harassed or chased a person or animal or bird owned by or in the charge of a person in circumstances that would constitute an offence against the Act; and</p> <p>12.3.2 –</p>	

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	<p>12.3.2.1 the dog was already subject to a Destruction Order or a Control (Dangerous Dog) Order; or</p> <p>12.3.2.2 during the 5 years preceding the event referred to in Section 59A(3)(a) of the Act, a Destruction Order or a Control (Dangerous Dog) Order was made in relation to some other dog on grounds that arose while the person owned or was responsible for the control of that other dog.</p>	
156921	<p>12. Prohibition Orders</p> <p>12.4 The power pursuant to Section 59A(3a) of the Act to, on the Delegate's own initiative or on application, make a Prohibition Order against a person if satisfied that the person is subject to a supervision order under Section 269O of the Criminal Law Consolidation Act 1935.</p>	
156922	<p>12. Prohibition Orders</p> <p>12.5 The power pursuant to Section 59A(5) of the Act to:</p> <p>12.5.1 make an order in the manner and form required by the Board; and</p> <p>12.5.2 record the order in a manner and form approved by the Board, and keep the record readily available for public inspection.</p>	
156923	<p>12. Prohibition Orders</p> <p>12.6 The power pursuant to Section 59A(6) of the Act to revoke an order made by the Council by written notice to the person against whom the order was made.</p>	
156924	<p>12. Prohibition Orders</p> <p>12.7 The power pursuant to Section 59A(7) of the Act to enter a note of the revocation in the record kept by the Council under Section 59A of the Act.</p>	
156925	<p>13. Procedure Following Seizure of Dog</p> <p>13.1 The power pursuant to Section 61(4) of the Act if a dog is seized in order to prevent or stop it attacking, harassing or chasing a person or an animal or bird because it is unduly dangerous, to as soon as practicable, proceed to consider making an order in relation to the dog or applying to the Magistrates Court for an order in relation to the dog.</p>	
156926	<p>13. Procedure Following Seizure of Dog</p> <p>13.2 The power pursuant to Section 61(6) of the Act to recover the cost of taking action under Section 61(3) of the Act from the person who owns or is responsible for the control of the dog as a debt due to the Council.</p>	
156927	<p>14. Power to Seize and Detain Cats</p> <p>14.1 The power pursuant to Section 64(2)(c) of the Act to nominate a facility at which cats may be destroyed.</p>	
156928	<p>15. Certain Bodies May Microchip and Desex Detained Dogs and Cats</p> <p>15.1 The power pursuant to Section 64B(1) of the Act, despite any other provision of the Act, or any other Act or law, if the Council is detaining a dog or cat seized under the Act or any other Act, to, in accordance with any guidelines determined by the Board for the purposes of Section 64B of the Act, do 1 or more of the following:</p> <p>15.1.1 microchip the dog or cat;</p> <p>15.1.2 desex the dog or cat;</p> <p>15.1.3 cause the dog or cat to be microchipped or desexed or both.</p>	

#	Item Delegated	Conditions and Limitations
156929	<p>15. Certain Bodies May Microchip and Desex Detained Dogs and Cats</p> <p>15.2 The power pursuant to Section 64B(2) of the Act to recover the cost of taking action under Section 64B of the Act as a debt from a person who owns or is responsible for the control of the dog or cat.</p>	

ELECTRONIC CONVEYANCING NATIONAL LAW (SOUTH AUSTRALIA) ACT 2013

Instrument of Delegation Under the Electronic Conveyancing National Law (South Australia) Act 2013

#	Item Delegated	Conditions and Limitations
88294	<p>1. Client Authorisation</p> <p>1.1 The power pursuant to Section 10(1) of the Electronic Conveyancing National Law (South Australia) Act 2013 (the Act) to:</p> <p>1.1.1 complete a client authorisation:</p> <p>1.1.1.1 that is in the form required by the participation rules; and</p> <p>1.1.1.2 by which the Delegate authorises a subscriber to do one or more things on the Council's behalf in connection with a conveyancing transaction so that the transaction, or part of the transaction, can be completed electronically.</p>	

ENVIRONMENTAL PROTECTION ACT 1993

Instrument of Delegation under the Environment Protection Act 1993 and the Environment Protection (Waste to Resources) Policy 2010

#	Item Delegated	Conditions and Limitations
50211	1. The power pursuant to Section 85(3) of the Environment Protection Act 1993 ("the Act"), to appoint authorised officers for the purposes of the Act.	
50212	2. The power pursuant to Section 85(4) of the Act to make an appointment under Section 85(3) of the Act subject to conditions to be specified in the instrument of appointment, and subject to conditions prescribed by regulation.	
50213	3. The power pursuant to Section 85(5) of the Act to revoke an appointment or to vary or revoke a condition specified in the instrument of such an appointment or impose a further such condition.	
50214	4. Site Contamination Assessment Orders 4.1 The power pursuant to Section 103H(4) of the Act, where a proposed site contamination assessment order or a proposed variation of such an order would require the undertaking of an activity for which a permit would, but for Section 129 of the Natural Resources Management Act 2004, be required under that Act, and where the Council is the authority under the Natural Resources Management Act 2004 to whom an application for a permit for the activity would otherwise have to be made, to make written submissions in relation to the proposal within a period specified in the notice from the Authority.	
50215	5. Site Remediation Orders 5.1 The power pursuant to Section 103J(4) of the Act, where a proposed site remediation order (except an emergency site remediation order) or a proposed variation of a site remediation order would require the undertaking of an activity for which a permit would, but for Section 129 of the Natural Resources Management Act 2004, be required under that Act, and where the Council is the authority under the Natural Resources Management Act 2004 to whom an application for a permit for the activity would otherwise have to be made, to make written submission in relation to the proposal within a period specified in the notice from the Authority.	
50217	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010 6A. [Metropolitan Councils only] The duty pursuant to Clause 10(2) of the Environment Protection (Waste to Resources) Policy 2010 ("the Policy"), in order to facilitate the proper management of waste to be collected under Clause 10(1)(b) of the Policy, to provide a weekly kerbside waste collection service (other than for recyclable waste or vegetative matter) in respect of residential premises within its area.	
50218	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010 7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council: (a) if any other waste is mixed with medical waste, the other waste is to be dealt with under this clause in the same way as is required in relation to medical waste;	EHO, Adam Bowden, when required on temporary or contract basis.
50219	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010 7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council: (b) all medical waste must be stored in containers that are weatherproof, shatterproof, insect and vermin proof, and leak proof or, in the case of containers storing only medical sharps or any other sharp articles, leak resistant;	EHO, Adam Bowden, when required on temporary or contract basis.

#	Item Delegated	Conditions and Limitations
50220	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(c) all containers for medical waste that are kept for further use must be thoroughly cleaned and disinfected as soon as reasonably practicable after emptying;</p>	EHO, Adam Bowden, when required on temporary or contract basis.
50221	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(d) all containers used for the storage or transport of medical waste must be clearly labelled as containing medical waste;</p>	EHO, Adam Bowden, when required on temporary or contract basis.
50222	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(e) all containers of medical waste must be stored in a secure location;</p>	EHO, Adam Bowden, when required on temporary or contract basis.
50223	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(f) all necessary equipment required to clean and disinfect the area in case of accidental spillage of medical waste must be readily available and accessible;</p>	EHO, Adam Bowden, when required on temporary or contract basis.
50224	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(g) discarded medical sharps or any other sharp articles must be contained for disposal in containers that comply with the requirements of the Standards, as amended from time to time, set out in Clause 17(2)(g)(i) of the Policy and the containers must not be subject to compaction by a compacting device nor placed for storage or transport in a portable or mobile compactor;</p>	EHO, Adam Bowden, when required on temporary or contract basis.
50225	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(h) medical waste must be disposed of as soon as reasonably practicable;</p>	EHO, Adam Bowden, when required on temporary or contract basis.
50226	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(i) all medical waste must be:</p> <p>(i) disposed of by incineration; or</p>	EHO, Adam Bowden, when required on temporary or contract basis.

#	Item Delegated	Conditions and Limitations
	<p>(ii) disposed of by such other method of treatment or disposal as is approved by the Authority and subject to such conditions as the Authority thinks fit;</p> <p>(iii) collected for disposal by - (A) a licensed waste transporter authorised to collect and transport medical waste; or (B) a council;</p>	
50227	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(j) before the collection of medical waste for disposal, the transporter must be advised of the nature of the waste, hazards associated with the waste and any precautions that need to be taken during the collection, transport or disposal of the medical waste;</p>	EHO, Adam Bowden, when required on temporary or contract basis.
50228	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(k) the transporter must be given such assistance as is required to ensure that loading operations are carried out in such a way as to prevent spillage of any medical waste.</p>	EHO, Adam Bowden, when required on temporary or contract basis.

EXPIATION OF OFFENCES ACT 1996

Instrument of Delegation under the *Expiation of Offences Act 1996*

#	Item Delegated	Conditions and Limitations
50659	1. Certain Offences may be Expiated 1.1 The power pursuant to Section 5(1) of the Expiation of Offences Act 1996 ("the Act") to issue an expiation notice under the Act to a person alleged to have committed an offence under an Act, regulation or by-law, and the alleged offence may accordingly be expiated in accordance with the Act.	EHO1, Adam Bowden, when required on temporary or contract basis.
50660	2. Expiation Notices 2.1 The power pursuant to Section 6(3)(b)(ii) of the Act to authorise a person in writing to give an expiation notice for an alleged offence.	The General Manager City Services, Manager Development and Regulatory Services, and Team Leader Regulatory Services may, where council staff are unavailable, authorise for a limited and specified period, a suitably trained person to issue expiation notices.
50661	3. Review of Notices on Ground that Offence is Trifling 3.1 The power pursuant to Section 8A(2) and (3) of the Act to require an alleged offender who is seeking a review of the notice on the ground that the offence is trifling: 3.1.1 to provide further information; and 3.1.2 to provide a statutory declaration verifying the information contained in, or supporting, an application for review.	EHO1, Adam Bowden, when required on temporary or contract basis.
50662	3. Review of Notices on Ground that Offence is Trifling 3.2 The power pursuant to Section 8A(4) of the Act to determine an application for review before providing the Chief Recovery Officer with relevant particulars under Section 22 of the Fines Enforcement and Debt Recovery Act 2017 in respect of the offence to which the application relates.	
50663	3. Review of Notices on Ground that Offence is Trifling 3.3 The duty pursuant and subject to Section 8A(5) and (6) of the Act upon being satisfied the offence is trifling to withdraw the expiation notice in respect of the offence by giving written notice to the alleged offender.	
182971	3. Review of Notices on Ground that Offence is Trifling 3.4 The power pursuant to Section 8A(6a) of the Act, if an enforcement determination made under section 22 of the Fines and Enforcement Debt Recovery Act 2017 is revoked on the ground that the alleged offender had not had a reasonable opportunity to apply for review of the notice under Section 8A of the Act, and the alleged offender makes an application under Section 8A of the Act within 14 days of being notified of the revocation, to withdraw the expiation notice under Section 8A of the Act.	
50664	4. Expiation Reminder Notices 4.1 The duty pursuant to Section 11(1) of the Act where an alleged offender has neither paid the expiation fee nor entered into an arrangement under Section 20 of the Fines Enforcement and Debt Recovery Act 2017 and the Council has not received a statutory declaration or other document sent to the Council by the alleged offender in accordance with a notice required by law to accompany the expiation notice, by the end of the expiation period, and before the Delegate takes any action under this Act or the Fines Enforcement and Debt Recovery Act 2017	

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	to enforce the expiation notice, to give an expiation reminder notice in the prescribed form to the alleged offender.	
50665	<p>5. Expiation Enforcement Warning Notices</p> <p>5.1 The duty pursuant to Section 11A(1) of the Act where the Council has received a statutory declaration or other document sent to the Council by the alleged offender in accordance with a notice required by law to accompany the expiation notice or expiation reminder notice, and before the Delegate takes action under this Act or the Fines Enforcement and Debt Recovery Act 2017 to enforce the expiation notice, to give an expiation enforcement warning notice, in the prescribed form, to the alleged offender.</p>	
50666	<p>6. Late Payment</p> <p>6.1 The power pursuant to Section 12 of the Act to accept late payment of the amount due under an expiation notice at any time before an enforcement determination is made under Section 22 of the Fines Enforcement and Debt Recovery Act 2017.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50668	<p>8. Withdrawal of Expiation Notices</p> <p>8.1 The power pursuant to Section 16(1) of the Act, to withdraw an expiation notice with respect to all or any of the alleged offences to which an expiation notice relates where:</p> <p>8.1.1 in the opinion of the Delegate the alleged offender did not commit the offence or offences, or that the notice should not have been given with respect to the offence or offences;</p> <p>8.1.2 the Council as issuing authority receives a statutory declaration or other document sent to the Council by the alleged offender in accordance with a notice required by law to accompany the expiation notice or expiation reminder notice; or</p> <p>8.1.3 the notice is defective; or</p> <p>8.1.3A in the opinion of the Delegate the alleged offender is suffering from a cognitive impairment that excuses the alleged offending; or</p> <p>8.1.4 the Delegate decides that the alleged offender should be prosecuted for the offence or offences.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50669	<p>8. Withdrawal of Expiation Notices</p> <p>8.2 The power pursuant to Section 16(5) of the Act, where an expiation notice is withdrawn under subsection (1), to commence prosecution for an offence to which the notice related.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50670	<p>8. Withdrawal of Expiation Notices</p> <p>8.3 The duty pursuant to Section 16(6) of the Act, subject to Section 16(7) of the Act, to withdraw an expiation notice if it becomes apparent that the alleged offender did not receive the notice until after the expiation period, or has never received it, as a result of error on the part of the Council as issuing authority or failure of the postal system or failure in the transmission of an email.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50671	<p>8. Withdrawal of Expiation Notices</p> <p>8.4 The duty pursuant to Section 16(11) of the Act, where an expiation notice is withdrawn under Section 16 of the Act and the notice of withdrawal does not specify that the notice is withdrawn for the purposes of prosecuting the alleged offender, and if an enforcement determination has been made under Section 22 of the Fines Enforcement and Debt Recovery Act 2017, to inform the Chief Recovery Officer of the withdrawal of the notice.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50672	9. Provision of Information	

#	Item Delegated	Conditions and Limitations
	<p>9.1 The power pursuant to Section 18 of the Act to enter into an agreement with the Fines Enforcement and Recovery Officer in relation to:</p> <p>9.1.1 the manner in which the Chief Recovery Officer is to provide information to the Council in relation to action taken by the Chief Recovery Officer under the Act in respect of an expiation notice issued by the Council; and</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
76472	<p>9. Provision of Information</p> <p>9.1 The power pursuant to Section 18 of the Act to enter into an agreement with the Fines Enforcement and Recovery Officer in relation to:</p> <p>9.1.2 the manner in which the Council is to provide information to the Chief Recovery Officer in relation to the issuing of an expiation notice by the Council or any other action taken by the Council in respect of an expiation notice so issued.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.

FENCES ACT 1975

Instrument of Delegation under the *Fences Act 1975*

#	Item Delegated	Conditions and Limitations
50676	1. Notice of Intention to Perform Fencing Work 1.1 The power pursuant to Section 5(1) of the Fences Act 1975 ("the Act") to serve notice, in accordance with Section 5(2) of the Act, on an adjoining land owner of a proposal to erect a fence to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.	
50677	1. Notice of Intention to Perform Fencing Work 1.2 The power pursuant to Section 5(3) of the Act to serve notice in accordance with Section 5(4) of the Act on an adjoining land owner of a proposal to perform any replacement, repair or maintenance work in relation to a fence dividing the Council's land (being land of less than one hectare) and the adjoining owner's land.	
50678	2. Cross-notice 2.1 The power pursuant to Section 6(1) of the Act to serve in the prescribed form and to determine the criteria under Section 6(2) of the Act, a cross-notice on an adjoining land owner, objecting to and/or putting forward counter-proposals in relation to fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.	
50679	2. Cross-notice 2.2 The power pursuant to Section 6(3) of the Act to object and serve notice on the adjoining owner to any counter-proposal contained in any cross-notice under Section 6(2) of the Act.	
50680	3. Agreement upon Basis of Proposals and Counter proposals 3.1 The power pursuant to Section 7 of the Act to authorise payment of part or all of the cost of constructing or maintaining a fence adjacent to Council land, (being land which is less than one hectare in area).	
50681	4. Performance of Fencing Work 4.1 The power pursuant to Section 8 of the Act to authorise the commencement and completion of fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land-owner.	

FINES ENFORCEMENT & RECOVERY ACT 2017

Instrument of Delegation under the Fines Enforcement and Debt Recovery Act 2017

#	Item Delegated	Conditions and Limitations
183055	<p>1. Amounts Due Under Expiation Notices may be Treated as Part of Pecuniary Sum</p> <p>1.1 The power pursuant to Section 9(2) of the Fines Enforcement and Debt Recovery Act 2017 (the Act) if a debtor requests the making of an aggregation determination but no enforcement determination has been made under Section 22 of the Act in relation to the expiation amount, to pay the prescribed fee.</p>	
183056	<p>2. Arrangements as to Manner and Time of Payment</p> <p>2.1 The power pursuant to Section 20(4) of the Act to agree with the Chief Recovery Officer the manner in which the Chief Recovery Officer is to give the Council notice of an arrangement entered into under Section 20 of the Act.</p>	
183057	<p>2. Arrangements as to Manner and Time of Payment</p> <p>2.2 The power pursuant to Section 20(18) of the Act to agree with the Chief Recovery Officer the manner in which, if an arrangement terminates under Sections 20(15) or (17) of the Act, the chief Recovery Officer is to give the Council notice of the termination and the amount then outstanding (taking into account, where the arrangement required the performance of community service, the number of hours of community service to be performed).</p>	
183058	<p>3. Enforcement Determination</p> <p>3.1 The power pursuant to Section 22(1) of the Act to enforce an expiation notice against the alleged offender by providing to the Chief Recovery Officer the particulars determined by the Chief Recovery officer relating to:</p> <ul style="list-style-type: none"> (a) the alleged offender; and (b) the offence or offences that remain unexpiated; and (c) the amount due under the notice; and (d) compliance by the council with the requirements of the Act and any other Act. 	
183059	<p>3. Enforcement Determination</p> <p>3.2 The power pursuant to Section 22(2) of the Act to pay the prescribed fee.</p>	

FIRE & EMERGENCY SERVICES ACT 2005

Instrument of Delegation to the Chief Executive Officer under the Fire and Emergency Services Act 2005 and the Fire and Emergency Services Regulations 2005

#	Item Delegated	Conditions and Limitations
50103	<p>2. Use of Facilities - State Bushfire Coordination Committee</p> <p>2.1 The power pursuant to Section 71C of the Act to make arrangements with the State Bushfire Coordination Committee for the State Bushfire Coordination Committee to make use of the services of the staff, equipment or facilities of the Council.</p>	
50104	<p>3. Use of Facilities - Bushfire Management Committees</p> <p>3.1 The power pursuant to Section 72D of the Act to make arrangements with a Bushfire Management Committee for the Bushfire Management Committee to make use of the services of the staff, equipment or facilities of the Council.</p>	
50106	<p>5. Fire Control Officers</p> <p>5.1 The power pursuant to Section 103(1) of the Act to request that the Chief Officer of the SACFS appoint a person as fire control officer for a designated area of the State (whether inside or outside a council area).</p>	
50107	<p>5. Fire Control Officers</p> <p>5.2 The power pursuant to Section 103(2) of the Act to consult with and make submissions to the Chief Officer of the SACFS before the Chief Officer of the SACFS of his or her own initiative appoints a person as a fire control officer for a designated area of the State (whether inside or outside a council area) in relation to the proposed appointment.</p>	
50108	<p>6. Giving of Expiation Notices</p> <p>6.1 The duty pursuant to Section 104 of the Act to not authorise a person (under Section 6(3)(b) of the Expiation of Offences Act 1996) to give expiation notices for alleged offences under Part 4 of the Act unless the person is a fire prevention officer.</p>	
50109	<p>7. Appropriation of Penalties</p> <p>7.1 The duty pursuant to Section 105 of the Act if a summary offence against Part 4 of the Act is committed in the area of the Council and the complaint is laid by the Council (or an officer of the Council), to pay any fine recovered from the defendant into the general revenue of the Council (rather than into the Consolidated Account).</p>	
50110	<p>8. Interpretation</p> <p>8.1 The power pursuant to Section 105A of the Act to authorise for the purposes of Part 4A of the Act an authorised person appointed by the Council under the Local Government Act 1999.</p>	
50115	<p>11. Private Land</p> <p>11.1 The duty pursuant to Section 105F(2) of the Act, in determining the standard required to comply with Section 105F(1) of the Act (but subject to Section 105F(4) of the Act), to take into account the following matters (insofar as may be relevant and without limiting any other relevant matter):</p> <p>11.1.1 the nature of the land;</p> <p>11.1.2 whether the land is in a country, metropolitan, township or other setting;</p> <p>11.1.3 the activities carried out on the land (including whether flammable or combustible materials or substances are used or stored on the land);</p> <p>11.1.4 other statutory standards or requirements that apply to or in relation to the land.</p>	
50116	<p>11. Private Land</p> <p>11.2 The power pursuant to Section 105F(5) of the Act, if the Delegate believes on reasonable grounds -</p> <p>11.2.1 that an owner of private land has failed to comply with Section 105F(1) of</p>	

#	Item Delegated	Conditions and Limitations
	<p>the Act; or</p> <p>11.2.2 that measures should be taken in respect of particular private land for the purpose of -</p> <p>11.2.2.1 preventing or inhibiting the outbreak of fire on the land; or</p> <p>11.2.2.2 preventing or inhibiting the spread of fire through the land; or</p> <p>11.2.2.3 protecting property on the land from fire,</p> <p>to, by notice in writing that complies with any requirements set out in the regulations, require the owner of the private land to take specified action to remedy the default or to protect the land or property on the land, within such time as may be specified in the notice.</p>	
50117	<p>11. Private Land</p> <p>11.3 The power pursuant to Section 105F(6) of the Act and without limiting the operation of Section 105F(5) of the Act, to include in a notice under Section 105F(5) of the Act directions -</p> <p>11.3.1 to trim or remove vegetation on the land; or</p> <p>11.3.2 to remove flammable or combustible materials or substances, or to store flammable or combustible materials or substances in a specified manner; or</p> <p>11.3.3 to eliminate a potential ignition source; or</p> <p>11.3.4 to create, establish or maintain fire breaks or fuel breaks.</p>	
50118	<p>11. Private Land</p> <p>11.4 The duty pursuant to Section 105F(7) of the Act, in acting under Section 105F(5) of the Act, to apply any guidelines prepared or adopted by the Minister for the purposes of Section 105F(5) of the Act and published by the Minister in the Gazette.</p>	
50119	<p>11. Private Land</p> <p>11.5 The power pursuant to Section 105F(9) of the Act to give a notice under Section 105(5) of the Act -</p> <p>11.5.1 personally; or</p> <p>11.5.2 by post; or</p> <p>11.5.3 if the delegate cannot, after making reasonable inquiries, ascertain the name and address of the person to whom the notice is to be given -</p> <p>11.5.3.1 by publishing the notice in a newspaper circulating in the locality of the land; and</p> <p>11.5.3.2 by leaving a copy of the notice in a conspicuous place on the land.</p>	
50120	<p>11. Private Land</p> <p>11.6 The power pursuant to Section 105F(10) of the Act to, by further notice in writing, vary or revoke a notice under Section 105(5) of the Act.</p>	
50121	<p>11. Private Land</p> <p>11.7 The duty pursuant to Section 105F(11) of the Act, if a notice under Section 105F(5) of the Act is directed to an occupier of land, to take reasonable steps to serve (personally or by post) a copy of the notice on the owner.</p>	
50122	<p>12. Council Land</p> <p>12.1 The power pursuant to Section 105G(5) of the Act to consult with and make submissions to the Minister on the referral of a matter under Section 105G(4) of the Act.</p>	

#	Item Delegated	Conditions and Limitations
50123	<p>12. Council Land</p> <p>12.2 The duty pursuant to Section 105G(7) of the Act, to comply with a notice under Section 105G(6) of the Act.</p>	
50124	<p>13. Additional Provision in Relation to Powers of Authorised Officers</p> <p>13.1 The power pursuant to Section 105J(1) of the Act, for a purpose related to the administration, operation or enforcement of Part 4A of the Act, to -</p> <p>13.1.1 at any reasonable time, after giving reasonable notice to the occupier of the land, enter the land; or</p> <p>13.1.2 with the authority of a warrant issued by a magistrate, or in circumstances in which the delegate reasonably believes that immediate action is required, use reasonable force to break into or open any part of, or anything in or on, the land.</p>	
50125	<p>13. Additional Provision in Relation to Powers of Authorised Officers</p> <p>13.2 The power and duty pursuant to Section 105J(3) of the Act to apply for a warrant -</p> <p>13.2.1 either personally or by telephone; and</p> <p>13.2.2 in accordance with any procedures prescribed by the regulations.</p>	
50126	<p>13. Additional Provision in Relation to Powers of Authorised Officers</p> <p>13.3 The power pursuant to Section 105J(4) of the Act, in exercising a power under Part 4A of the Act, to -</p> <p>13.3.1 give directions with respect to the stopping, securing or movement of a vehicle, plant, equipment or other thing;</p> <p>13.3.2 take photographs, films, audio, video or other recordings;</p> <p>13.3.3 give any other directions reasonably required in connection with the exercise of the power.</p>	
50127	<p>13. Additional Provision in Relation to Powers of Authorised Officers</p> <p>13.4 The power pursuant to Section 105J(5) of the Act, in exercising a power under Part 4A of the Act, to be accompanied by such assistants as may reasonably be required in the circumstances.</p>	
50128	<p>13. Additional Provision in Relation to Powers of Authorised Officers</p> <p>13.5 The power pursuant to Section 105J(6) of the Act, if an owner of land refuses or fails to comply with the requirements of a notice under Section 105F(5) of the Act, to proceed to carry out those requirements.</p>	
50129	<p>13. Additional Provision in Relation to Powers of Authorised Officers</p> <p>13.6 The power pursuant to Section 105J(7) of the Act to authorise a person for the purposes of Section 105J(6) of the Act, to take action under Section 105J(6) of the Act on the Council's behalf.</p>	
50130	<p>13. Additional Provision in Relation to Powers of Authorised Officers</p> <p>13.7 The power pursuant to Section 105J(8) of the Act, to recover the reasonable costs and expenses incurred by an authorised person in taking action under Section 105J(6) of the Act as a debt from the person who failed to comply with the requirements of the relevant notice, if the relevant notice was given by the Council or a fire prevention officer or an authorised person appointed by the Council and authorised for the purposes of Part 4A of the Act.</p>	
50131	<p>13. Additional Provision in Relation to Powers of Authorised Officers</p> <p>13.8 The power pursuant to Section 105J(9) of the Act, if an amount is recoverable from a person by the Council under Section 105J(8) of the Act, to recover the amount as if it were rates in arrears.</p>	
50134	<p>16. Fires Permitted under Section 79(2) of Act</p> <p>16.1 The power pursuant to Regulation 32A(4) of the Regulations to consult with and make submissions to the Chief Officer before the Chief Officer makes a notice under Regulation 32A of the Regulations.</p>	

#	Item Delegated	Conditions and Limitations
50135	<p>17. Special Provision relating to Gas and Electric Cooking Appliances</p> <p>17.1 The power pursuant to Regulation 34(3) of the Regulations, in addition to Regulation 34(1) and Regulation 34(2) of the Regulations, by notice in the Gazette, to declare part of the Council area to be an area where a person may, in accordance with the terms of the notice, operate a gas fire or electric element for cooking purposes in the open air contrary to the terms of a total fire ban in accordance with Regulation 34(4) of the Regulations, and such notice:</p> <p>17.1.1 shall be in the form set out in Schedule 11; and</p> <p>17.1.2 may be limited in its operation to particular times of the day, and to particular days of the year; and</p> <p>17.1.3 will operate subject to the following conditions:</p> <p>17.1.3.1 that the space immediately around and above the gas fire or electric element must be clear of all flammable material to a distance of at least 4 metres;</p> <p>17.1.3.2 that a person who is able to control the gas fire or electric element must be present at all times while it is lighted or charged; and</p> <p>17.1.3.3 that an appropriate agent adequate to extinguish a fire must be at hand;</p> <p>17.1.4 will operate subject to such other conditions (if any) as may be specified by the Council or the Chief Officer of the SACFS (as the case may be); and</p> <p>17.1.4 may be varied or revoked by further notice in the Gazette.</p>	
50136	<p>17. Special Provision relating to Gas and Electric Cooking Appliances</p> <p>17.2 The duty pursuant to Regulation 34(5) of the Regulations, if a notice is published in accordance with Regulation 34 of the Regulations, to immediately send a copy of the notice to the Chief Officer of the SACFS.</p>	
50140	<p>20. Special Fire Areas</p> <p>20.1 The duty pursuant to Regulation 56(2) of the Regulations to consult with and make submissions to the Chief Officer of the SACFS regarding the inclusion of the area or part of the area of the Council within a special fire area.</p>	
50141	<p>20. Special Fire Areas</p> <p>20.2 The power pursuant to Regulation 56(4)(a) of the Regulations to nominate one or more representatives of the Council to a committee of management established under Regulation 56(3) of the Regulations.</p>	
50142	<p>21. Coronial Inquests</p> <p>The power pursuant to Regulation 65(b) of the Regulations to make representations to the South Australian Fire and Emergency Services Commission or an emergency services organisation that a coronial inquest should be held in relation to a fire or other emergency.</p>	

FREEDOM OF INFORMATION ACT 1991

Instrument of Delegation under the Freedom of Information Act 1991 and the Freedom of Information (Fees and Charges) Regulations 2003

#	Item Delegated	Conditions and Limitations
50706	1. Publication of Information Concerning Councils 1.1 The duty pursuant to Section 9(1a) of the Freedom of Information Act 1991 ("the Act") and in accordance with Section 9(2), (3) and (4) to cause, at intervals of not more than 12 months, an up to date information statement to be published in the manner prescribed by regulation.	
50707	2. Availability of Certain Documents 2.1 The duty pursuant to Section 10(1) of the Act to cause copies of the Council's most recent information statement and each of its policy documents to be made available for inspection and purchase by members of the public.	
50708	2. Availability of Certain Documents 2.2 The power pursuant to Section 10(2) of the Act to delete information from the copies of a policy document if its inclusion would result in the document being an exempt document otherwise then by virtue of Clause 9 or 10 of Schedule 1 to the Act.	
50709	2. Availability of Certain Documents 2.3 The duty pursuant to Section 10(3) of the Act not to enforce a particular policy to the detriment of a person: 2.3.1 if the relevant policy document should have been, but was not, made available for inspection and purchase in accordance with Section 10 at the time the person became liable to the detriment; and 2.3.2 the person could, by knowledge of the policy, have avoided liability to the detriment.	
50710	3. Persons by Whom Applications to be Dealt With and Time Within Which Applications Must be Dealt With 3.1 The duty, pursuant to Section 14(1) of the Act to ensure that an accredited FOI officer deals with an application for access to Council's documents.	An application will be dealt with on behalf of the Council by an Accredited Freedom of Information Officer of the Council.
50711	3. Persons by Whom Applications to be Dealt With and Time Within Which Applications Must be Dealt With 3.2 The duty pursuant to Section 14(2) of the Act to deal with an application for access to the Council's documents as soon as practicable (and, in any case, within 30 days) after it is received.	An application will be dealt with on behalf of the Council by an Accredited Freedom of Information Officer of the Council.
50712	4. Incomplete and Wrongly Directed Applications 4.1 The duty pursuant to Section 15 of the Act not to refuse to accept an application merely because it does not contain sufficient information to enable the document to which it relates to be identified without first taking such steps as are reasonably practicable to assist the applicant to provide such information.	
50713	5. Transfer of Application 5.1 The power pursuant to Section 16(1) of the Act to transfer an application for access to Council's documents to another agency if the document to which it relates: 5.1.1 is not held by the Council but is, to the knowledge of the Council, held by the other agency; or 5.1.2 is held by the Council but is more closely related to the functions of the other agency.	
50714	5. Transfer of Application 5.2 The duty pursuant to Section 16(2) of the Act, where an application is transferred to another agency and the Council holds a copy of the document to	

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	which the application relates, to forward a copy of the document to the other agency together with the application.	
50715	5. Transfer of Application 5.3 The duty pursuant to Section 16(3) of the Act to cause notice of the transfer to be given to the applicant where the application has been transferred to another agency.	
50716	5. Transfer of Application 5.4 The duty pursuant to Section 16(4) of the Act to specify in a notice under Section 16(3), the day on which, and the agency to which, the application was transferred.	
50717	5. Transfer of Application 5.5 The power pursuant to Section 16(5) of the Act not to include in a notice under Section 16(3) any matter which by its inclusion would result in the notice being an exempt document.	
50718	6. Council May Require Advance Deposits 6.1 The power pursuant to Section 17(1) of the Act to form the opinion that the cost of dealing with an application is likely to exceed the application fee, and to request the applicant to pay such reasonable amount, by way of advance deposit, as the Delegate may determine.	
50719	6. Council May Require Advance Deposits 6.2 The power pursuant to Section 17(2) of the Act to form the opinion that the cost of dealing with an application is likely to exceed the sum of the application fee and of any advance deposits paid in respect of the application and, to request the applicant to pay such reasonable amount, by way of further advance deposit as the Delegate may determine.	
50720	6. Council May Require Advance Deposits 6.3 The duty pursuant to Section 17(3) of the Act to ensure that the aggregate of the application fee and the advance deposit(s) do not exceed the Delegate's estimate of the cost of dealing with the application.	
50721	6. Council May Require Advance Deposits 6.4 The duty pursuant to Section 17(4) of the Act, where a request for an advance deposit is made, to ensure that the request is accompanied by a notice that sets out the basis upon which the amount of the deposit has been calculated.	
50722	7. Council May Refuse to Deal with Certain Applications 7.1 The power pursuant to Section 18(1) of the Act to refuse to deal with an application if it appears to the Delegate that the nature of the application is such that the work involved in dealing with it (within the period allowed under Section 14 of the Act or, within any reasonable extension of that period under Section 14A of the Act) would, if carried out, substantially and unreasonably divert the Council's resources from their use by the Council in the exercise of its functions.	
50723	7. Council May Refuse to Deal with Certain Applications 7.2 The duty pursuant to Section 18(2) of the Act not to refuse to deal with such an application without first endeavouring to assist the applicant to amend the application so that the work involved in dealing with it would, if carried out, no longer substantially and unreasonably divert the Council's resources from their use by the Council in the exercise of its functions.	
50724	7. Council May Refuse to Deal with Certain Applications 7.3 The power pursuant to Section 18(2a) of the Act to refuse to deal with an application if, the Delegate forms the opinion, that the application is part of a pattern of conduct that amounts to an abuse of the right of access or is made for a purpose other than to obtain access to information.	
50725	7. Council May Refuse to Deal with Certain Applications 7.4 The power pursuant to Section 18(3) of the Act to refuse to continue dealing with an application if: 7.4.1 the delegate has requested payment of an advance deposit in relation to the application; and	

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	7.4.2 payment of the deposit has not been made within the period specified in the request.	
50726	7. Council May Refuse to Deal with Certain Applications 7.5 The duty pursuant to Section 18(4) of the Act where the Delegate refuses in accordance with Section 18(3) of the Act to continue to deal with an application to refund to the applicant such part of the advance deposits paid in respect of the application as exceeds the costs incurred by the Council in dealing with the application and the power to retain the remainder of those deposits.	
50728	7. Council May Refuse to Deal with Certain Applications 7.6 The duty pursuant to Section 18(5) of the Act to cause written notice of a refusal to deal with an application in accordance with Section 18(3) of the Act to be given to the applicant.	
50727	7. Council May Refuse to Deal with Certain Applications 7.7 The duty pursuant to Section 18(6) of the Act to include in a notice under Section 18(5) of the Act the reasons for the refusal and the findings on any material questions of fact underlying those reasons, together with a reference to the sources of information on which those findings are based.	
50729	7. Council May Refuse to Deal with Certain Applications 7.8 The power pursuant to Section 18(7) of the Act not to include in a notice under Section 18(5) of the Act any matter which by its inclusion would result in the notice being an exempt document.	
50730	8. Determination of Applications 8.1 The duty pursuant to Section 19(1) of the Act, after considering an application for access to the Council's documents, to determine: 8.1.1 whether access to the document is to be given (either immediately or subject to deferral) or refused; and 8.1.2 if access to the document is to be given, any charge payable in respect of the giving of access; and 8.1.3 any charge payable for dealing with the application.	
50731	8. Determination of Applications 8.2 The power pursuant to Section 19(2a) of the Act to make a determination to give access to a document on an application after the period within which the Delegate was required to deal with the application.	
50732	9. Refusal of Access 9.1 The power pursuant to Section 20(1) of the Act to refuse access to a document: 9.1.1 if it is an exempt document; 9.1.2 if it is a document that is available for inspection at the Council or some other agency (whether as a part of a public register or otherwise) in accordance with Part 2 of the Act, or in accordance with a legislative instrument other than the Act, whether or not inspection of the document is subject to a fee or charge; 9.1.3 if it is a document that is usually and currently available for purchase; 9.1.4 if it is a document that: 9.1.4.1 was not created or collated by the Council itself; and 9.1.4.2 genuinely forms part of library material held by the Council; or 9.1.5 subject to the exceptions listed at Section 20(2) of the Act if it is a document that came into existence before 1 January 1987.	
50733	9. Refusal of Access 9.2 The duty pursuant to Section 20(4) not to refuse access to a document if: 9.2.1 it is practicable to give access to a copy of a document from which the	

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	<p>exempt matter has been deleted; and</p> <p>9.2.2 it appears to the Delegate (either from the terms of the application or after consultation with the applicant) that the applicant would wish to be given access to such a copy to that limited extent.</p>	
50734	<p>10. Deferral of Access</p> <p>10.1 The power pursuant to Section 21(1) of the Act to defer access to a document:</p> <p>10.1.1 if it is a document that is required by law to be published but is yet to be published;</p> <p>10.1.2 if it is a document that has been prepared for presentation to Parliament, but is yet to be presented; or</p> <p>10.1.3 if it is a document that has been prepared for submission to a particular person or body, but is yet to be submitted.</p>	
50735	<p>10. Deferral of Access</p> <p>10.2 The duty pursuant to Section 21(2) of the Act not to defer access to a document to which Section 21(1)(a) of the Act applies beyond the time the document is required by law to be published.</p>	
50736	<p>10. Deferral of Access</p> <p>10.3 The duty pursuant to Section 21(3) of the Act not to defer access to a document to which Section 21(1)(b) or (c) of the Act applies for more than a reasonable time after the date of its preparation.</p>	
50737	<p>11. Forms of Access</p> <p>11.1 The power pursuant to Section 22(1) of the Act to give a person access to a document by -</p> <p>(a) giving the person a reasonable opportunity to inspect the document; or</p> <p>(b) giving the person a copy of the document; or</p> <p>(c) in the case of a document from which sounds or visual images are capable of being reproduced, whether or not with the aid of some other device by making arrangements for the person to hear or view those sounds or visual images; or</p> <p>(d) in the case of a document in which words are recorded in a manner in which they are capable of being reproduced in the form of sound by giving the person a written transcript of the words recorded in the document; or</p> <p>(e) in the case of a document in which words are contained in the form of shorthand writing or in encoded form-by giving the person a written transcript of the words contained in the document; or</p> <p>(f) in the case of a document in which words are recorded in a manner in which they are capable of being reproduced in the form of a written document-by giving the person a written document so reproduced.</p>	
50738	<p>11. Forms of Access</p> <p>11.2 The duty pursuant to Section 22(2) of the Act to give an applicant access to a document in a particular way requested by the applicant unless giving access as requested:</p> <p>11.2.1 would unreasonably divert the resources of the Council (or, if the document is in the custody of State Records, the resources of State Records) from their use for other official purposes; or</p> <p>11.2.2 would be detrimental to the preservation of the document or (having regard to the physical nature of the document) would otherwise not be appropriate; or</p> <p>11.2.3 would involve an infringement of copyright in matter contained in a</p>	

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	document, in which case access may be given in some other way.	
50739	11. Forms of Access 11.3 The duty pursuant to Section 22(2a) of the Act where a document is in the custody of State Records, to determine that the way in which access is given to the document will be made by or jointly with the Manager of State Records.	
50740	11. Forms of Access 11.4 The duty pursuant to Section 22(3) of the Act where an applicant has requested that access to a document be given in a particular way and access is given in some other way, not to require the applicant to pay a charge in respect of the giving of access that is greater than the charge that the applicant would have been required to pay had access been given as requested.	
50741	11. Forms of Access 11.5 The power pursuant to Section 22(4) of the Act but subject to Section 22(2a) of the Act to agree with the applicant the particular way access to a document is to be given.	
50742	11. Forms of Access 11.6 The power pursuant to Section 22(5) of the Act to refuse to give access to a document if a charge payable in respect of the application, or giving access to the document, has not been paid.	
50743	12. Notices of Determination 12.1 The duty pursuant to Section 23(1) of the Act to give written notice to an applicant of the determination of his/her application or, if the application relates to a document that is not held by the Council, of the fact that the Council does not hold such a document.	
50744	12. Notices of Determination 12.2 The duty pursuant to Section 23(2) of the Act to specify in a notice given under Section 23(1) of the Act those matters set out at Section 23(2)(a) - (g) of the Act.	
50745	12. Notices of Determination 12.3 The power pursuant to Section 23(3) of the Act where an applicant applies for access to a document that is an exempt document for reasons related to criminal investigation or law enforcement, to give notice to the applicant in the form that neither admits or denies the existence of the document and, if disclosure of the existence of the document could prejudice the safety of a person, the duty to ensure that notice is given in that form.	
50746	12. Notices of Determination 12.4 The power pursuant to Section 23(4) of the Act not to include in a notice under this Section any matter which by its inclusion would result in the notice being an exempt document.	
50747	13. Documents Affecting Inter-Governmental or Local Governmental Relations 13.1 The duty pursuant to Section 25(2) of the Act not to give access under the Act to a document which contains matter concerning the affairs of the Government of the Commonwealth or of another State or a council (including a council constituted under a law of another State) unless the Council has taken such steps as are reasonably practicable to obtain the views of the Government or council concerned as to whether or not the document is an exempt document by virtue of Clause 5 of Schedule 1 to the Act.	
50748	13. Documents Affecting Inter-Governmental or Local Governmental Relations 13.2 The duty pursuant to Section 25(3) of the Act, if: 13.2.1 the Delegate determines, after having sought the views of the Government or council concerned, that access to a document to which Section 25(2) of the Act applies is to be given; and 13.2.2 the views of the Government or council concerned are that the document is an exempt document by virtue of Clause 5 of Schedule 1 to the Act, to forthwith give written notice to the Government or council concerned: 13.2.3 that the Council has determined that access to the document is to be given;	

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	<p>and</p> <p>13.2.4 of the rights of review conferred by the Act in relation to the determination; and</p> <p>13.2.5 of the procedures to be followed for the purpose of exercising those rights; and</p> <p>defer giving access to the document until after the expiration of the period within which an application for a review under the Act may be made or, if such an application is made, until after the application has been finally disposed of.</p>	
50749	<p>14. Documents Affecting Personal Affairs</p> <p>14.1 The duty pursuant to Section 26(2) of the Act not to give access under the Act to a document which contains information concerning the personal affairs of any person (whether living or dead) except to the person concerned, unless the Council has taken such steps as are reasonably practicable to obtain the views of the person concerned as to whether or not the document is an exempt document by virtue of Clause 6 of Schedule 1 to the Act.</p>	
50750	<p>14. Documents Affecting Personal Affairs</p> <p>14.2 The duty pursuant to Section 26(3) of the Act, if:</p> <p>14.2.1 the Delegate determines, after having sought the views of the person concerned, that access to a document to which Section 26(2) of the Act applies is to be given; and</p> <p>14.2.2 the views of the person concerned are that the document is an exempt document by virtue of Clause 6 of Schedule 1 to the Act; or</p> <p>14.2.3 after having taking reasonable steps to obtain the views of the person concerned, the Delegate is unable to obtain the views of the person and determines that access to the documents should be given, to forthwith give written notice to the person concerned:</p> <p>14.2.4 that the Delegate has determined that access to the document is to be given; and</p> <p>14.2.5 of the rights of review conferred by the Act in relation to the determination; and</p> <p>14.2.6 of the procedures to be followed for the purpose of exercising those rights; and</p> <p>defer giving access to the document until after the expiration of the period within which an application for review under the Act may be made or, if such an application is made, until after the application has been finally disposed of.</p>	
50751	<p>14. Documents Affecting Personal Affairs</p> <p>14.3 The power pursuant to Section 26(4) of the Act where:-</p> <p>14.3.1 an application is made to the Council for access to a document to which Section 26 of the Act applies; and</p> <p>14.3.2 the document contains information of a medical or psychiatric nature concerning the applicant; and</p> <p>14.3.3 the Delegate is of the opinion that disclosure of the information to the applicant may have an adverse effect on the physical or mental health or emotional state, of the applicant; and</p> <p>14.3.4 the Delegate decides that access to the document is to be given, to give access to the document to a registered medical practitioner nominated by the applicant.</p>	
50752	<p>15. Documents Affecting Business Affairs</p> <p>15.1 The duty pursuant to Section 27(2) of the Act not to give access under the Act</p>	

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	<p>to a document which contains:</p> <p>15.1.1 information concerning the trade secrets of any person; or</p> <p>15.1.2 information (other than trade secrets) that has a commercial value to any person; or</p> <p>15.1.3 any other information concerning the business, professional, commercial or financial affairs of any person; except to the person concerned, unless the Council has taken such steps as are reasonably practicable to obtain the views of the person concerned as to whether or not the document is an exempt document by virtue of Clause 7 of Schedule 1 to the Act.</p>	
50754	<p>15. Documents Affecting Business Affairs</p> <p>15.2 The duty pursuant to Section 27(3) of the Act, if:</p> <p>15.2.1 the Delegate determines, after seeking the views of the person concerned, that access to a document to which Section 27(2) of the Act applies is to be given; and</p> <p>15.2.2 the views of the person concerned are that the document is an exempt document by virtue of Clause 7 of Schedule 1 to the Act, to forthwith give written notice to the person concerned:</p> <p>15.2.3 that the Council has determined that access to the document is to be given; and</p> <p>15.2.4 of the rights of review conferred by the Act in relation to the determination; and</p> <p>15.2.5 of the procedures to be followed for the purpose of exercising those rights; and defer giving access to the document until after the expiration of the period within which an application for a review under the Act may be made or, if such an application is made, until after the application has been finally disposed of.</p>	
50755	<p>16. Documents Affecting the Conduct of Research</p> <p>16.1 The duty pursuant to Section 28(2) of the Act not to give access under the Act to a document which contains information concerning research that is being, or is intended to be, carried out by or on behalf of any person except to the person concerned, unless such steps have been taken as are reasonably practicable to obtain the views of the person concerned as to whether or not the document is an exempt document by virtue of Clause 8 of Schedule 1 to the Act.</p>	
50753	<p>16. Documents Affecting the Conduct of Research</p> <p>16.2 The duty pursuant to Section 28(3) of the Act, if:</p> <p>16.2.1 the Delegate determines, after seeking the views of the person concerned, that access to a document to which Section 28(2) of the Act applies is to be given; and</p> <p>16.2.2 the views of the person concerned are that the document is an exempt document by virtue of Clause 8 of Schedule 1 to the Act, to forthwith give written notice to the person concerned:</p> <p>16.2.3 that the Council has determined that access to the document is to be given; and</p> <p>16.2.4 of the rights of review conferred by the Act in relation to the determination; and</p> <p>16.2.5 of the procedures to be followed for the purpose of exercising those rights; and defer giving access to the document until after the expiration of the period within</p>	

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	which an application for a review under the Act may be made or, if such an application is made, until after the application has been finally disposed of.	
50756	<p>17. Internal Review</p> <p>17.1 The power pursuant to Section 29(3) of the Act, where an application for review of a determination is made under Part 3 of the Act and in accordance with Section 29(2) of the Act, to confirm, vary or reverse the determination under review.</p>	
50757	<p>17. Internal Review</p> <p>17.2 The duty pursuant to Section 29(4) of the Act to refund any application fee paid in respect of the review where the delegate varies or reverses a determination so that access to a document is to be given either immediately or subject to deferral.</p>	
50758	<p>18. Persons by Whom Applications for Amendment of Records May be Dealt With and Time Within Which Applications Must be Dealt With</p> <p>18.1 The duty pursuant to Section 32(1) of the Act to ensure that an accredited FOI officer deals with an application for amendment of the Council's records.</p>	
50759	<p>18. Persons by Whom Applications for Amendment of Records May be Dealt With and Time Within Which Applications Must be Dealt With</p> <p>18.2 The duty pursuant to Section 32(2) of the Act to deal with an application for amendment of the Council's records as soon as practicable (and, in any case, within 30 days) after it is received.</p>	
50760	<p>19. Incomplete Applications for Amendment of Records</p> <p>19.1 The duty pursuant to Section 33 of the Act not to refuse to accept an application merely because the application does not contain sufficient information to enable the Council's document to which the applicant has been given access to be identified without first taking such steps as are reasonably practicable to assist the applicant to provide such information.</p>	
50761	<p>20. Determination of Applications</p> <p>20.1 The duty pursuant to Section 34 of the Act to determine within thirty (30) days of its receipt an application for amendment of the Council's records by amending the Council's records in accordance with the application or, by refusing to amend the Council's records.</p>	
50762	<p>21. Refusal to Amend Records</p> <p>21.1 The power pursuant to Section 35 of the Act to refuse to amend the Council's records in accordance with an application:</p> <p>(a) if the Delegate is satisfied that the Council's records are not incomplete, incorrect, out of date or misleading in a material respect; or</p> <p>(b) if the Delegate is satisfied that the application contains a matter that is incorrect or misleading in a material respect; or</p> <p>(c) if the procedures for amending the Council's records are prescribed by or under the provisions of a legislative instrument other than the Act, whether or not amendment of those records is subject to a fee or charge.</p>	
50763	<p>22. Notices of Determination</p> <p>22.1 The duty pursuant to Section 36(1) of the Act to give written notice to an applicant of the Council's determination of his/her application or, if the application relates to records that are not held by the Council, of the fact that the Council does not hold such records.</p>	
50764	<p>22. Notices of Determination</p> <p>22.2 The duty pursuant to Section 36(2) of the Act when giving a written notice in accordance with Section 36(1) to specify -</p> <p>22.2.1 the day on which the determination was made; and</p> <p>22.2.2 if the determination is to the effect that amendment of the Council's records is refused -</p> <p>(i) the name and designation of the officer by whom the determination was made; and</p> <p>(ii) the reasons for that refusal; and</p>	

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	(iii) the findings on any material questions of fact underlying those reasons, together with a reference to the sources of information on which those findings are based; and (iv) the rights of review conferred by the Act in relation to the determination; and (v) the procedures to be followed for the purpose of exercising those rights.	
50765	22. Notices of Determination 22.3 The power pursuant to Section 36(3) of the Act not to include in a notice given under Section 36(1) of the Act any matter which by its inclusion would result in the notice being an exempted document.	
50766	23. Notations to be Added to Records 23.1 The duty pursuant to Section 37(2) of the Act where the Delegate has refused to amend the Council's records and the applicant has, by notice in writing lodged at the Council offices, requiring the Council to add to those records a notation - 23.1.1 specifying the respects in which the applicants claims the records to be incomplete, incorrect, out of date or misleading; and 23.1.2 if the applicant claims the records to be incomplete or out of date, setting out such information as the applicant claims is necessary to complete the records or to bring them up to date, to cause written notice of the nature of the notation to be given to the applicant.	
50767	23. Notations to be Added to Records 23.2 The duty pursuant to Section 37(3) of the Act, if the Council discloses to any person (including any other agency) any information contained in the part of its records to which a notice under Section 37 relates, to: 23.2.1 ensure that, when the information is disclosed, a statement is given to that person: 23.2.1.1 stating that the person to whom the information relates claims that the information is incomplete, incorrect, out of date or misleading; and 23.2.1.2 setting out particulars of the notation added to its records under Section 37; and the power pursuant to Section 37(3)(b) of the Act to include in the statement the reason for the Council's refusal to amend its records in accordance with the notation.	
50768	24. Internal Review 24.1 The power pursuant to Section 38(3) of the Act, where an application for review of a determination is made under Part 4 of the Act and in accordance with Section 38(2) of the Act to, confirm, vary or reverse the determination under review.	
50769	25. Review by Ombudsman or Police Ombudsman 25.1 The duty and power pursuant to Section 39(5)(b)(i) of the Act to sort or compile documents relevant to a review under Section 39 of the Act or to undertake consultation.	
50770	25. Review by Ombudsman or Police Ombudsman 25.2 The duty and power pursuant to Section 39(5)(b)(ii) of the Act to attend at a time and place specified by the relevant review authority (as defined by the Act) for the purposes of sorting or compiling documents relevant to a review under Section 39 of the Act or to undertake consultation.	
50771	25. Review by Ombudsman or Police Ombudsman 25.3 The power: 25.3.1 to participate in and effect a settlement conducted under Section 39(5)(c)(i) of the Act; and 25.3.2 to request a suspension of proceedings under Section 39 at any time to allow an opportunity for a settlement to be negotiated.	

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50773	<p>25. Review by Ombudsman or Police Ombudsman</p> <p>25.4 The duty and power pursuant to Section 39(7) to cooperate in a process proposed by the relevant review authority (as defined by the Act) for the purposes of the conduct of a review under Section 39 of the Act (including any attempt of the relevant review authority to effect a settlement between the participants) and to do all such things as are reasonably required to expedite the process.</p>	
50774	<p>26. Reviews by SACAT</p> <p>26.1 The power pursuant to Section 40(1) of the Act and with the permission of SACAT, to apply for a review under Section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of the determination by SACAT on a question of law.</p>	
50775	<p>27. Consideration of Restricted Documents</p> <p>27.1 The power pursuant to Section 41(1) of the Act to make application to SACAT to have SACAT receive evidence and hear argument in the absence of the public, the other party to the review and, the other party's representative.</p>	
50777	<p>29. Fees & Charges</p> <p>29.1 The power pursuant to Section 53(2a) of the Act, as the Delegate thinks fit, to waive, reduce or remit a fee or charge in circumstances other than those in which such action is provided for under the regulations.</p>	
50778	<p>29. Fees & Charges</p> <p>29.2 The duty pursuant to Section 53(3) of the Act, where the Delegate determines a fee or charge, to review the fee or charge on request of the person required to pay the same, and if the Delegate thinks fit, reduce it.</p>	
50779	<p>29. Fees & Charges</p> <p>29.3 The power pursuant to Section 53(5) of the Act to recover a fee or charge as a debt due and owing to the Council.</p>	
50780	<p>30. Provision of Information to Minister</p> <p>30.1 The duty pursuant to Section 54AA of the Act-</p> <p>30.1.1 to furnish to the Minister administering the Act, such information as the Minister requires by notice in the Gazette -</p> <p>30.1.1.1 for the purpose of monitoring compliance with the Act; and</p> <p>30.1.1.2 for the purpose of preparing a report under Section 54 of the Act; and</p> <p>30.1.2 to comply with any requirements notified by the Minister in the Gazette concerning the furnishing of that information and the keeping of records for the purposes of Section 54AA of the Act.</p>	
50781	<p>31. Documents Containing Confidential Material</p> <p>31.1 The power pursuant to clause 13(2)(b)(iii) of Schedule 1 of the Act to approve a term for inclusion in a contract that the disclosure of the matter in the contract would constitute a breach of the contract or found an action for breach of confidence.</p>	
50782	<p>31. Documents Containing Confidential Material</p> <p>31.2 The duty pursuant to clause 13(6) of Schedule 1 of the Act to notify the Minister administering the Act, in writing, and as soon as practicable, if the Delegate approves a term of a contract in accordance with clause 13(2)(b)(iii) of Schedule 1 of the Act.</p>	
50783	<p>32. Fees & Charges</p> <p>32.1 The duty pursuant to Regulation 5 of the Freedom of Information (Fees and Charges) Regulations 2003 to waive or remit the fee or charge where a person, liable to pay a fee or charge to the Council under the Act, satisfies the delegate that:</p> <p>(a) he or she is a concession cardholder; or</p> <p>(b) payment of the fee would cause financial hardship to the person.</p>	

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50784	<p>32. Fees & Charges</p> <p>32.2 The duty pursuant to Regulation 6 of the Freedom of Information (Fees and Charges) Regulations 2003 to provide a Member of Parliament, who applies for access to Council documents under the Act, access to the documents without charge unless the work generated by the application involves fees and charges (calculated in accordance with Schedule 1 of the Act) totalling more than \$1,000.</p>	

HOUSING IMPROVEMENT ACT 1940

Instrument of Delegation Under *Housing Improvement Act 1940*.

#	Item Delegated / Authorisation	Conditions and Limitations
50201	<p>1. Power to Declare Houses Unfit for Habitation</p> <p>1.1 The power pursuant to Section 23(1) of the Housing Improvement Act 1940 ("the Act"):</p> <p>1.1.1 to make due inquiries and obtain such reports as the Delegate deems necessary to be satisfied that any house is undesirable for human habitation or is unfit for human habitation;</p> <p>1.1.2 to declare that the house -</p> <p>1.1.2.1 is undesirable for human habitation; or</p> <p>1.1.2.2 is unfit for human habitation.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
50202	<p>1. Power to Declare Houses Unfit for Habitation</p> <p>1.2 The duty pursuant to Section 23(2) of the Act where any house has been declared undesirable or unfit for human habitation -</p> <p>1.2.1 to serve on the owner of the house a declaration together with a written statement setting out particulars of the deficiencies and directing the owner, within a specified time (being not less than one month after the service of the declaration) -</p> <p>1.2.1.1 to carry out such work in respect of the house (including, if so directed, partial demolition) as is directed in the notice; or</p> <p>1.2.1.2 if the Delegate is of the opinion that it is impracticable to make the house desirable or fit for human habitation, to demolish the house; and</p> <p>1.2.2 to serve a copy of the declaration, statement and direction on any occupier of the house and on every registered mortgagee of the land on which the house is situated; and</p>	
50203	<p>1. Power to Declare Houses Unfit for Habitation</p> <p>1.3 The power pursuant to Section 23(2) of the Act where any house has been declared undesirable or unfit for human habitation -</p> <p>1.3.1 if the direction is to demolish, to serve on the occupier (if any) a written notice requiring the occupier to vacate the house within a specified period being not less than one month after service; and</p> <p>1.3.2 where the direction requires any work to be carried out in respect of the house, to serve on any occupier (if any) a written notice to vacate the house within a specified period being not less than one month after service, unless the house is, to the satisfaction of the Delegate, made to comply with the directions given by the Delegate before the expiration of the specified period.</p>	
50204	<p>1. Power to Declare Houses Unfit for Habitation</p> <p>1.4 The power pursuant to Section 23(3) of the Act to certify in writing that the house that has been declared undesirable for human habitation or unfit for human habitation complies with the direction given by the Delegate and in the time specified in the direction under Section 23(2)(c) or (d).</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
50205	<p>1. Power to Declare Houses Unfit for Habitation</p> <p>1.5 The power pursuant to Section 23(5) of the Act where an owner fails to comply with any direction under Section 23 within the time specified in the direction -</p> <p>1.5.1 to do anything that is necessary to make the house comply with the direction or demolish the house;</p>	

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	1.5.2 to recover any expenses incurred from the owner of the house; 1.5.3 to sell or dispose of any material taken from the house;	
50206	1. Power to Declare Houses Unfit for Habitation 1.6 The duty pursuant to Section 23(5)(d) of the Act to apply the proceeds of any sale for or towards the expenses incurred by the Council and pay any surplus (if any) in discharge of the mortgage or encumbrance of any registered mortgagee of the land in accordance with their respective priorities and to pay any remaining balance to the owner.	
50207	2. Power of Housing Authority 2.1 The power pursuant to Section 25(1) of the Act to consult with the Housing Authority and the duty pursuant to Section 25(1) of the Act, if required by the Housing Authority by notice in writing, within the time specified in the notice, to make a declaration pursuant to Section 23 of the Act with respect to the house in the form required by the Housing Authority and to give any direction or notice or otherwise exercise any power under Section 23 in the manner required by the Housing Authority.	
50208	3. Power to Declare Clearance Area 3.1 The power pursuant to Section 33(3)(a)(i) of the Act to consult with the Housing Authority where the Housing Authority is intending to submit a recommendation to the Governor under Section 33 of the Act; and	
50209	3. Power to Declare Clearance Area 3.2 The power pursuant to Section 33(b) to make any objections to the Housing Authority, in relation to such recommendation.	
50210	4. Dispossession of occupiers failing to vacate premises when required to do so 4.1 The power pursuant to Section 71 of the Act, where any person, after he has been required under the Act by the Council to vacate a house or building, and the person refuses or neglects to vacate the same, to apply and to authorise a person to apply upon a complaint to be laid by him, in the form set out in Schedule 1 to the Act or to the like effect, to any justice, for the justice to issue a summons in the form set out in Schedule 2 to the Act or to the like effect calling upon the occupier of such house or building to appear at a time and place to be therein specified before a court of Summary Jurisdiction consisting of a special magistrate, sitting without any other justice or justices, which court may hear and determine the matter of the complaint in a summary way in the absence of the occupier or otherwise.	

LAND & BUSINESS (SALE & CONVEYANCING) ACT 1994

Instrument of Delegation under the *Land and Business (Sale and Conveyancing) Act 1994*

#	Item Delegated	Conditions and Limitations
50785	<p>1. The duty pursuant to Section 12(1) of the Land and Business (Sale and Conveyancing) Act 1994 ("the Act") within eight clear business days after receiving a request for information under this Section, to provide the applicant with information reasonably required as to -</p> <p>1.1 any charge or prescribed encumbrance over land within the Council's area of which the Council has the benefit; or</p> <p>1.2 insurance under Division 3 of Part 5 of the Building Work Contractors Act 1995, in relation to a building on land within the Council's area.</p>	

LIQUOR LICENSING ACT 1997

Instrument of Delegation under the *Liquor Licensing Act 1997*

#	Item Delegated	Conditions and Limitations
50792	0. Application for Review of Commissioner's Decision The power pursuant to Section 22(1) and subject to Sections 22(2) and (3) of the Liquor Licensing Act 1997 (the Act), to apply to the Court for a review of the Commissioner's decision.	
50786	1. Extension of Trading Area 1.1 The power pursuant to Section 69(3)(e) of the Act, on application by a licensee who holds a licence authorising the sale of liquor for consumption on the licensed premises to the extent the authority conferred by the licence so that the licensee is authorised to sell liquor in a place adjacent to the licensed premises for consumption in that place, to approve or not approve the application for extension where the relevant place is under the control of the Council.	
50787	2. Rights of Intervention 2.1 The power pursuant to Section 76(2) of the Act where licensed premises exist or premises propose to be licensed are situated in the Council area, to introduce evidence or make representations on any question before the licensing authority where proceedings are on foot or underway.	
50788	3. Noise 3.1 The power pursuant to Section 106(2)(b) of the Act to lodge a complaint about an activity on, or the noise emanating from licensed premises, or the behaviour of persons making their way to or from licensed premises in the Council area with the Commissioner under Section 106(1).	
50789	3. Noise 3.2 The power pursuant to Section 106(4) of the Act to engage in conciliation between the parties facilitated by the Commissioner.	
50790	3. Noise 3.3 The power pursuant to Section 106(5) of the Act to request the Commissioner to determine the matter where the complaint is not to be conciliated, or is not resolved by conciliation under Section 106(4).	
50791	4. Disciplinary Action Before the Court 4.1 The power pursuant to Section 120(1) and (2) of the Act to lodge a complaint, provided the subject matter of the complaint is relevant to the responsibilities of the Council and within whose area the licensed premises are situated, with the Court alleging that proper grounds for disciplinary action exists on those grounds stated in the complaint, against a specified person.	
50793	5. Commissioner's Power to Suspend or Impose Conditions Pending Disciplinary Action 5.1 The power pursuant to Section 120A(3) of the Act to apply to the Court for a review of the Commissioner's decision as if the Council were a party to proceedings before the Commissioner.	

LOCAL GOVERNMENT ACT 1999

CEO ONLY:

Instrument of Delegation under the *Local Government Act 1999*

#	Item Delegated	Conditions and Limitations
51071	11. Principal Office 11.1 The duty pursuant to Section 45(1) of the Act to nominate a place as the principal office of the Council for the purposes of the Act.	
51074	12. Commercial Activities 12.1 Subject to the Act, the power pursuant to Section 46(1) of the Act to, in the performance of the Council's functions, engage in a commercial activity or enterprise ('a commercial project').	
51075	12. Commercial Activities 12.2 The power pursuant to Section 46 (2) of the Act, to, in connection with a commercial project: 12.2.1 establish a business; 12.2.2 participate in a joint venture, trust, partnership or other similar body.	
51076	13. Interests in Companies 13.1 The power pursuant to Section 47(2)(b) of the Act to participate in the formation of, or to 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.	
51167	46. Ability of a Council to Give Security 46.1 The power pursuant to Section 135(1) of the Act and subject to Section 135(2) of the Act to provide various forms of security, including: 46.1.1 guarantees (including guarantees relating to the liability of a subsidiary of the Council); 46.1.2 debentures charged on the general revenue of the Council (including to support a guarantee provided under Section 135(1) of the Act); 46.1.3 bills of sale, mortgages or other charges (including to support a guarantee provided under Section 135(1)(a) of the Act.	
51168	46. Ability of a Council to Give Security 46.2 The power and duty pursuant to Section 135(2) of the Act, if the Council or the Delegate proposes to issue debentures on the general revenue of the Council to: 46.2.1 assign a distinguishing classification to the debentures to be included in the issue so as to distinguish them from those included or to be included in previous or subsequent issues; and 46.2.2 if the debentures are being offered generally to members of the public, appoint a trustee for the debenture holders.	
51194	60. Preliminary 60.3 The power pursuant to Section 159(4) of the Act to increase the rebate on the Delegate's initiative, if a rebate specifically fixed by Division 5 Chapter 10 of the Act is less than 100%.	
51196	61. Rebate of Rates - Community Services 61.1 The power pursuant to Section 161(1) and (3) of the Act to grant a rebate of more than 75% of the rates on land being predominantly used for service delivery or administration (or both) by a community service organisation, where that organisation:	

#	Item Delegated	Conditions and Limitations
	<p>61.1.1 is incorporated on a not-for-profit basis for the benefit of the public; and</p> <p>61.1.2 provides community services without charge or for charge that is below the cost to the body of providing their services; and</p> <p>61.1.3 does not restrict its services to persons who are members of the body.</p>	
51197	<p>62. Rebate of Rates - Educational Purposes</p> <p>62.1 The power pursuant to Section 165(1) and (2) of the Act to grant a rebate of rates at more than 75% on land:</p> <p>62.1.1 occupied by a Government school under a lease or license and being used for educational purposes; or</p> <p>62.1.2 occupied by non-Government school registered under the Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes; or</p> <p>62.1.3 land being used by University or University College to provide accommodation and other forms of support for students on a not-for-profit basis.</p>	
51202	<p>64. Valuation of Land for the Purposes of Rating</p> <p>64.1 The power pursuant to Section 167(1) of the Act to adopt valuations that are to apply to land within the Council's area, for rating purposes for a particular financial year.</p>	
51203	<p>64. Valuation of Land for the Purposes of Rating</p> <p>64.2 For the purpose of adopting a valuation of land for rating, the duty pursuant to Section 167(2) of the Act and in accordance with Section 167(3), (4) and (5) of the Act, to adopt:</p> <p>64.2.1 valuations made, or caused to be made, by the Valuer-General; or</p> <p>64.2.2 valuations made by a valuer employed or engaged by the Council, or by a firm or consortium of valuers engaged by the Council; or a combination of both.</p>	
51223	<p>73. Payment of Rates - General Principles</p> <p>73.1 The power pursuant to Section 181(2) of the Act to determine the day on which each instalment of rates falls due in the months of September, December, March and June of the financial year for which the rates are declared.</p>	
51224	<p>73. Payment of Rates - General Principles</p> <p>73.2 If the Council declares a general rate for a particular financial year after 31 August in that financial year, the power, pursuant to Section 181(3) of the Act, to adjust the months in which instalments would otherwise be payable under Section 181(1) (taking into account what is reasonable in the circumstances).</p>	
51229	<p>73. Payment of Rates - General Principles</p> <p>73.7 The power pursuant to Section 181(11) of the Act to grant discounts or other incentives in order to encourage:</p> <p>73.7.1 the payment of instalments of rates in advance; or</p> <p>73.7.2 prompt payment of rates.</p>	
51230	<p>73. Payment of Rates - General Principles</p> <p>73.8 The power pursuant to Section 181(12)(b) of the Act to impose a surcharge or administrative levy not exceeding 1% of the rates payable in a particular financial year with respect to the payment of rates by instalments under Section 181(4)(b) of the Act.</p>	
51231	<p>73. Payment of Rates - General Principles</p> <p>73.9 The power pursuant to Section 181(13) and subject to Section 44(3)(b) of the Act in relation to the payment of separate rates or service rates, by written notice incorporated in a notice for the payment of those rates sent to the principal ratepayer shown in the assessment record in respect of the land at the address</p>	

#	Item Delegated	Conditions and Limitations
	shown in the assessment record, at least 30 days before an amount is payable in respect of the rates for a particular financial year, to impose a requirement that differs from the requirements of Section 181 of the Act.	
51242	77. Sale of Land for Non-Payment of Rates 77.1 The power pursuant to Section 184(1) of the Act to sell land, if an amount payable by way of rates in respect of the land, has been in arrears for 3 years or more.	
51257	81. Fees and Charges 81.1 The power pursuant to Section 188(1) and (2) of the Act to impose fees and charges: 81.1.1 for the use of any property or facility owned, controlled, managed or maintained by the Council; 81.1.2 for services supplied to a person at his or her request; 81.1.3 for carrying out work at a person's request;	
51262	82. Acquisition of Land by Agreement 82.1 The power pursuant to Section 190 of the Act to acquire land by agreement.	
51263	83. Compulsory Acquisition of Land 83.1 The power pursuant to Section 191(1) of the Act to acquire land compulsorily, in circumstances which require the Minister's written approval, after the Council has obtained the Minister's approval.	
51264	83. Compulsory Acquisition of Land 83.2 The power pursuant to Section 191(2) of the Act to acquire land compulsorily for a purpose classified by the Regulations as an approved purpose.	
51277	90. Amendment or Revocation of Management Plan 90.1 The power pursuant to Section 198(1) of the Act and in accordance with Section 198(2) and (3) of the Act to amend or revoke a management plan by the adoption of a proposal for its amendment or revocation.	
51282	93. Sale or Disposal of Local Government Land 93.1 The power pursuant to Section 201(1) of the Act to sell or otherwise dispose of an interest in land: 93.1.1 vested in the Council in fee simple; or 93.1.2 vested in the Council as lessee.	
51283	93. Sale or Disposal of Local Government Land 93.2 The power pursuant to Section 201(2) of the Act to: 93.2.1 grant an easement (including a right of way) over community land; and 93.2.2 grant an easement (excluding a right of way) over a road or part of a road.	
51286	94. Alienation of Community Land by Lease or Licence 94.3 The power and duty pursuant to Section 202(4) of the Act and subject to Section 202(4a) and Section 202(7) of the Act to grant or renew a lease or a licence for a term (not exceeding 42 years) and to extend the term of the lease or licence but not so that the term extends beyond a total of 42 years.	
51393	134. Appointment of Authorised Persons 134.1 The power, pursuant to Section 260(1) of the Act by instrument in writing, to appoint a person (other than a member of the Council) to be an authorised person.	
51394	134. Appointment of Authorised Persons 134.2 The power pursuant to Section 260(2) of the Act to make an appointment of an authorised person subject to such conditions or limitations as the Delegate determines and specified in the instrument of appointment.	
51396	134. Appointment of Authorised Persons 134.4 The power pursuant to Section 260(5) of the Act to at any time revoke an	

#	Item Delegated	Conditions and Limitations
	appointment under Section 260 of the Act, or to vary or revoke a condition or limitation, or impose a further condition or limitation on the appointment.	
51431	<p>148. Whistleblowing</p> <p>148.1 The duty pursuant to Section 302B of the Act to ensure that a member of staff of the Council who has the qualifications prescribed by the Local Government (General) Regulations 2013 is designated as the responsible officer for the Council for the purposes of the Whistleblowers Protection Act 1993.</p>	
171529	<p>157. Building Upgrade Agreement (May only be delegated to CEO)</p> <p>157.1 The power pursuant to Clause 2(1) of Schedule 1B of the Act, subject to Clause 2 of Schedule 1B of the Act, to, in relation to a building situated on land within the area of the Council, enter into an agreement (a building upgrade agreement) under which:</p> <p>157.1.1 the building owner agrees to undertake upgrade works in respect of the building; and</p> <p>157.1.2 a finance provider agrees to advance money to the building owner for the purpose of funding those upgrade works; and</p> <p>157.1.3 the Council agrees:</p> <p>157.1.3.1 to levy a charge on the relevant land (a building upgrade charge), to be paid by the building owner, for the purpose of recouping the money advanced by the finance provider for the upgrade works (and any interest or other charges payable to the finance provider under the agreement); and</p> <p>157.1.3.2 to pay to the finance provider any money paid to the Council by way of the building upgrade charge (other than any service fee or late payment fee that the Council is permitted by the agreement to deduct and retain).</p>	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 Chief Executive Officer.
171530	<p>157. Building Upgrade Agreement (May only be delegated to CEO)</p> <p>157.2 The power pursuant to Clause 2(3) of Schedule 1B of the Act to include in a building upgrade agreement, payment to the finance provider of penalty interest on money advanced by the finance provider under the agreement, at such rate as determined in accordance with the regulations, and, if the regulations do not provide for the determination of the rate at such rate as determined in accordance with the agreement.</p>	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 Chief Executive Officer.
171531	<p>157. Building Upgrade Agreement (May only be delegated to CEO)</p> <p>157.3 The power pursuant to Clause 2(4) of Schedule 1B of the Act to agree that a building upgrade agreement may be entered into by any other persons that the delegate considers should be parties to the agreement.</p>	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 Chief Executive Officer.
171532	<p>158. Variation or Termination of Agreement (May only be delegated to CEO)</p> <p>158.1 The power pursuant to Clause 4 of Schedule 1B of the Act to vary or terminate a building upgrade agreement by further agreement between the primary parties.</p>	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 Chief Executive Officer.
171533	<p>159. Contents of Agreement (May only be delegated to CEO)</p> <p>159.1 The power pursuant to Clause 5(1) of Schedule 1B of the Act to make a building upgrade agreement in writing and specify:</p> <p>159.1.1 the upgrade works to be undertaken by or on behalf of the building owner under the agreement; and</p> <p>159.1.2 the amount of money to be advanced by the finance provider under the agreement; and</p>	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

#	Item Delegated	Conditions and Limitations
	159.1.3 the amount of the building upgrade charge to be levied by the Council under the agreement; and 159.1.4 the schedule for the payment, by the building owner, of a building upgrade charge to the Council; and 159.1.5 the amount of, or a method for calculating the amount of, any service fee or late payment fee that the Council may deduct and retain; and 159.1.6 any prescribed matters.	Act 1999, be subdelegated by the Chief Executive Officer.
171534	159. Contents of Agreement (May only be delegated to CEO) 159.2 The power pursuant to Clause 5(2) of Schedule 1B of the Act to, in a building upgrade agreement: 159.2.1 provide for the early repayment of any amount payable under the agreement; and 159.2.2 include and agree to other provisions.	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 Chief Executive Officer.
171535	160. Declaration of Building Upgrade Charge (May only be delegated to CEO) 160.1 The power pursuant to Clause 6(1) of Schedule 1B of the Act, after the Council enters into a building upgrade agreement, to, in accordance with the terms of the agreement, declare a building upgrade charge in respect of the relevant land (being a charge of the agreed amount specified in the building upgrade agreement).	The power to declare and levy a building upgrade charge under a building upgrade agreement may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.
171536	160. Declaration of Building Upgrade Charge (May only be delegated to CEO) 160.2 The power pursuant to Clause 6(2) of Schedule 1B of the Act, if the Council or delegate declares a building upgrade charge, to, within 28 days after the declaration give the building owner written notice in accordance with Clauses 6(3) and (4) of Schedule 1B of the Act specifying: 160.2.1 the name and address of the building owner; and 160.2.2 a description of the relevant land in respect of which the building upgrade charge is being levied; and 160.2.3 the building upgrade agreement under which the building upgrade charge is being levied; and 160.2.4 the amount for which the building owner is liable; and 160.2.5 the manner of payment of the amount; and 160.2.6 the due date for payment of the amount, in accordance with the schedule for the payment of the building upgrade charge to the Council (specified in the building upgrade agreement); and 160.2.7 the amount of, or method of calculating, any service fee of the Council authorised by the building upgrade agreement and any late payment fee that may be imposed by the Council if the building owner fails to pay an amount for which the building owner is liable by the due date; and 160.2.8 any prescribed matters.	The power to declare and levy a building upgrade charge under a building upgrade agreement may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.
171537	160. Declaration of Building Upgrade Charge (May only be delegated to CEO) 160.3 The power pursuant to Clause 6(4) of Schedule 1B of the Act, to, in relation to each payment in respect of a building upgrade charge for which a building owner is liable, give a notice under Clause 6(2) of Schedule 1B of the Act to the building owner at least 28 days before the date for payment specified in the notice.	The power to declare and levy a building upgrade charge under a building upgrade agreement may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.

For Sub-Delegation:

Instrument of Delegation under the *Local Government Act 1999*

#	Item Delegated	Conditions and Limitations
51031	<p>1. Composition and Wards</p> <p>1.3 The duty pursuant to Section 12(3) of the Act to, before publishing a notice, conduct and complete a review under Section 12 of the Act for the purpose of determining whether the Council's community would benefit from an alteration to the Council's composition or ward structure.</p>	
51032	<p>1. Composition and Wards</p> <p>1.4 The power pursuant to Section 12(4) of the Act to review a specific aspect of the composition of the Council, or of the wards of the Council, or of those matters generally and the duty to ensure that all aspects of the composition of the Council, and the issue of the division, or potential division, of the area of the Council into wards, are comprehensively reviewed at least once in each relevant period that is prescribed by the regulations.</p>	
51035	<p>1. Composition and Wards</p> <p>1.7 The duty pursuant to Section 12(5) of the Act to initiate the preparation of a representation options paper by a person who, in the opinion of the Delegate, is qualified to address the representation and governance issues that may arise with respect to the matters under review.</p>	
51036	<p>1. Composition and Wards</p> <p>1.8 The duty pursuant to Section 12(7) of the Act to give public notice of the preparation of a representation options paper and notice in a newspaper circulating within the Council's area, and to ensure that the notice contains an invitation to interested persons to make written submissions to the Council or the Delegate on the subject of the review within a period specified by the Council or the Delegate, being a period of at least six weeks.</p>	
51037	<p>1. Composition and Wards</p> <p>1.9 The duty pursuant to Section 12(8) of the Act to make copies of the representation options paper available for public inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council during the period that applies under Section 7(a)(ii).</p>	
51038	<p>1. Composition and Wards</p> <p>1.10 At the conclusion of public consultation under Section 12(7)(a), the duty pursuant to Section 12(8a) of the Act to prepare a report that:</p> <p>1.10.1 provides information on the public consultation process undertaken by the Council and the Council's or the Delegate's response to the issues arising from the submissions made as part of that process; and</p> <p>1.10.2 sets out:</p> <p>1.10.2.1 any proposals that the Council or the Delegate considers should be carried into effect under Section 12 of the Act; and</p> <p>1.10.2.2 in respect of any such proposal - an analysis of how the proposal relates to the principles under Section 26(1)(c) of the Act and the matters referred to in Section 33 of the Act (to the extent that may be relevant); and</p> <p>1.10.3 sets out the reasons for the Council's or the Delegate's decision insofar as a decision of the Council or the Delegate is not to adopt any change under consideration as part of the representation options paper or the public consultation process.</p>	
51039	<p>1. Composition and Wards</p> <p>1.11 The duty pursuant to Section 12(9) of the Act to make copies of the report available for public inspection at the principal office of the Council and to give public notice, by way of a notice in a newspaper circulating in its area, informing the public of its preparation of the report and its availability and inviting interested persons to make written submissions on the report to the Council or the Delegate within a period specified by the Council or the Delegate, being not less than three weeks.</p>	
51040	<p>1. Composition and Wards</p> <p>1.12 The duty pursuant to Section 12(10) of the Act to give any person who</p>	

#	Item Delegated	Conditions and Limitations
	makes written submissions in response to an invitation under Section 12(9), an opportunity to appear personally or by representative before the Council or a Council committee or the Delegate and to be heard on those submissions.	
51041	1. Composition and Wards 1.13 The duty pursuant to Section 12(11) of the Act to finalise the report including recommendations with respect to such related or ancillary matters as it sees fit.	
51042	1. Composition and Wards 1.14 With respect to a proposal within the ambit of Section 12(11a), the power pursuant to Section 12(11b) of the Act: 1.14.1 insofar as may be relevant in the particular circumstances, to separate a proposal (and any related proposal), from any other proposal contained in the report; and 1.14.2 to determine to conduct the relevant poll in conjunction with the next general election for the Council or at some other time.	
51043	1. Composition and Wards 1.15 Where a poll is required under Section 12(11a) of the Act the duty pursuant to Section 12(11c)(b) of the Act to: 1.15.1 prepare a summary of issues surrounding the proposal to assist persons who may vote at the poll; and 1.15.2 obtain a certificate from the Electoral Commissioner that he or she is satisfied that the Council or the Delegate has taken reasonable steps to ensure the summary is a fair and comprehensive overview of the arguments for and against the proposal; and 1.15.3 after obtaining the certificate of the Electoral Commissioner, ensure that copies of the summary are made available for public inspection at the principle office of the Council, and on the internet and distributed in any other manner as may be directed by the Electoral Commissioner.	
51044	1. Composition and Wards 1.16 The duty pursuant Section 12(12) of the Act having then taken into account the operation of Section 12(11d) of the Act to refer the report to the Electoral Commissioner.	
51045	1. Composition and Wards 1.17 The duty pursuant to Section 12(12a) of the Act to send with the report copies of any written submissions received by the Council or the Delegate under Section 12(9) of the Act that relate to the subject matter of the proposal.	
51046	1. Composition and Wards 1.18 The power pursuant to Section 12(15)(b) of the Act to provide by notice in the Gazette, for the operation of any proposal that is recommended in the report, where a certificate is given by the Electoral Commissioner.	
51047	1. Composition and Wards 1.19 The power and duty pursuant to Section 12(16) of the Act to take such action as is appropriate in circumstances (including the power, as the Delegate thinks fit, to alter the report) where the matter is referred back to the Council by the Electoral Commissioner and the power to then refer the report back to the Electoral Commissioner.	
51048	1. Composition and Wards 1.20 Where the Council or the Delegate makes an alteration to the report under Section 12(16)(a) of the Act, the duty pursuant to Section 12(17) of the Act to comply with the requirements of Sections 12(9) and (10) of the Act as if the report, as altered, constituted a new report, unless the Council or the Delegate determines the alteration is of a minor nature only.	
51049	1. Composition and Wards 1.21 The duty pursuant to Section 12(24) of the Act to undertake a review of ward representation within a period specified by the Electoral Commissioner, where the Electoral Commissioner notifies the Council in writing that the number of electors	

#	Item Delegated	Conditions and Limitations
	represented by a councillor for a ward varies from the ward quota by more than 20%.	
51051	<p>2. Status of a Council or Change of Various Names</p> <p>2.2 The duty, pursuant to Section 13(2) of the Act, to, before publishing a notice, comply with the following requirements:</p> <p>2.2.1 to give public notice of the proposal and invite any interested persons to make written submissions on the matter within a specified period, being no less than six weeks;</p> <p>2.2.2 publish the notice in a newspaper circulating within the area; and</p> <p>2.2.3 give any person who makes written submissions in response to the invitation an opportunity to appear personally or by representative before the Council, Council committee or the Delegate and be heard on those submissions.</p>	
51056	<p>5. Council Initiated Proposal</p> <p>5.3 The power pursuant to section 27(7) of the Act, to, in relation to the proposal submitted by the Council, request or consent to the Minister:</p> <p>5.3.1 amending the proposal;</p> <p>5.3.1 substituting an alternative proposal.</p>	
51057	<p>6. Public Initiated Submissions</p> <p>6.1 The power pursuant to Section 28(6) of the Act, on the receipt of a submission under Section 28(2) of the Act, to consider the issues determined by the Council or the Delegate to be relevant to the matter and to then decide whether or not it is willing to:</p> <p>6.1.1 conduct a review in relation to the matter under Division 2 of Part 1 of the Act; or</p> <p>6.1.2 formulate (or participate in the formulation of) a proposal in relation to the matter under Division 4 of Part 2 of the Act.</p>	
51058	<p>6. Public Initiated Submissions</p> <p>6.2 Where the Council is affected by a public initiated proposal under Chapter 3 of the Act, the duty to ensure that copies of the summary prepared by the Panel are made available for public inspection at the principal office of the Council and distributed to electors in accordance with the directions of the Panel, pursuant to Section 28(23)(f) and (g).</p>	
51059	<p>7. General Powers and Capacities</p> <p>7.1 The power pursuant to Section 36(1)(a)(i) of the Act to enter into any kind of contract or arrangement where the common seal of the Council is not required.</p>	<p>(1) Sign off on contracts subject to the "Financial limit of authority" form.</p> <p>(2) Co-ordinator Business & Economic Development may execute Trader Association Agreements and sign off letters. Subject to funds budgeted by Council. See ECM 2787315.</p>
51060	<p>7. General Powers and Capacities</p> <p>7.2 The power pursuant to Section 36(1)(c) of the Act to do anything necessary, expedient or incidental but within any policy or budgetary constraints set by the Council to perform or discharge the Council's functions or duties or to achieve the Council's objectives.</p>	
51061	<p>7. General Powers and Capacities</p> <p>7.3 The power pursuant to Section 36(2) of the Act to act outside the Council's area:</p>	

#	Item Delegated	Conditions and Limitations
	7.3.1 to the extent considered by the Delegate to be necessary or expedient to the performance of the Council's functions; or 7.3.2 in order to provide services to an unincorporated area of the State.	
51062	7. General Powers and Capacities 7.4 The duty pursuant to Section 36(3) of the Act to take reasonable steps to separate the Council's regulatory activities from its other activities in the arrangement of its affairs.	
51063	8. Provision Relating to Contract and Transactions 8.1 The power pursuant to Section 37(b) of the Act to authorise another officer, employee or agent of the Council to enter into a contract, on behalf of the Council, where the common seal of the Council is not required.	Subject to financial authorisation limits
51069	10. Delegations 10.1 The duty pursuant to Section 44(6) of the Act to cause a separate record to be kept of all delegations under the Act.	
51070	10. Delegations 10.2 The duty pursuant to Section 44(7) of the Act to make available the record of delegations for inspection (without charge) by the public at the principal office of the Council during ordinary office hours.	
51072	11. Principal Office 11.2 The power and duty pursuant to Section 45(2) of the Act to determine the hours the principal office of the Council will be open to the public for the transaction of business and the duty to keep the principal office of Council open to the public for the transaction of business during hours determined by the Delegate or the Council.	
51073	11. Principal Office 11.3 The power pursuant to Section 45(3) of the Act to consult with the local community in accordance with Council's public consultation policy about the manner, places and times at which the Council's offices will be open to the public for the transaction of business and about any significant changes to those arrangements.	
51077	14. Prudential Requirements for Certain Activities 14.00 The power and duty pursuant to Section 48(aa1) of the Act and in accordance with Section 48(a1) of the Act, to develop and maintain prudential management policies, practices and procedures for the assessment of projects to ensure that the Council - 14.00.1 acts with due care, diligence and foresight; and 14.00.2 identifies and manages risks associated with a project; and 14.00.3 makes informed decisions; and 14.00.4 is accountable for the use of Council and other public resources.	
51078	14. Prudential Requirements for Certain Activities 14.0 The duty pursuant to Section 48(a1) of the Act to ensure the prudential management policies, practices and procedures developed by the Council for the purposes of Section 48(aa1) of the Act, are consistent with any regulations made for the purposes of Section 48(a1) of the Act.	
51079	14. Prudential Requirements for Certain Activities 14.1 Without limiting Section 48(aa1) of the Act, the power and duty pursuant to Section 48(1) of the Act to obtain and consider a report, that addresses the prudential issues set out at Section 48(2) of the Act, before the Council: 14.1.1 Deliberately left blank. 14.1.2 engages in any project (whether commercial or otherwise and including through a subsidiary or participation in a joint venture, trust, partnership or other similar body) -	Paragraph 14.1.1: Deliberately left blank. Section 48(1)(a) deleted by 81/2009. See section 8(3) of Local Government (Accountability Framework) Amendment Act 2009.

#	Item Delegated	Conditions and Limitations
	<p>14.1.2.1 where the expected operating expenses calculated on an accrual basis of the Council over the ensuing five years is likely to exceed 20 per cent of the Council's average annual operating expenses over the previous five financial years (as shown in the Council's financial statements); or</p> <p>14.1.2.2 where the expected capital cost of the project over the ensuing five years is likely to exceed \$4,000,000.00 (indexed); or</p> <p>14.1.2.3 where the Council or Delegate considers that it is necessary or appropriate.</p>	
51080	<p>14. Prudential Requirements for Certain Activities</p> <p>14.3 The power and duty pursuant to Section 48(5) of the Act to make a report under Section 48(1) of the Act available for public inspection at the principal office of the Council once the Council has made a decision on the relevant project (and the power to make the report available at an earlier time unless the Council orders that the report be kept confidential until that time).</p>	
51082	<p>15. Contracts and Tenders Policies</p> <p>15.0 The power and duty pursuant to Section 49(a1) of the Act to develop and maintain procurement policies, practices and procedures directed towards:</p> <p>15.0.1 obtaining value in the expenditure of public money; and</p> <p>15.0.2 providing for ethical and fair treatment of participants; and</p> <p>15.0.3 ensuring probity, accountability and transparency in procurement operations.</p>	
51084	<p>15. Contracts and Tenders Policies</p> <p>15.2 The power and duty pursuant to Section 49(2) of the Act to ensure that any policies on contracts and tenders:</p> <p>15.2.1 identify circumstances where the Council will call for tenders for the supply of goods, the provision of services or the carrying out of works, or the sale or disposal of land or other assets; and</p> <p>15.2.2 provide a fair and transparent process for calling tenders and entering into contracts in those circumstances; and</p> <p>15.2.3 provide for the recording of reasons for entering into contracts other than those resulting from the tender process; and</p> <p>15.2.4 are consistent with any requirement prescribed by the regulations.</p>	
51086	<p>15. Contracts and Tenders Policies</p> <p>15.4 The duty pursuant to Section 49(4) of the Act to make available for inspection (without charge) a policy adopted under this Section at the principal office of Council during office hours.</p>	
51088	<p>16. Public Consultation Policies</p> <p>16.2 The duty pursuant to Section 50(3) of the Act to include in the steps set out in the public consultation policy reasonable opportunities for interested persons to make submissions in cases where the Act requires the Council to follow its public consultation policy and to make other arrangements appropriate to other classes of decisions, within the scope of the policy.</p>	
51089	<p>16. Public Consultation Policies</p> <p>16.3 The duty pursuant to Section 50(4) of the Act to ensure that the public consultation policy, in cases where the Act requires the policy to be followed, provides for:</p> <p>16.3.1 the publication of a notice:</p> <p>16.3.1.1 in a newspaper circulating within the area of the Council; and</p>	

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	<p>16.3.1.2 on a website determined by the Chief Executive Officer, describing the matter under consideration and inviting interested persons to make submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and</p> <p>16.3.2 the consideration of any submissions made in response to that invitation.</p>	
51091	<p>16. Public Consultation Policies</p> <p>16.5 Before the Council or the Delegate adopts a public consultation policy or alters, or substitutes a public consultation policy, the duty pursuant to Section 50(6) of the Act to:</p> <p>16.5.1 prepare a document that sets out its proposal in relation to the matter; and</p> <p>16.5.2 publish in a newspaper circulating within the area of the Council, a notice of the proposal inviting interested persons to make submissions on the proposal within a period stated in the notice, which must be at least one month;</p> <p>16.5.3 consider any submissions made in response to an invitation made under Section 50(6)(d) of the Act.</p>	
51092	<p>16. Public Consultation Policies</p> <p>16.6 The power pursuant to Section 50(7) of the Act to determine if the alteration of a public consultation policy is of minor significance that would attract little or no community interest.</p>	
51093	<p>16. Public Consultation Policies</p> <p>16.7 The duty pursuant to Section 50(8) of the Act to ensure the public consultation policy is available for inspection (without charge) at the principal office of Council during ordinary office hours.</p>	
51099	<p>18. Inspection of Register</p> <p>18.1 The duty pursuant to Section 70(1) of the Act to make available for inspection (without charge) the Register of Interests at the principal office of the Council during ordinary office hours.</p>	
51100	<p>19. Reimbursement of Expenses</p> <p>19.1 The power pursuant to Section 77(1)(b) of the Act to reimburse to members of the Council expenses of a kind prescribed for the purposes of Section 77(1)(b) of the Act and approved by the Council (either specifically or under a policy established by the Council for these purposes) incurred in performing or discharging official functions and duties.</p>	
51101	<p>19. Reimbursement of Expenses</p> <p>19.2 The duty pursuant to Section 77(3) of the Act to make available for inspection (without charge) any policy of Council concerning these reimbursements at the principal office of the Council during ordinary office hours.</p>	
51102	<p>20. Register of Allowances and Benefits</p> <p>20.1 The duty pursuant to Section 79(3) of the Act to make available for inspection (without charge) the Register of Allowances and Benefits, at the principal office of the Council during ordinary office hours.</p>	
51103	<p>21. Insurance of members</p> <p>21.1 The duty pursuant to Section 80 of the Act to take out a policy of insurance insuring every member of the Council and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions and duties by members.</p>	
51105	<p>22. Training and Development</p> <p>22.2 The duty pursuant to Section 80A(2) of the Act to ensure that the Council's training and development policy is aimed at assisting the Council's members in the performance and discharge of their functions and duties.</p>	
51107	<p>22. Training and Development</p> <p>22.4 The duty pursuant to Section 80A(4) and (5) of the Act to make available the training and development policy for inspection (without charge) at the principal</p>	

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	office of the Council during ordinary office hours and for purchase (on payment of a fee fixed by the Council).	
51108	23. Committee Meetings 23.1 The power pursuant to Section 87(1) of the Act and in accordance with Section 87(2) of the Act to determine the times and places of ordinary meetings of Council committees.	
51109	23. Committee Meetings 23.2 The duty pursuant to Section 87(2) of the Act in appointing a time for the holding of an ordinary meeting of a Council committee to take into account: 23.2.1 the availability and convenience of members of the committee; and 23.2.2 the nature and purpose of the committee.	
51110	24. Meetings To Be Held in Public Except in Special Circumstances 24.1 The duty pursuant to Section 90(7) of the Act to make a note in the minutes of the making of an order under Section 90(2) of the Act and the grounds on which it was made.	
51111	25. Minutes and Release of Documents 25.1 The duty pursuant to Section 91(3) to supply each member of the Council with a copy of all minutes of the proceedings of the Council or Council committee meeting, within 5 days after that meeting.	
51112	25. Minutes and Release of Documents 25.2 Subject to Section 91(7), the duty pursuant to Section 91(4) of the Act to place a copy of the minutes of a meeting of the Council on public display in the principal office of the Council within 5 days after the meeting and to keep those minutes on display for a period of 1 month.	
51113	25. Minutes and Release of Documents 25.3 Subject to Section 91(7) of the Act, the duty pursuant to Section 91(5) of the Act to make available for inspection, without payment of a fee, at the principal office of the Council: 25.3.1 minutes of the Council and Council committee meetings; and 25.3.2 reports to the Council or to a Council committee received at a meeting of the Council or Council committee; and 25.3.3 recommendations presented to the Council in writing and adopted by resolution of the Council; and 25.3.4 budgetary or other financial statements adopted by the Council.	
51114	26. Access to Meetings and Documents - Code of Practice 26.2 The power and duty pursuant to Section 92(2) of the Act to review the operation of the Council's Code of Practice within 12 months after the conclusion of each periodic election.	
51117	26. Access to Meetings and Documents - Code of Practice 26.4 The duty pursuant to Section 92(5) of the Act to ensure that before the Council or the Delegate adopts, alters or substitutes a code of practice that: 26.4.1 copies of the proposed code, alterations or substitute code (as the case may be) are made available for inspection or purchase at the Council's principal office and available for inspection on a website determined by the Chief Executive Officer; and 26.4.2 the relevant steps set out in the Council's Public Consultation Policy are followed.	
51118	26. Access to Meetings and Documents - Code of Practice 26.5 The duty pursuant to Section 92(6) and (7) of the Act to ensure that the Code of Practice is available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of Council during ordinary office hours.	

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51119	27. Meetings of Electors 27.1 The power pursuant to Section 93(1) of the Act to convene a meeting of electors of the area or part of the area of the Council.	
51120	27. Meetings of Electors 27.2 The duty pursuant to Section 93(11) of the Act to provide each member of the Council with a copy of the minutes of any meeting of electors within 5 days of that meeting.	
51121	27. Meetings of Electors 27.3 The power pursuant to Section 93(14) of the Act to determine the procedure for the purposes of making a nomination under Sections 93(3)(a)(ii) or 93(3)(b)(ii).	
51122	28. Obstructing of Meetings 28.1 The power pursuant to Section 95 of the Act to take proceedings under the Act against a person who intentionally obstructs or hinders proceedings at a meeting of the Council or a Council committee or at a meeting of electors.	
51123	29. Register of Remuneration Salaries and Benefits 29.1 The duty pursuant to Section 105(3) of the Act to make available the Register of Salaries of employees of the Council for inspection by the public at the principal office of the Council during ordinary office hours.	
51124	30. Certain Periods Of Service To Be Regarded As Continuous 30.1 The duty pursuant to Sections 106(2) and 106(2a) of the Act to ensure any other council receives within one month of the Council having received written notice requiring payment, the appropriate contribution to an employee's service benefits.	
51125	30. Certain Periods Of Service To Be Regarded As Continuous 30.2 The duty pursuant to Section 106(4) of the Act to supply to any other council, at its request, details of the service of an employee or former employee of the Council.	
51126	30. Certain Periods Of Service To Be Regarded As Continuous 30.3 The duty pursuant to Section 106(5) of the Act to hold and apply a payment or contribution received by the Council under Section 106 in accordance with the Regulations.	
51134	33. Certain Aspects of Strategic Management Plans 33.1 The duty pursuant to Section 122(6) of the Act to develop a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the Council's development and review of its strategic management plans.	
51135	33. Certain Aspects of Strategic Management Plans 33.2 The duty pursuant to Section 122(7) of the Act to ensure that copies of the Council's strategic management plans are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.	
51136	34. Annual Business Plans and Budgets 34.1 Before the Council adopts an annual business plan, the duty pursuant to Section 123(3) of the Act to, - 34.1.1 prepare a draft annual business plan; and 34.1.2 follow the relevant steps set out in the Council's public consultation policy, taking into account and complying with the requirements of Section 123(4) of the Act.	
51137	34. Annual Business Plans and Budgets 34.2 The duty pursuant to Section 123(5) of the Act to ensure that copies of the draft annual business plan are available at the meeting arranged pursuant to and in accordance with Section 123(4)(a)(i) and (4)(b) of the Act, and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council and on the website at least 21 days before the date of that meeting.	
51138	34. Annual Business Plans and Budgets 34.3 The duty pursuant to Section 123(5a) of the Act to ensure that provision is	

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	<p>made for:</p> <p>34.3.1 a facility for asking and answering questions; and</p> <p>34.3.2 the receipt of submissions, on the Council's website during the public consultation period.</p>	
51139	<p>34. Annual Business Plans and Budgets</p> <p>34.4 After the Council has adopted an annual business plan and a budget, the duty, pursuant to Section 123(9) of the Act, to:</p> <p>34.4.1 ensure:</p> <p>34.4.1.1 that a summary of the annual business plan is prepared in accordance with the requirements set out at Sections 123(10), (11) and (12) of the Act, so as to assist in promoting public awareness of the nature of the Council's services and the Council's rating and financial management policies, taking into account its objectives and activities for the ensuing financial year; and</p> <p>34.4.1.2 that a copy of the summary of the annual business plan accompanies the first rates notice sent to ratepayers after the declaration of the Council's rates for the financial year; and</p> <p>34.4.2 ensure:</p> <p>34.4.2.1 that copies of the annual business plan and the budget (as adopted) are available for inspection (without charge) or purchase (on payment of a fee fixed by the Council); and</p> <p>34.4.2.2 that copies of the summary of the annual business plan are available for inspection and to take (without charge), at the principal office of the Council.</p>	
76574	<p>34. Annual Business Plans and Budgets</p> <p>34.4.3 ensure that electronic copies of the annual business plan and the budget (as adopted) are published on a website determined by the Chief Executive Officer.</p>	
51140	<p>35. Accounting Records to be Kept</p> <p>35.1 The duty pursuant to Section 124(1) of the Act to:</p> <p>35.1.1 keep such accounting records as correctly and adequately record and explain the revenues, expenses, assets and liabilities of the Council;</p> <p>35.1.2 keep the Councils accounting records in such manner as will enable:</p> <p>35.1.2.1 the preparation and provision of statements that fairly present financial and other information; and</p> <p>35.1.2.2 the financial statements of the Council to be conveniently and properly audited.</p>	
51141	<p>35. Accounting Records to be Kept</p> <p>35.2 The power pursuant to Section 124(2) to determine the form or forms and the place or places (within the state) to keep the accounting records of the Council.</p>	
51142	<p>36. Internal Control Policies</p> <p>36.1 The duty pursuant to Section 125 of the Act to ensure that appropriate policies, practices and procedures of internal control are implemented and maintained in order to assist the Council to carry out its activities in an efficient and orderly manner, to achieve its objectives, to ensure adherence to management policies, to safeguard the Council's assets, and to secure (as far as possible) the accuracy and reliability of the Council's records.</p>	
51145	<p>38. Financial Statements</p> <p>38.1 The duty pursuant to Section 127(1) of the Act to prepare for each financial year:</p>	

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	<p>38.1.1 financial statements and notes in accordance with standards prescribed by the regulations; and</p> <p>38.1.2 other statements and documentation referring to the financial affairs of the Council required by the Regulations.</p>	
51146	<p>38. Financial Statements</p> <p>38.2 The duty pursuant to Section 127(2) of the Act to ensure that the financial statements prepared for the Council pursuant to Section 127(1) of the Act:</p> <p>38.2.1 are prepared as soon as is reasonably practicable after the end of the relevant financial year and in any event before the day prescribed by the Regulations; and</p> <p>38.2.2 comply with standards and principles prescribed by the Regulations; and</p> <p>38.2.3 include the information required by the Regulations.</p>	
51147	<p>38. Financial Statements</p> <p>38.3 The duty pursuant to Section 127(3) of the Act to submit for auditing by the Council's auditor the statements prepared for each financial year.</p>	
51148	<p>38. Financial Statements</p> <p>38.4 The duty pursuant to Section 127(4) of the Act to submit a copy of the auditor's statements to the persons or bodies prescribed by the Regulations on or before the day prescribed by the Regulations.</p>	
51149	<p>38. Financial Statements</p> <p>38.5 The duty pursuant to Section 127(5) of the Act to ensure that copies of the Council's audited statements are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.</p>	
51150	<p>39. The Auditor</p> <p>39.1 The power and duty pursuant to and in accordance with Section 128(2), (3), (4), (4a), (5), (6), (7) and (8) of the Act to appoint an auditor on the recommendation of the Council's audit committee.</p>	
51151	<p>39. The Auditor</p> <p>39.2 The duty pursuant to Section 128(8) of the Act to comply with any requirements prescribed by the Regulations with respect to providing for the independence of the auditor.</p>	
51152	<p>39. The Auditor</p> <p>39.3 The duty pursuant to Section 128(9) of the Act to ensure that the following information is included in the Council's annual report:</p> <p>39.3.1 information on the remuneration payable to the Council's auditor for work performed during the relevant financial year, distinguishing between:</p> <p>39.3.1.1 remuneration payable for the annual audit of the Council's financial statements; and</p> <p>39.3.1.2 other remuneration;</p> <p>39.3.2 if a person ceases to be the auditor of the Council during the relevant financial year, other than by virtue of the expiration of his or her term of appointment and is not being reappointed to the office - the reason or reasons why the appointment of the Council's auditor came to an end.</p>	
51153	<p>40. Conduct of Audit</p> <p>40.1 The duty pursuant to Section 129(9) of the Act to ensure the opinions under Section 129(3) of the Act provided to Council under Section 129 of the Act accompany the financial statements of the Council.</p>	
51154	<p>41. Other Investigations</p> <p>41.1 The power, pursuant to and in accordance with Sections 130A(1) and (2) of the Act, as the Delegate thinks fit, to request the Council's auditor, or some other</p>	

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	<p>person determined by the Delegate to be suitably qualified in the circumstances, to examine and report on any matter relating to financial management, or the efficiency and economy with which the Council manages or uses its resources to achieve its objectives, that would not otherwise be addressed or included as part of an annual audit under Division 4 of Chapter 8 of the Act and that is considered by the Delegate to be of such significance as to justify an examination under this Section.</p>	
51155	<p>41. Other Investigations 41.2 Unless Section 130A(7) of the Act applies, the duty pursuant to Section 130A(6) of the Act to place the report prepared pursuant to Section 130A(1) of the Act on the agenda for consideration:</p> <p>41.2.1 unless Section 130A(6)(b) of the Act applies - at the next ordinary meeting of the Council in accordance with Section 130A(6)(a), of the Act;</p> <p>41.2.2 if the agenda for the next ordinary meeting of the Council has already been sent to members of the Council at the time that the report is provided to the principal member of the Council - at the ordinary meeting of the Council next following the meeting for which the agenda has already been sent unless the principal member of the Council determines, after consultation with the Chief Executive Officer, that the report should be considered at the next meeting of the Council as a late item on the agenda in accordance with Section 130A(6)(b) of the Act.</p>	
51157	<p>42. Annual Report to be Prepared and Adopted 42.2 The duty pursuant to Section 131(2) and (3) of the Act to include in that report the material, and include specific reports on the matters, specified in Schedule 4 as amended from time to time by regulation.</p>	
51158	<p>42. Annual Report to be Prepared and Adopted 42.3 The duty pursuant to Section 131(4) of the Act to provide a copy of the annual report to each member of the Council.</p>	
51159	<p>42. Annual Report to be Prepared and Adopted 42.4 The duty pursuant to Section 131(5) of the Act to submit a copy of the annual report to:</p> <p>42.4.1 the Presiding Member of both Houses of Parliament; and</p> <p>42.4.2 to the persons or body prescribed by the Regulations, on or before the date determined under the Regulations.</p>	
51160	<p>42. Annual Report to be Prepared and Adopted 42.5 The power pursuant to Section 131(7) of the Act to provide to the electors for the area an abridged or summary version of the annual report.</p>	
51161	<p>42. Annual Report to be Prepared and Adopted 42.6 The duty pursuant to Section 131(8) of the Act to ensure that copies of Council's annual report are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.</p>	
51162	<p>43. Access to Documents 43.1 The duty pursuant to Section 132(1) of the Act to ensure a member of the public is able:</p> <p>43.1.1 to inspect a document referred to in Schedule 5 of the Act at the principal office of the Council during ordinary office hours without charge; and</p> <p>43.1.2 to purchase a document referred to in Schedule 5 to the Act at the principal office of the Council during ordinary office hours for a fee fixed by the Council.</p>	
51163	<p>43. Access to Documents 43.2 The power pursuant to Section 132(2) of the Act to make a document available in electronic form for the purposes of Section 132(1)(a).</p>	
51164	<p>43. Access to Documents 43.3 The power and duty, pursuant to and in accordance with Section 132 (3) of</p>	

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	<p>the Act, to make the following documents available for inspection on a website determined by the Chief Executive Officer within a reasonable time after they are available at the principal office of the Council:</p> <p>43.3.1 agendas for meetings of the Council or Council committees;</p> <p>43.3.2 minutes of meetings of the Council or Council committees;</p> <p>43.3.3 codes of conduct or codes of practice adopted by the Council under this Act or the Local Government (Elections) Act 1999;</p> <p>43.3.4 the Council's contract and tenders policies, public consultation policy and order-making policies;</p> <p>43.3.5 the Council's draft annual business plan, annual business plan (as adopted by the council) and the summary of the annual business plan required under Part 2 of this Chapter;</p> <p>43.3.6 the Council's budget (as adopted by the Council for a particular year);</p> <p>43.3.7 a list of fees and charges imposed by the Council under this Act;</p> <p>43.3.8 by-laws made by the Council and any determination in respect of a by-law made under Section 246(3)(e) of the Act;</p> <p>43.3.9 procedures for the review of decisions established by the Council under Part 2 of Chapter 13;</p> <p>43.3.10 the audited financial statements of the Council;</p> <p>43.3.11 the annual report of the Council;</p> <p>43.3.12 the Council's most recent information statement under the Freedom of Information Act 1991, unless the Council provides it as part of the annual report of the Council.</p>	
51165	<p>44. Related Administrative Standards</p> <p>44.1 The power and duty pursuant to Section 132A of the Act to ensure that appropriate policies, practices and procedures are implemented and maintained in order:</p> <p>44.1.2 to ensure compliance with any statutory requirements; and</p> <p>44.1.2 to achieve and maintain standards of good public administration.</p>	
51166	<p>45. Sources of Funds</p> <p>45.1 Subject to the Act, the power pursuant to Section 133 of the Act to obtain funds as permitted under the Act or another Act and as may otherwise be appropriate in order to carry out the Council's functions under the Act or another Act.</p>	
51169	<p>47. Expenditure of Funds</p> <p>47.1 Subject to the Act or another Act, the power pursuant to Section 137 of the Act to expend the Council's approved budgeted funds in the exercise, performance or discharge of the Council's powers, functions or duties under the Act or other Acts.</p>	Subject to financial authorisation limits and the Corporate Credit Card Policy.
51170	<p>48. Investment Powers</p> <p>48.1 The power pursuant to Section 139(1) of the Act to invest money under the Council's control.</p>	
51171	<p>48. Investment Powers</p> <p>48.2 The duty pursuant to Section 139(2) of the Act in exercising the power of investment, to:</p> <p>48.2.1 exercise the care, diligence and skill that a prudent person of business</p>	

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	<p>would exercise in managing the affairs of other persons; and</p> <p>48.2.2 avoid investments that are speculative or hazardous in nature.</p>	
51172	<p>48. Investment Powers</p> <p>48.3 The duty pursuant to Section 139(3) of the Act to take into account when exercising the power of investment, so far as is appropriate in the circumstances and without limiting the matters which may be taken into account, the following matters:</p> <p>48.3.1 the purposes of the investment;</p> <p>48.3.2 the desirability of diversifying Council investments;</p> <p>48.3.3 the nature of and risk associated with existing Council investments;</p> <p>48.3.4 the desirability of maintaining the real value of the capital and income of the investment;</p> <p>48.3.5 the risk of capital or income loss or depreciation;</p> <p>48.3.6 the potential for capital appreciation;</p> <p>48.3.7 the likely income return and the timing of income return;</p> <p>48.3.8 the length of the term of a proposed investment;</p> <p>48.3.9 the period for which the investment is likely to be required;</p> <p>48.3.10 the liquidity and marketability of a proposed investment during, and on determination of, the term of the investment;</p> <p>48.3.11 the aggregate value of the assets of the Council;</p> <p>48.3.12 the likelihood of inflation affecting the value of a proposed investment;</p> <p>48.3.13 the costs of making a proposed investment;</p> <p>48.3.14 the results of any review of existing Council investments.</p>	
51173	<p>48. Investment Powers</p> <p>48.4 Subject to the matters specified in Section 139(3) of the Act, the power pursuant to Section 139(4) of the Act, so far as may be appropriate in the circumstances, to have regard to:</p> <p>48.4.1 the anticipated community benefit from an investment; and</p> <p>48.4.2 the desirability of attracting additional resources into the local community.</p>	
51174	<p>48. Investment Powers</p> <p>48.5 The power pursuant to Section 139(5) of the Act to obtain and consider independent and impartial advice about the investment of funds or the management of the Council's investments from the person whom the Delegate reasonably believes to be competent to give the advice.</p>	
51175	<p>49. Review of Investment</p> <p>49.1 The duty pursuant to Section 140 of the Act to review the performance (individually and as a whole) of the Council's investments, at least once in each year.</p>	
51176	<p>50. Gifts to a Council</p> <p>50.1 Within the confines of Section 44(3) of the Act:</p> <p>50.1.1 the power pursuant to Section 141(1) of the Act to accept a gift made to the Council;</p>	

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	<p>50.1.2 the power pursuant to Section 141(2) of the Act to carry out the terms of any trust (if any) that affects a gift to Council;</p> <p>50.1.3 the power pursuant to Section 141(3) of the Act to apply to the Supreme Court for an order varying the terms of a trust for which the Council has been constituted a trustee;</p> <p>50.1.4 where a variation is sought in the terms of a trust, the duty pursuant to Section 141(4) of the Act to give notice describing the nature of the variation by public notice and in any other such manner as may be directed by the Supreme Court; and</p> <p>50.1.5 the duty pursuant to Section 141(6) of the Act to publish a copy of any order of the Supreme Court to vary the terms of the trust, in the Gazette, within 28 days after that order is made.</p>	
51177	<p>51. Duty to Insure Against Liability</p> <p>51.1 The duty pursuant to Section 142 of the Act to take out and maintain insurance to cover the Council's civil liabilities at least to the extent prescribed by the Regulations.</p>	
51178	<p>52. Writing off Bad Debts</p> <p>52.1 The power pursuant to Section 143(1) of the Act to write off any debts owed to the Council:</p> <p>52.1.1 if the Council has no reasonable prospect of recovering the debts; or</p> <p>52.1.2 if the costs of recovery are likely to equal or exceed the amount to be recovered, up to and including an amount of \$5,000.00 in respect of any one debt.</p>	To write off any debts up to and including an amount of \$5000-00 in respect of any one debt.
51179	<p>52. Writing off Bad Debts</p> <p>52.2 The duty pursuant to Section 143(2) of the Act to ensure that no debt is written off unless the Chief Executive Officer has certified:</p> <p>52.2.1 reasonable attempts have been made to recover the debt; or</p> <p>52.2.2 the costs of recovery are likely to equal or exceed the amount to be recovered.</p>	
51180	<p>53. Recovery of Amounts due to Council</p> <p>53.1 The power pursuant to Section 144(1) of the Act to recover as a debt, by action in a Court of competent jurisdiction, any fee, charge, expense or other amount recoverable from a person or payable by a person under this or another Act.</p>	
51181	<p>53. Recovery of Amounts due to Council</p> <p>53.2 The power pursuant to Section 144(2), (3) and (4) of the Act to recover any fee, charge, expense or other amount as if it were a rate declared on the property, after giving at least 14 days notice requiring payment, where the fee, charge, expense or other amount payable to the Council relates to something done in respect of rateable or other property.</p>	
51182	<p>54. Land Against Which Rates May be Assessed</p> <p>54.1 The power and duty pursuant to Section 148(2) of the Act to make decisions about the division of land and the aggregation of land for the purposes of Section 148(1) of the Act fairly and in accordance with principles and practices that apply on a uniform basis across the area of the Council.</p>	
51183	<p>55. Basis of Rating</p> <p>55.1 Before the Council:</p> <p>55.1.1 changes the basis of the rating of any land (including by imposing differential rates on land that has not been differentially rated in the preceding financial year, or by no longer imposing differential rates on land that has been differentially rated in the preceding financial year); or</p>	

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	<p>55.1.2 changes the basis on which land is valued for the purposes of rating; or</p> <p>55.1.3 changes the imposition of rates on land by declaring or imposing a separate rate, service rate or service charge on any land;</p> <p>the power and duty pursuant to Section 151(5)(d) and (e) of the Act to:</p> <p>55.1.4 prepare a report on the proposed change in accordance with Section 151(6) of the Act; and</p> <p>55.1.5 follow the relevant steps set out in its public consultation policy in accordance with Section 151(7) of the Act.</p>	
51184	<p>55. Basis of Rating</p> <p>55.2 The duty pursuant to Section 151(8) of the Act to ensure that copies of the report required under Section 151(5)(d) of the Act are available at the meeting held under Section 151(7)(a)(i) of the Act, and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council at least 21 days before the end of the period for public consultation.</p>	
51185	<p>56. General Rates</p> <p>56.1 The power pursuant to Section 152(2)(d) and (3) of the Act to determine, on application, if two or more pieces of rateable land within the area of the Council constitute a single farm enterprise.</p>	
51186	<p>57. Service Rates and Service Charges</p> <p>57.1 The duty pursuant to Section 155(6) of the Act, subject to Section 155(7) of the Act, to apply any amounts held in a reserve established in connection with the operation of Section 155(5) of the Act for purposes associated with improving or replacing Council assets for the purposes of the relevant prescribed service.</p>	
51187	<p>57. Service Rates and Service Charges</p> <p>57.2 The power pursuant to Section 155(7) of the Act, if a prescribed service under Section 155(6) of the Act is, or is to be, discontinued, to apply any excess funds held by the Council for the purposes of the service (after taking into account any expenses incurred or to be incurred in connection with the prescribed service) for another purpose specifically identified in the Council's annual business plan as being the purpose for which the funds will now be applied.</p>	
51188	<p>58. Basis of Differential Rates</p> <p>58.1 The power pursuant to Section 156(3), (9), (10), (11) of the Act to attribute the use of the land for any basis for a differential rate and to decide objections to any of those attributions.</p>	
51189	<p>58. Basis of Differential Rates</p> <p>58.2 The power and duty pursuant to Section 156(14a) of the Act, before the Council changes from declaring differential rates in relation to any land on the basis of a differentiating factor under either paragraphs (a), (b) or (c) of Section 156(1) of the Act to a differentiating factor under another of those paragraphs, to -</p> <p>58.2.1 prepare a report on the proposed change in accordance with Section 156(14b) of the Act; and</p> <p>58.2.2 follow the relevant steps set out in its public consultation policy in accordance with Section 156(14d) of the Act.</p>	
51190	<p>58. Basis of Differential Rates</p> <p>58.3 The duty pursuant to Section 156(14e) of the Act to ensure that copies of the report required under Section 156(14a)(a) of the Act are available at the meeting held under Section 156(14d)(a)(i); and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council at least 21 days before the end of the period for public consultation.</p>	
51191	<p>59. Notice of Differentiating Factors</p> <p>59.1 If the Council declares differential rates, the duty pursuant to Section 157 of the Act in each rates notice, to specify the differentiating factor or combination of factors that governs the calculation of rates on the land to which the account relates.</p>	

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51192	60. Preliminary 60.1 The power pursuant to Section 159(1) of the Act to determine the manner and form and such information as the Delegate may reasonably require, for a person or body to apply to the Council to determine if grounds exist for the person or body to receive a rebate of rates.	
51193	60. Preliminary 60.2 The power pursuant to Section 159(3) to grant a rebate of rates if satisfied that it is appropriate to do so (whether on application or on the Delegate's own initiative).	
51195	60. Preliminary 60.4 The power pursuant to Section 159(10) of the Act to determine, for proper cause, that an entitlement to a rebate of rates in pursuance of Division 5 no longer applies.	
51204	64. Valuation of Land for the Purposes of Rating 64.3 The duty pursuant to Section 167(6) of the Act to publish a notice of the adoption of valuations in the Gazette, within 21 days after the date of the adoption.	
51205	65. Valuation of Land 65.1 The power pursuant to Section 168(1) of the Act to request the Valuer-General to value any land within the Council's area (being land that is capable of being separately rated).	
51206	65. Valuation of Land 65.2 The duty pursuant to Section 168(2) of the Act to furnish to the Valuer-General any information requested by the Valuer General for the purposes of valuing land within the area of the Council.	
51207	65. Valuation of Land 65.3 The power and duty pursuant to Section 168(3)(b) and (c) of the Act to enter a valuation in the assessment record, as soon as practicable after the valuation has been made and to give notice of the valuation to the principal ratepayer in accordance with the Regulations.	
51208	66. Objections to Valuations Made by Council 66.1 The duty pursuant to Section 169(1), (2), (3), (4) and (5) of the Act to refer an objection to a valuation of land to the valuer who made the valuation and to request the valuer to reconsider the valuation, where: 66.1.1 the objection does not involve a question of law; and 66.1.2 the objection is made in writing (setting out a full and detailed statement of the grounds on which the objection is based); and 66.1.3 is made within 60 days after the date of service of the notice of the valuation to which the objection relates (unless the Delegate, in his/her discretion, allows an extension of time for making the objection).	
51209	66. Objections to Valuations Made by Council 66.2 The power pursuant to Section 169(3)(b) of the Act to grant an extension of time for making an objection to a valuation of land.	
51210	66. Objections to Valuations Made by Council 66.3 The duty pursuant to Section 169(7) of the Act to give the objector written notice of the outcome of the reconsideration of the objection.	
51211	66. Objections to Valuations Made by Council 66.4 The duty pursuant to and in accordance with Section 169(8) and (9) of the Act to refer the valuation to the Valuer-General for further review, if the objector remains dissatisfied with the valuation and requests such further review, provided the request is: 66.4.1 in the prescribed manner and form; 66.4.2 made within 21 days after the objector receives notice of the outcome of his or her initial objection; and	

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	66.4.3 accompanied by the prescribed fee.	
59826	66. Objections to Valuations Made by Council 66.5 The power pursuant to Section 169(15)(b) of the Act to apply to SACAT for a review of the decision of a valuer after a further review on a request under Section 169(8) of the Act, in accordance with Section 169(15a) of the Act.	
51212	67. Notice of Declaration of Rates 67.1 The duty pursuant to Section 170 of the Act to ensure the notice of declaration of a rate or service charge is published in the Gazette and in a newspaper circulating in the area within 21 days after the date of the declaration.	
51213	68. Alterations to Assessment Record 68.1 The power pursuant to Section 173(3) and (5) of the Act to determine the procedure for a review of a decision by the Chief Executive Officer on an application for alteration of the assessment record.	
51214	68. Alterations to Assessment Record 68.2 The duty pursuant to Section 173(6) of the Act to give a person written notice of Council's decision on a review of a decision of the Chief Executive Officer concerning alteration of the assessment record.	
51215	69. Inspection of Assessment Record 69.1 The duty pursuant to Section 174(1) and (2) of the Act to ensure that the assessment record is available for inspection and purchase of an entry (on payment of a fee fixed by the Council), by the public at the principal office of the Council during ordinary office hours.	
51216	70. Liability for Rates 70.1 The power pursuant to Section 178(3) of the Act and subject to Section 178(9) of the Act to recover rates as a debt from: 70.1.1 the principal ratepayer; or 70.1.2 any other person (not being a principal ratepayer) who is an owner or occupier of the land; or 70.1.3 any other person who was at the time of the declaration of the rates an owner or occupier of the land.	
51217	70. Liability for Rates 70.2 The power pursuant to Section 178(4) of the Act by written notice to a lessee or a licensee of land in respect of which rates have fallen due, to require him or her to pay to the Council rent or other consideration payable under the lease or a licence in satisfaction of any liability for rates.	
51218	70. Liability for Rates 70.3 Where a notice under Section 178(4) of the Act is given to a lessee or a licensee of land, the power pursuant to Section 178(5) of the Act to make and give notice of an additional charge of 5% of the amount in arrears, as payable and recoverable as part of the debt for unpaid rates.	
51219	70. Liability for Rates 70.4 The power pursuant to Section 178(6) of the Act to remit the charge of 5% of the amount in arrears payable under the Act in whole or in part.	
51220	71. Liability for Rates if Land is Not Rateable for the Whole of the Financial Year 71.1 The power pursuant to Section 179(2) of the Act to adopt a valuation of land that has become rateable after the adoption of valuations by the Council for the relevant financial year.	
51221	71. Liability for Rates if Land is Not Rateable for the Whole of the Financial Year 71.2 The duty pursuant to Section 179(5) of the Act to refund to the principal ratepayer an amount proportionate to the remaining part of the financial year, if land ceases to be rateable during the course of a financial year and the rates have been paid.	
51222	72. Service of Rate Notice 72.1 The duty pursuant to Section 180(1) of the Act and in accordance with Section 180(2) of the Act to send to the principal ratepayer or, in the case of a	

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	<p>service charge, the owner or occupier of the relevant land, a rates notice, as soon as practicable after:</p> <p>72.1.1 the declaration of a rate; or</p> <p>72.1.2 the imposition of a service charge; or</p> <p>72.1.3 a change in the rates liability of land.</p>	
51225	<p>73. Payment of Rates - General Principles</p> <p>73.3 The power pursuant to Section 181(4)(b) of the Act to agree with the principal ratepayer that rates will be payable in such instalments falling due on such days as may be specified in the agreement and in that event, the ratepayer's rates will then be payable accordingly.</p>	
51226	<p>73. Payment of Rates - General Principles</p> <p>73.4 The duty pursuant to Section 181(5) of the Act in relation to each instalment of rates to send a rates notice to the principal ratepayer shown in the assessment record in respect of the land setting out in accordance with Sections 181(6) and (7) of the Act:</p> <p>73.4.1 the amount of the instalment; and</p> <p>73.4.2 the date on which the instalment falls due, or in the case where payment is to be postponed under another provision of the Act, the information prescribed by the Regulations.</p>	
51227	<p>73. Payment of Rates - General Principles</p> <p>73.5 The power pursuant to Section 181(7a) of the Act where the Council has entered into an agreement with a principal rate payer under Section 181(4)(b) of the Act, as part of the agreement, to vary the periods for the provision of a notice under Section 181(7) of the Act.</p>	
51228	<p>73. Payment of Rates - General Principles</p> <p>73.6 The power pursuant to Section 181(9) of the Act to remit any amount payable under Section 181(8) of the Act in whole or in part.</p>	SRC has limit to remit up to \$50-00.
51232	<p>73. Payment of Rates - General Principles</p> <p>73.10 The power pursuant to Section 181(15) of the Act to decide that rates of a particular kind will be payable in more than 4 instalments in a particular financial year and in such case:</p> <p>73.10.1 the instalments must be payable on a regular basis (or essentially a regular basis) over the whole of the financial year, or the remainder of the financial year depending on when the rates are declared; and</p> <p>73.10.2 the Delegate must give at least 30 days' notice before an instalment falls due.</p>	
51233	<p>74. Remission and Postponement of Payment</p> <p>74.1 The power pursuant to Section 182(1) of the Act to decide on the application of a ratepayer that payment of rates in accordance with the Act would cause hardship and, if so, to:</p> <p>74.1.1 postpone payment in whole or in part for such period as the Delegate thinks fit; or</p> <p>74.1.2 remit the rates in whole or in part.</p>	
51234	<p>74. Remission and Postponement of Payment</p> <p>74.2 The power pursuant to Section 182(2) of the Act on a postponement of rates:</p> <p>74.2.1 to grant the postponement on condition that the ratepayer pay interest on the amount affected by the postponement at a rate fixed by the Delegate (but not exceeding the cash advance debenture rate);</p> <p>74.2.2 to grant the postponement on other conditions determined by the Delegate;</p>	

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	<p>and</p> <p>74.2.3 to revoke the postponement, at the Delegate's discretion (in which case the Delegate must give the ratepayer at least 30 days written notice of the revocation before taking action to recover rates affected by the postponement).</p>	
51235	<p>74. Remission and Postponement of Payment</p> <p>74.3 The power pursuant to Section 182(3) of the Act to grant other or additional postponements of rates:</p> <p>74.3.1 to assist or support a business in the Council's area; or</p> <p>74.3.2 to alleviate the affects of anomalies that have occurred in valuations under the Act.</p>	
51237	<p>74. Remission and Postponement of Payment</p> <p>74.5 The power pursuant to Section 182(5) of the Act to require a ratepayer who claims to be entitled to a remission of rates by virtue of a determination under Section 182(4) of the Act to provide evidence to the satisfaction of the Delegate verifying that entitlement.</p>	
51239	<p>75. Postponement of Rates - Seniors</p> <p>75.1 The power pursuant to Section 182A(2) of the Act to require that an application pursuant to Section 182A(1) of the Act be accompanied by such information as the Delegate may reasonably require.</p>	
51240	<p>75. Postponement of Rates - Seniors</p> <p>75.2 The power pursuant to Section 182A(3) of the Act, on an application for a postponement of the payment of the prescribed proportion of rates for the current or future financial made in accordance with Sections 182A(1) and (2) of the Act to:</p> <p>75.2.1 reject an application for the postponement of rates; or</p> <p>75.2.2 impose conditions on the postponement of rates but only in accordance with the Regulations.</p>	
51241	<p>76. Application of money in respect of rates</p> <p>76.1 The power and the duty to apply monies received or recovered in respect of rates pursuant to and in accordance with Section 183 of the Act.</p>	
51243	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.2 The duty pursuant to Section 184(2) of the Act before selling land for non-payment of rates, to send a notice to the principal ratepayer at the address appearing in the assessment record:</p> <p>77.2.1 stating the period for which the rates have been in arrears; and</p> <p>77.2.2 stating the amount of the total liability for rates presently outstanding in relation to the land; and</p> <p>77.2.3 stating that if that amount is not paid in full within 1 month of service of the notice (or such longer time as the Delegate may allow), the Council intends to sell the land for non-payment of rates.</p>	
51244	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.3 The duty pursuant to Section 184(3) of the Act to send a copy of a notice sent to a principal ratepayer under Section 184(2) of the Act:</p> <p>77.3.1 to any owner of the land who is not the principal ratepayer; and</p> <p>77.3.2 to any registered mortgagee of the land; and</p> <p>77.3.3 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.</p>	
51245	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.4 If:</p>	

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	<p>77.4.1 the Delegate cannot, after making reasonable enquiries, ascertain the name and address of a person to whom a notice is to be sent under Section 184(2) or (3) of the Act; or</p> <p>77.4.2 the Delegate considers that it is unlikely that a notice sent under Section 184(2) or (3) of the Act would come to the attention of the person to whom it is to be sent, the power pursuant to Section 184(4) of the Act to effect service of the notice by:</p> <p>77.4.3 placing a copy of the notice in a newspaper circulating throughout the State; and</p> <p>77.4.4 leaving a copy of the notice in a conspicuous place on the land.</p>	
51246	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.5 The power pursuant to Section 184(5) of the Act to proceed to have the land sold, if the outstanding amount of rates is not paid in full within the time allowed in the notice given to the ratepayer under Section 184(2) of the Act.</p>	
51247	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.6 The duty pursuant to Section 184(6) and (7) of the Act to conduct the sale of land for non-payment of rates by public auction and the power to set the reserve price for the purposes of the auction, except in the case of land held from the Crown under a lease, licence or agreement to purchase, unless the Minister responsible for the administration of the Crown Lands Act 1929 grants consent to sale by public auction.</p>	
51248	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.7 The duty pursuant to Section 184(8) of the Act to advertise the auction of land under Section 184 of the Act on at least 2 separate occasions in a newspaper circulating throughout the State.</p>	
51249	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.8 The duty pursuant to Section 184(9) of the Act to call off the auction, if before the date of such an auction, the outstanding amount and the costs incurred by the Council in proceeding under this Section are paid to the Council.</p>	
51250	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.9 The power pursuant to Section 184(10) of the Act to sell the land by private contract for the best price that can be reasonably obtained, if an auction fails or an auction is not held because the land is held from the Crown under a lease, licence or agreement to purchase.</p>	
51251	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.10 The power and duty to apply monies received by the Council in respect of the sale of land for non-payment of rates pursuant to and in accordance with Section 184(11) of the Act.</p>	
51252	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.11 The duty pursuant to Section 184(12) of the Act to make reasonable enquiries to find the owner of land to be sold for non-payment of rates and where the owner cannot be found, the power to deal with the amount payable to the owner as unclaimed money under the Unclaimed Moneys Act 1981.</p>	
51253	<p>78. Objection, Review or Appeal</p> <p>78.1 If an objection, review or appeal in respect of a valuation of land results in the alteration of a valuation or of a decision to attribute a particular land use to land, and a due adjustment is made, the power pursuant to Section 186(2) of the Act and subject to Section 186(3), (4) and (5) of the Act:</p> <p>78.1.1 to refund or credit the overpaid amount against future liabilities for rates on the land subject to the rates; or</p> <p>78.1.2 to recover an additional amount payable on account of an alteration of the value as arrears after at least 30 days have expired from the date on which notification of the alteration is given to the person who initiated the objection, review or appeal.</p>	

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51254	<p>79. Certificate of Liabilities</p> <p>79.1 The power pursuant to Section 187(1) of the Act to issue a certificate, on application by or on behalf of a person who has an interest in land within the area, stating that:</p> <p>79.1.1 the amount of any liability for rates or charges on the land imposed under Part 1 of Chapter 10 or Schedule 1B of the Act (including rates and charges under Part 1 of Chapter 10 or Schedule 1B of the Act that have not yet fallen due for payment, and outstanding interest or fines payable in respect of rates and charges under Part 1 of Chapter 10 or Schedule 1B of the Act); and</p> <p>79.1.2 any amount received on account of rates or charges on the land imposed under this part, that is held in credit against future liabilities for rates or charges in relation to the land.</p>	
51255	<p>80. Investigation by Ombudsman</p> <p>80.1 The duty pursuant to Section 187B(6) of the Act if the Ombudsman's report prepared pursuant to Section 187B(3) of the Act makes any recommendations as to action that should be taken by the Council, to within 2 months after receipt of that report, provide a written response to:</p> <p>80.1.1 the Ombudsman; and</p> <p>80.1.2 if relevant, the person who made the complaint.</p>	
51256	<p>80. Investigation by Ombudsman</p> <p>80.2 The power pursuant to Section 187B(7) of the Act to grant a rebate or remission of any rate or service charge, or of any charge, fine or interest under Part 1 of Chapter 10 of the Act, if the Ombudsman recommends that the Council do so on the ground of special circumstances pertaining to a particular ratepayer.</p>	
51258	<p>81. Fees and Charges</p> <p>81.2 The power pursuant to Section 188(3) of the Act to provide for:</p> <p>81.2.1 specific fees and charges;</p> <p>81.2.2 maximum fees and charges and minimum fees and charges;</p> <p>81.2.3 annual fees and charges;</p> <p>81.2.4 the imposition of fees or charges according to specified factors;</p>	<p>Paragraphs 81.2.1 to 81.2.4 are sub-sections 188(3)(a), 188(3)(b), 188(3)(c), and 188(3)(d) inclusive are given to the CEO only.</p>
76571	<p>81. Fees and Charges</p> <p>81.2 The power pursuant to Section 188(3) of the Act to provide for:</p> <p>81.2.5 the variation of fees or charges according to specified factors in respect of fees and charges set under Section 188(1)(a) - (c) of the Act inclusive; and</p>	<p>This sub-delegation applies only to Section 188(3)(e). Departmental guidelines will apply.</p>
76485	<p>81. Fees and Charges</p> <p>81.2.6 the reduction, waiver or refund, in whole or in part, of any fees and charges.</p>	<p>This sub-delegation applies only to Section 188(3)(f). Departmental guidelines will apply.</p>
51259	<p>81. Fees and Charges</p> <p>81.3 The power pursuant to Section 188(5) of the Act to fix, vary or revoke those fees and charges set under Section 188(1)(a), (b) and (c) of the Act.</p>	<p>Fees may only be revoked by Council. Delegated staff may fix or vary fees and charges within Departmental guidelines.</p>
51260	<p>81. Fees and Charges</p> <p>81.4 The duty pursuant to Section 188(6) of the Act to keep a list of fees and charges imposed under this Section on public display during ordinary office hours at the principal office of the Council.</p>	

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51261	<p>81. Fees and Charges</p> <p>81.5 The duty pursuant to Section 188(7) of the Act to, if the Council fixes or varies a fee imposed under this Section, up-date the list referred to in Section 188(6) of the Act and take reasonable steps to bring the fee or charge, or variation of the fee or charge, to the notice of persons who may be affected.</p>	
51265	<p>84. Assumption of Care, Control and Management of Land</p> <p>84.1 The power pursuant to Section 192(1) of the Act to assume the care, control and management of land in the Council area that has been set aside for the use or enjoyment of the public or a section of the public under the circumstances specified in Section 192(1)(a) and (b) of the Act.</p>	
51266	<p>84. Assumption of Care, Control and Management of Land</p> <p>84.2 The duty pursuant to Section 192(4) of the Act to immediately cause a copy of a resolution under Section 192(1) of the Act to assume the care, control and management of land to be published in the Gazette.</p>	
51267	<p>85. Classification</p> <p>85.1 The duty pursuant to Section 193(6) of the Act to give notice in the Gazette of a resolution:</p> <p>85.1.1 to exclude land from classification as community land under Section 193(4) of the Act; or</p> <p>85.1.2 to classify as community land, land that had previously been excluded from classification as such under Section 193(5) of the Act.</p>	
51268	<p>86. Revocation of Classification of Land as Community Land</p> <p>86.1 The duty pursuant to Section 194(2) of the Act before the Council revokes the classification of land as community land to:</p> <p>86.1.1 prepare and make publicly available a report on the proposal containing:</p> <p>86.1.1.1 a summary of reasons for the proposal; and</p> <p>86.1.1.2 a statement of any dedication, reservation or trust to which the land is subject; and</p> <p>86.1.1.3 a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and the statement of how the Council proposes to use the proceeds; and</p> <p>86.1.1.4 an assessment of how implementation of the proposal would affect the area and the local community; and</p> <p>86.1.1.5 if the Council is not the owner of the land, a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification; and</p> <p>86.1.2 follow the relevant steps set out in the Council's public consultation policy.</p>	
51269	<p>86. Revocation of Classification of Land as Community Land</p> <p>86.2 After complying with the requirements of Section 194(2) of the Act, the duty pursuant to Section 194(3) of the Act to prepare a report on all submissions made on it as part of the public consultation process.</p>	
51270	<p>86. Revocation of Classification of Land as Community Land</p> <p>86.3 The power pursuant to Section 194(4) of the Act to consult with the Minister in relation to a regulation made under Section 194(1) over a specific piece of land.</p>	
51271	<p>87. Effect of Revocation of Classification</p> <p>87.1 If it appears from the Register Book that the land is subject to a dedication, reservation or trust, other than a dedication, reservation or trust under the Crown Lands Act 1929, the duty pursuant to Section 195(2) of the Act immediately after the revocation of the classification of the land as community land, to give notice of</p>	

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	the revocation to the Registrar-General in the manner and form approved by the Registrar General.	
51272	<p>88. Management Plans</p> <p>88.1 The power and duty pursuant to and in accordance with Section 196(1), (2), (3) and (7) of the Act to prepare and adopt management plan or management plans for the Council's community land, for which a management plan must be prepared, that:</p> <p>88.1.1 identifies the land to which it applies; and</p> <p>88.1.2 states the purpose for which the land is held by the Council; and</p> <p>88.1.3 states the Council's objectives, policies (if any) and proposals for the management of the land; and</p> <p>88.1.4 states performance targets and how the Council proposes to measure its performance against its objectives and performance targets.</p>	
51273	<p>88. Management Plans</p> <p>88.2 If a management plan relates to land that is not in the Council's ownership, the power and duty pursuant to Section 196(4) of the Act to consult with the owner of the land at an appropriate stage during the preparation of the plan and the plan must:</p> <p>88.2.1 identify the owner of the land; and</p> <p>88.2.2 state the nature of any trust, dedication or restriction to which the land is subject apart from the Act; and</p> <p>88.2.3 contain any provisions that the owner reasonably requires and identify those provisions as provisions required by the owner.</p>	
51274	<p>88. Management Plans</p> <p>88.3 The duty pursuant to Section 196(5) of the Act to ensure (as far as practicable) that the management plan is consistent with other relevant official plans and policies about conservation, development and use of the land and contains any special provisions required under the Regulations.</p>	
51275	<p>89. Public Consultation on Proposed Management Plan</p> <p>89.1 Before the Council adopts a management plan for community land, the duty to pursuant to Section 197(1) of the Act and subject to Section 197(2) of the Act:</p> <p>89.1.1 make copies of the proposed plan available for inspection or purchase at the Council's principal office; and</p> <p>89.1.2 follow the relevant steps set out in Council's public consultation policy.</p>	
51276	<p>89. Public Consultation on Proposed Management Plan</p> <p>89.2 The duty pursuant to Section 197(3) of the Act to give public notice of the adoption of a management plan.</p>	
51278	<p>90. Amendment or Revocation of Management Plan</p> <p>90.2 The power pursuant to Section 198(2) and (3) of the Act to conduct public consultation prior to the Council or the Delegate adopting a proposal for amendment to or revocation of a management plan, unless in the opinion of the Delegate the amendment has no impact or no significant impact on the interests of the community.</p>	
51279	<p>90. Amendment or Revocation of Management Plan</p> <p>90.3 The duty pursuant to Section 198(4) of the Act to give public notice of Council's or the Delegate's adoption of a proposal for the amendment or revocation of a management plan.</p>	
51280	<p>91. Effect of Management Plan</p> <p>91.1 The duty pursuant to Section 199 of the Act to manage community land in accordance with any management plan for the relevant land.</p>	

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51281	<p>92. Use of Community Land for Business Purposes</p> <p>92.1 The power pursuant to Section 200(1), (2) and (3) of the Act to approve a person's use of community land for a business purpose, consistent with provisions of the management plan and on any conditions the Delegate considers appropriate.</p>	
51284	<p>94. Alienation of Community Land by Lease or Licence</p> <p>94.1 The power pursuant to Section 202(1) and (5) of the Act and subject to Section 202(7) of the Act to grant a lease or licence over community land (including community land that is, or forms part of, a park or reserve), for:</p> <p>94.1.1 the erection or removal of buildings and other structures for the purpose of activities conducted under the lease or licence;</p> <p>94.1.2 the exclusion, removal or regulation of persons, vehicles or animals from or on the land, and the imposition of admission or other charges (subject to the fixing or varying of the charge by Council, pursuant to Section 44(3)(j) of the Act);</p> <p>94.1.3 any other matter relevant to the use or maintenance of the land.</p>	
51285	<p>94. Alienation of Community Land by Lease or Licence</p> <p>94.2 The duty pursuant to Section 202(2) and (3) of the Act and subject to Section 202(7) of the Act before granting a lease or licence relating to community land to follow the relevant steps set out in Council's public consultation policy, unless:</p> <p>94.2.1 the grant of the lease or the licence is authorised in an approved management plan for the land and the term of the proposed lease or licence is 5 years or less; or</p> <p>94.2.2 the Regulations provide, in the circumstances of the case, for an exemption from compliance with the public consultation policy.</p>	
51287	<p>94. Alienation of Community Land by Lease or Licence</p> <p>94.4 The duty pursuant to Section 202(6) of the Act and subject to Section 202(7) of the Act to ensure that a lease or licence relating to community land is consistent with any relevant management plan.</p>	
51288	<p>95. Register</p> <p>95.1 The duty pursuant to Section 207(1) of the Act to keep a register of all community land in Council's area.</p>	
51289	<p>95. Register</p> <p>95.2 The duty pursuant to Section 207(2)(a) and (b) of the Act to ensure that the register:</p> <p>95.2.1 contains the information required by the Regulations; and</p> <p>95.2.2 contains copies of current management plans.</p>	
51290	<p>95. Register</p> <p>95.3 The power pursuant to Section 207(2)(c) of the Act to include in the register (if the Delegate so decides) a computer record of the relevant information.</p>	
51291	<p>95. Register</p> <p>95.4 The duty pursuant to Section 207(3) and (4) of the Act to make available the register of all community land in the Council's area for inspection (without charge) or purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council during ordinary office hours.</p>	
51292	<p>96. Ownership of Public Roads</p> <p>96.1 The duty pursuant to Section 208(4) of the Act to cause a copy of a resolution declaring a road or land to be a public road, or preserving an easement under Section 208(3), to be published in the Gazette.</p>	
51293	<p>97. Ownership of Fixtures and Equipment Installed on Public Roads</p> <p>97.1 The power pursuant to Section 209(3) of the Act to enter into an agreement with the provider of public infrastructure or the holder of an authorisation or permit under Section 209(1) and (2) of the Act which provides for the vesting of property in fixtures and equipment in the Council.</p>	

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51294	98. Conversion of Private Road to Public Road 98.1 The duty pursuant to Section 210(1)(b) of the Act to make reasonable enquiries to find the owner of a private road which the Council is seeking to declare be a public road.	
51295	98. Conversion of Private Road to Public Road 98.2 The duty pursuant to Section 210(2) of the Act at least 3 months before the Council makes a declaration under Section 210 of the Act to: 98.2.1 if the identity and whereabouts of the owner of the road are known to the Council, give written notice to the owner of land subject to the proposed declaration; and 98.2.2 if a person has some other form of registered legal interest over the road and the identity and whereabouts of that person are known to the Council - give written notice to the person of the proposed declaration; and 98.2.3 give public notice of the proposed declaration.	
51296	98. Conversion of Private Road to Public Road 98.3 The duty pursuant to Section 210(5) to publish in the Gazette a declaration of the Council made in accordance with Section 210(1) of the Act.	
51297	98. Conversion of Private Road to Public Road 98.4 The duty pursuant to Section 210(7) of the Act to furnish to the Registrar-General a copy of any declaration under Section 210 of the Act in a manner and form approved by the Registrar-General immediately after it is made.	
51298	99. Highways 99.1 The power pursuant to Section 211(1)(a) of the Act to enter into an agreement with the Commissioner of Highways in order for the Council to exercise its powers under Part 2 of Chapter 11 of the Act in relation to a highway.	
51299	100. Power to Carry Out Roadwork 100.1 The power pursuant to Section 212(1) of the Act to have road works carried out in the Council's area or, by agreement with another Council, in the area of another Council.	
51300	100. Power to Carry Out Roadwork 100.2 The power pursuant to Section 212(3) of the Act to do anything reasonably necessary for, or incidental, to roadwork pursuant to Section 212(2) of the Act, providing that: 100.2.1 the roadwork is carried out in compliance with any relevant requirement under the Road Traffic Act 1961; and 100.2.2 before carrying out roadwork in relation to a road that runs into or intersects with a highway (and that may have an effect on the users of that highway), consult with the Commissioner of Highways; and 100.2.3 the roadwork in relation to a private road is only carried out if: 100.2.3.1 the owner agrees; or 100.2.3.2 the Council has given the owner reasonable notice of the proposed roadwork and a reasonable opportunity to make representations and has considered any representations made in response to the notice; or 100.2.3.3 the identity or whereabouts of the owner is unknown; and 100.2.4 the roadwork on other private land is carried out with the agreement of the owner (unless otherwise provided in the Act).	
51301	101. Recovery of Cost of Roadwork 101.1 Where roadwork has been carried by agreement, the power pursuant to Section 213(1) of the Act to recover the whole of the cost or an agreed	

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	<p>contribution determined by the Delegate under the terms of the agreement.</p> <p>101.2 Where roadwork has been carried out to repair damage to a road, the power pursuant to Section 213(2) of the Act to recover the cost of carrying out the work, as a debt, from:</p> <p>101.2.1 the person who caused the damage; or</p> <p>101.2.2 in the case of damage caused by the bursting, explosion or fusion of any pipe, wire, cable, fitting or other object - the person who is the owner, or who has control of that infrastructure.</p> <p>101.3 If the Council carries out roadwork on a private road, the power pursuant to Section 213(3) of the Act to recover the cost of the work or a contribution towards the cost of the work determined by the Delegate as a debt from the owner of the private road.</p>	
51302	<p>102. Contribution Between Councils where Road is on Boundary Between Council Areas</p> <p>102.1 Where roadwork is a carried out on a road on the boundary between 2 Council areas, the power pursuant to Section 214(1) and (2) of the Act to recover a reasonable contribution from the other Council towards the cost of the work, being an amount agreed between the Councils or, in the absence of an agreement, an amount determined by the Court in which the action for contribution is brought.</p>	
51303	<p>103. Special Provisions for Certain Kinds of Roadwork</p> <p>103.1 If the Council changes the level of a road, the duty pursuant to Section 215(1) of the Act to:</p> <p>103.1.1 ensure that adjoining properties have adequate access to the road; and</p> <p>103.1.2 construct any retaining walls, embankments or other structures necessary to provide protection required in consequence of the change of level.</p>	
51304	<p>103. Special Provisions for Certain Kinds of Roadwork</p> <p>103.2 The power pursuant to Section 215(2) of the Act to carry out road work to allow water from a road to drain into adjoining property if, in the Delegate's opinion:</p> <p>103.2.1 there is no significant risk of damage to the adjoining property; or</p> <p>103.2.2 the road work does not significantly increase the risk of damage to adjoining property.</p>	
51305	<p>103. Special Provisions for Certain Kinds of Roadwork</p> <p>103.3 The duty pursuant to Section 215(4) of the Act to give reasonable notice of proposed action to drain water into land under Section 215(2) of the Act to the owner of the land, except in a case of urgency.</p>	
51306	<p>104. Power to Order Owner of Private Road to Carry out Specific Roadwork</p> <p>104.1 The power pursuant to Section 216(1) of the Act to, by order in writing in accordance with Section 216(2) of the Act to the owner of a private road, require the owner to carry out specified roadwork to repair or improve the road.</p>	
51307	<p>104. Power to Order Owner of Private Road to Carry out Specific Roadwork</p> <p>104.2 The duty pursuant to Section 216(2) of the Act to apply Divisions 2 and 3 of Part 2 of Chapter 12 of the Act with respect to:</p> <p>104.2.1 any proposal to make an order; and</p> <p>104.2.2 if an order is made, any order, under Section 216(1) of the Act.</p>	
51308	<p>105. Power to Order Owner of Infrastructure on Road to Carry Out Specified Maintenance or Repair Work.</p> <p>105.1 The power pursuant to Section 217(1) of the Act by order in writing to the</p>	

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	<p>owner of a structure or equipment (including pipes, wires, cables, fittings and other objects) installed in, on, across, under or over a road, to require the owner:</p> <p>105.1.1 to carry out specified work by way of maintenance or repair; or</p> <p>105.1.2 to move the structure or equipment in order to allow the Council to carry out roadwork.</p>	
51309	<p>105. Power to Order Owner of Infrastructure on Road to Carry Out Specified Maintenance or Repair Work.</p> <p>105.2 Where the order made pursuant to Section 217(1) of the Act is not complied with within a reasonable time fixed in the order, the power pursuant to Section 217(2)(a) of the Act to take action required by the order and to recover the cost of doing so as a debt from the owner.</p>	
51310	<p>106. Power to Require Owner of Adjoining Land to Carry Out Specific Work</p> <p>106.1 The power pursuant to Section 218(1) of the Act to, by order in writing in accordance with Section 218(2) of the Act to the owner of land adjoining the road, require the owner to carry out specified work to construct, remove or repair a crossing place from the road to the land.</p>	
51311	<p>106. Power to Require Owner of Adjoining Land to Carry Out Specific Work</p> <p>106.2 The duty pursuant to Section 218(2) of the Act to apply Divisions 2 and 3 of Part 2 of Chapter 12 of the Act with respect to:</p> <p>106.2.1 any proposal to make an order; and</p> <p>106.2.2 if an order is made, any order under Section 218(1) of the Act.</p>	
51313	<p>107. Power to Assign a Name, or Change the Name, of a Road or Public Place</p> <p>107.2 The duty pursuant to Section 219(1a) of the Act to assign a name to a public road created after the commencement of Section 219(1a) of the Act by land division.</p>	
51314	<p>107. Power to Assign a Name, or Change the Name, of a Road or Public Place</p> <p>107.3 Where it is proposed to change the name of a public road that runs into the area of an adjoining council, the duty pursuant to Section 219(2) of the Act to:</p> <p>107.3.1 give the adjoining council at least 2 months notice of the proposed change; and</p> <p>107.3.2 consider any representations made by the adjoining council in response to that notice.</p>	
51315	<p>107. Power to Assign a Name, or Change the Name, of a Road or Public Place</p> <p>107.4 The duty pursuant to Section 219(3) of the Act to:</p> <p>107.4.1 immediately notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a name, or the change of a name, under Section 219 of the Act; and</p> <p>107.4.2 on request by the Registrar-General, the Surveyor-General or the Valuer-General, provide information about the names of roads or public places in the Council's area.</p>	
51316	<p>107. Power to Assign a Name, or Change the Name, of a Road or Public Place</p> <p>107.5 The duty pursuant to Section 219(4) of the Act to give public notice of the assigning or changing of a name under Section 219(1) of the Act.</p>	
51319	<p>107. Power to Assign a Name, or Change the Name, of a Road or Public Place</p> <p>107.8 The duty pursuant to Section 219(7) of the Act to publish notice of the adopting or altering of a policy under Section 219 of the Act:</p> <p>107.8.1 in the Gazette; and</p> <p>107.8.2 in a newspaper circulating in the area of the council; and</p>	

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	107.8.3 on a website determined by the Chief Executive Officer.	
51320	108. Numbering of Premises and Allotments 108.1 The power pursuant to Section 220(1) of the Act to adopt a numbering system for buildings and allotments adjoining a road.	
51321	108. Numbering of Premises and Allotments 108.2 The duty pursuant to Section 220(1a) of the Act to assign a number (as part of its primary street address) to all buildings or allotments adjoining a public road created after the commencement of Section 220(1a) of the Act by land division.	
51322	108. Numbering of Premises and Allotments 108.3 The duty pursuant to Section 220(1b) of the Act to ensure that an assignment under Section 220(1a) of the Act occurs within 30 days after the issue of certificate of title in relation to the relevant land division in accordance with any requirements prescribed by regulations made for the purposes of Section 220(1b) of the Act.	
51323	108. Numbering of Premises and Allotments 108.4 The power pursuant to Section 220(2) of the Act to, from time to time, alter a numbering system, or substitute a new numbering system, under Section 220 of the Act.	
51324	108. Numbering of Premises and Allotments 108.5 The duty pursuant to Section 220(3) of the Act to give public notice of the adopting, altering or substituting of a numbering system for a particular road.	
51325	108. Numbering of Premises and Allotments 108.6 The duty pursuant to Section 220(4) of the Act to notify the Valuer-General of the decision to adopt, alter or substitute a numbering system.	
51326	108. Numbering of Premises and Allotments 108.7 The power pursuant to Section 220(6) of the Act to request an 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 Delegate.	
51327	109. Alteration of Road 109.1 The power pursuant to Section to 221(1) and (2) of the Act to authorise a person (other than the Council or a person acting under some other statutory authority) to make an alteration to a public road, such as: 109.1.1 altering the construction or arrangement of the road to permit or facilitate access from an adjacent property; or 109.1.2 erecting or installing a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the road; or 109.1.3 changing or interfering with the construction, arrangement or materials of the road; or 109.1.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings and other objects) associated with the road; or 109.1.5 planting a tree or other vegetation on the road, interfering with vegetation on the road or removing vegetation from the road.	
51328	109. Alteration of Road 109.2 Before authorising the erection or installation of a structure under Section 221(2)(b) of the Act the duty pursuant to Section 221(4) of the Act to give consideration as to whether the structure will: 109.2.1 unduly obstruct the use of the road; or 109.2.2 unduly interfere with the construction of the road; or 109.2.3 have an adverse effect on road safety.	

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51329	<p>109. Alteration of Road</p> <p>109.3 The power pursuant to Section 221(6) of the Act to grant an authorisation under Section 221 of the Act:</p> <p>109.3.1 for a particular act or occasion; or</p> <p>109.3.2 for a term which is, subject to revocation for breach of a condition, to remain in force for a term (not exceeding 42 years) stated in the authorisation and, at the expiration of the term, the power to renew the term for a further term (not exceeding 42 years) fixed by the Delegate at the time of the renewal.</p>	Paragraph 109.3.2, Section 221(6)(b), NOT SUB-DELEGATED to General Manager City Services, Manager Property Assets, Manager Strategic Assets and Asset Data Collection Officer.
51330	<p>110. Permits for Business Purposes</p> <p>110.1 The power pursuant to Section 222(1) of the Act to authorise a person to use a public road for business purposes and to give a permit to do so.</p>	
51331	<p>110. Permits for Business Purposes</p> <p>110.2 Subject to the Act, the power pursuant to Section 222(2) of the Act to issue a permit that grants rights of exclusive occupation in relation to part of a public road.</p>	
51332	<p>110. Permits for Business Purposes</p> <p>110.3 The power pursuant to Section 222(3) of the Act to issue a permit to use a public road for a particular occasion or for a term stated in the permit.</p>	
51333	<p>111. Public Consultation</p> <p>111.1 The duty pursuant to Section 223(1) of the Act before granting the authorisation to alter a public road or the permit to use a public road for business purposes, to follow the relevant steps set out in Council's public consultation policy, if the Delegate proposes to grant an authorisation or permit:</p> <p>111.1.1 that confers a right of exclusive occupation; or</p> <p>111.1.2 that would have the effect of restricting access to a road; or</p> <p>111.1.3 in relation to a use or activity for which public consultation is required under the Regulations.</p>	
51334	<p>111. Public Consultation</p> <p>111.2 The duty pursuant to Section 223(2) of the Act to give written notice of the proposal to agencies that are, under the Regulations, to be notified of the proposal to grant an authorisation to alter a public road or to permit the use of a public road for business purposes.</p>	
51335	<p>112. Conditions of Authorisation or Permit</p> <p>112.1 The power pursuant to Section 224 of the Act subject to Sections 224(2) and (4) of the Act to grant an authorisation or permit under Division 6 of Part 2, Chapter 11 on conditions the Delegate considers appropriate.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
51336	<p>113. Cancellation of Authorisation or Permit</p> <p>113.1 The power pursuant to Section 225(1) of the Act by notice in writing to the holder of an authorisation or permit:</p> <p>113.1.1. in the case of a permit for the purposes of a mobile food vending business under Section 222 of the Act – cancel the permit for breach of a condition if the breach is sufficiently serious to justify cancellation of the permit; or</p> <p>113.1.2 in the any other case - cancel the authorisation or permit for breach of a condition.</p>	
51337	<p>113. Cancellation of Authorisation or Permit</p> <p>113.2 The duty pursuant to Section 225(2) of the Act before cancelling an authorisation or permit, to:</p> <p>113.2.1 give the holder of the authorisation or permit a written notice of the proposed cancellation stating the grounds on which the Delegate proposes to act</p>	

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	and allowing the holder a reasonable period to make written representations to the Delegate on the proposed cancellation; and 113.2.2 consider any representations made in response to the notice	
51338	113. Cancellation of Authorisation or Permit 113.3 The power pursuant to Section 225(3) of the Act to determine if a shorter period of notice should apply under Section 225(2)(a) of the Act, to protect the health or safety of the public, or otherwise to protect the public interest.	
190889	113. Cancellation of Authorisation or Permit 113.3 The power pursuant to Section 225(3) of the Act to determine if a shorter period of notice should apply under Section 225(2)(a) of the Act, to protect the health or safety of the public, or otherwise to protect the public interest.	
190890	13. Cancellation of Authorisation or Permit 113.4 The power pursuant to Section 225(4) of the Act if the Council cancels a permit under Section 225(1)(a) of the Act, to specify at the time of cancellation a period (not exceeding six months) that an application for a permit for the purposes of a mobile food vending business under Section 222 of the Act must not be made by or on behalf of the person who, before the cancellation, held the permit.	
190891	113A Location Rules – General 113A.1 The power pursuant to Section 225A(1) of the Act and subject to Section 225A(2) of the Act, to prepare and adopt rules (location rules) that set out locations within the Council area in which mobile food vending businesses may operate.	
190892	113A Location Rules – General 113A.2 The power pursuant to Section 225A(4) of the Act to: 113A.2.1 from time to time amend the Council's location rules; 113A.2.2 amend its location rules in order that the rules comply with: 113A.2.2.1 any requirement specified by the Minister under Section 225A(2)(b) of the Act; or 113A.2.2.2 any direction given by the Small Business Commissioner under Section 225A(7) of the Act.	
51339	114. Register 114.1 The power and duty pursuant to Section 231(1) and (2) of the Act to keep a register of public roads in the Council's area, which: 114.1.1 includes the information required by regulation; and 114.1.2 may consist (if the Delegate so decides) of a computer record of the relevant information.	
51340	114. Register 114.2 The duty pursuant to Section 231(3) and (4) of the Act to make the register available for public inspection (without charge) and purchase of extracts (upon payment of a fee fixed by the Council) at the principal office of the Council during ordinary office hours.	
51341	115. Trees The power pursuant to Section 232 of the Act to plant vegetation or authorise or permit the planting of vegetation, on a road, only after complying with the following matters (in addition to complying with any other statutory requirement): 115.1 giving consideration to whether the vegetation is, on balance, appropriate to the proposed site taking into account - 115.1.1 environmental and aesthetic issues; and 115.1.2 the use and construction of the road (including the potential for interference with the construction of the road or with structures (including pipes, wires, cables, fixtures, fittings or other objects) in the road); and 115.1.3 road safety matters; and 115.1.4 other matters (if any) considered relevant by the Delegate; and	

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	115.2 where the vegetation may have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area, to follow the relevant steps set out in its public consultation policy.	
51342	116. Damage 116.1 The power pursuant to Section 233(1) and (2) of the Act to recover damages, in the same way as damages for a tort, where a person, without the Council's permission, intentionally or negligently damages a road or a structure (including pipes, wires, cables, fixtures, fittings and other objects) belonging to the Council associated with the road.	
51343	117. Council's Power to Remove Objects etc from Roads 117.1 The power pursuant to Section 234(1) of the Act to remove and dispose of any structure, object or substance from a road if: 117.1.1 it has been erected, placed or deposited on the road without the authorisation or permit required under Part 2 of Chapter 11 of the Act; or 117.1.2 an authorisation or permit has been granted but has later expired or been cancelled.	
51344	117. Council's Power to Remove Objects etc from Roads 117.2 The power pursuant to Section 234(2) of the Act to recover the cost of acting under Section 234 of the Act as a debt from the person who erected, placed or deposited the structure, object or substance on the road.	
51345	117. Council's Power to Remove Objects etc from Roads 117.3 Where, as a result of an accident involving a vehicle or vehicles, any wreckage, objects or materials are left on a road, the power pursuant to Section 234(3) of the Act to clear the area and to recover the cost from the driver of the vehicle or, if more than one vehicle was involved, the driver of any one of the vehicles.	
51347	119. Abandonment of Vehicles and Farm Implements 119.1 The power pursuant to Section 236(2) of the Act to seek an order from the court by which a person is convicted of an offence against Section 236(1) of the Act, that the convicted person pay to the Council any costs incurred by the Council in removing or disposing of a vehicle abandoned on a public road or public place.	
51348	120. Removal of Vehicles 120.1 The duty pursuant to Section 237(4) of the Act to ensure that the owner of the vehicle is notified of the removal of the vehicle: 120.1.1 by written notice in the prescribed form: 120.1.1.1 served on the owner personally; or 120.1.1.2 served on the owner by the use of person-to-person registered post, as soon as practicable after the removal of the vehicle; or 120.1.2 if the owner is unknown or cannot be found - by public notice published in a newspaper circulating generally in the State within 14 days after the removal of the vehicle.	
51349	120. Removal of Vehicles 120.2 If the owner of a removed vehicle does not, within 1 month after service or publication of the notice, pay all expenses in connection with the removal, custody and maintenance of the vehicle, and of serving, publishing or posting the notice, and take possession of the vehicle, the power and duty pursuant to Section 237(5) of the Act to, subject to Section 237(6)(b) of the Act, offer the vehicle for sale by public auction or public tender.	
51350	120. Removal of Vehicles 120.3 The power pursuant to Section 237(6) of the Act to dispose of the vehicle in such manner as the Delegate thinks fit if: 120.3.1 the vehicle is offered for sale but not sold; or	

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	120.3.2 the Delegate reasonably believes that the proceeds of the sale of the vehicle would be unlikely to exceed the costs incurred in selling the vehicle or the costs incidental to removing or holding the vehicle, or those costs combined.	
51351	<p>120. Removal of Vehicles</p> <p>120.4 The duty pursuant to Section 237(7) of the Act, where the vehicle is sold, to apply the proceeds of sale as follows:</p> <p>120.4.1 firstly, in payment of the costs of and incidental to the sale;</p> <p>120.4.2 secondly, in payment of the costs of and incidental to the removal, custody and maintenance of the vehicle and of the notice served, posted or published under Section 237 of the Act;</p> <p>120.4.3 thirdly, in payment of the balance to the owner of the vehicle.</p>	
51352	<p>120. Removal of Vehicles</p> <p>120.5 The duty pursuant to Section 237(8) of the Act to make reasonable inquiry to find the owner of the vehicle following sale and, if after that reasonable inquiry, the owner cannot be found, the duty to pay the balance of the proceeds of sale to the Council.</p>	
51353	<p>120. Removal of Vehicles</p> <p>120.6 The duty pursuant to Section 237(9) of the Act to take reasonable steps to return property found in the vehicle, and where the property cannot be returned, the duty to deal with the property as unclaimed goods under the Unclaimed Goods Act 1987 as if the Council were the bailee of those goods.</p>	
51354	<p>121. Time Limits for Dealing with Certain Applications</p> <p>121.1 Where the power to decide upon certain applications to which the Section applies has been delegated, the duty pursuant to Section 242(1) and (2) of the Act within two months after the relevant date, to make a decision in respect of the application and, if not so decided, it is taken to have been refused.</p>	
51355	<p>121. Time Limits for Dealing with Certain Applications</p> <p>121.2 The duty pursuant to Section 242(3) of the Act to notify the applicant in writing as soon as practicable of a decision or presumptive decision on an application to which Section 242 of the Act applies.</p>	
51356	<p>122. Registrar-General to Issue Certificate of Title</p> <p>122.1 The duty pursuant to Section 243(1) of the Act to apply to the Registrar-General for the issue of a Certificate of Title for the land under the Real Property Act 1896, where land vests for an estate in fee simple in the Council under this Act.</p>	
51357	<p>122. Registrar-General to Issue Certificate of Title</p> <p>122.2 The duty pursuant to Section 243(2) of the Act to make such application to the Registrar-General for the issue of a Certificate of Title as follows:</p> <p>122.2.1 in a manner and form approved by the Registrar-General; and</p> <p>122.2.2 accompanied by:</p> <p>122.2.2.1 Deliberately left blank.</p> <p>122.2.2.2 any surveys of the land and other materials that the Registrar-General may reasonably require; and</p> <p>122.2.2.3 a fee fixed by the Registrar-General.</p>	
51358	<p>123. Liability for Injury, Damage or Loss Caused by Certain Trees</p> <p>123.1 The power and duty pursuant to Section 245 of the Act to take reasonable action in response to a written request by an owner or occupier of property adjacent to a road for the Council to take reasonable action to avert a risk of damage to property of the owner or occupier from a tree growing in the road (whether planted by the Council or not).</p>	
51359	<p>124. Council May Require Bond or Other Security in Certain Circumstances</p> <p>124.1 Subject to Section 245A of the Act, if,</p>	

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	<p>124.1.1 a person has approval to carry out development under the Development Act 1993; and</p> <p>124.1.2 the delegate has reason to believe that the performance of work in connection with the development could cause damage to any local government land (including a road) within the vicinity of the site of the development, the power, pursuant to Section 245A of the Act, to, by notice in writing serve on the person who has the benefit of the approval, require the person to enter into an agreement that complies with any requirements prescribed by the regulations so as to ensure that money is available to address the cost of any damage that may be caused.</p>	
51360	<p>124. Council May Require Bond or Other Security in Certain Circumstances</p> <p>124.2 The power pursuant to Sections 37(b) and 245A of the Act, where a person has approval to carry out development under the Development Act 1993 and a notice in writing has been served pursuant to Section 245A of the Act on the person who has the benefit of the approval, to enter into an agreement that complies with any requirements prescribed by the regulations so as to ensure that money is available to address the cost of any damage that may be caused.</p>	
51361	<p>125. Power to Make By-Laws</p> <p>125.1 The duty pursuant to Section 246(4a) of the Act, if the Council makes a determination under Section 246(3)(e) of the Act, to ensure that notice of the determination is published in the Gazette and in a newspaper circulating in the area of the Council.</p>	
51362	<p>126. Passing By-Laws</p> <p>126.1 If it is proposed that the Council make a by-law, then at least 21 days before the Council resolves to make the by-law, the duty pursuant to Section 249(1) of the Act to:</p> <p>126.1.1 make copies of the proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection, without charge and during ordinary office hours, at the principal office of the Council, and so far as is reasonable practicable on the Internet; and</p> <p>126.1.2 by notice in a newspaper circulating in the area of the Council:</p> <p>126.1.2.1 inform the public of the availability of the proposed by law; and</p> <p>126.1.2.2 set out the terms of the by-law, or describe in general terms the by-law's nature and effect.</p>	
51363	<p>126. Passing By-Laws</p> <p>126.2 Before the Council makes a by-law, the duty pursuant to Section 249(4) of the Act to obtain a certificate, in the prescribed form, signed by a legal practitioner certifying that, in the opinion of the legal practitioner:</p> <p>126.2.1 the Council has power to make the by-law by virtue of a statutory power specified in the certificate; and</p> <p>126.2.2 the by-law is not in conflict with the Act.</p>	
51364	<p>126. Passing By-Laws</p> <p>126.3 The duty pursuant to Section 249(5) of the Act to publish a by-law in the Gazette.</p>	
51365	<p>126. Passing By-Laws</p> <p>126.4 The duty pursuant to Section 249(7) of the Act to publish a notice of the making of a by-law under Section 249 of the Act in a newspaper circulating in the area of the Council.</p>	
51366	<p>127. Model By-Laws</p> <p>127.1 The duty pursuant to Section 250(5) of the Act to publish the resolution adopting a model by-law or alteration made under Section 250 of the Act in the Gazette.</p>	

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51367	127. Model By-Laws 127.2 The duty pursuant to Section 250(7) of the Act to publish a notice of the adoption of a model by-law or alteration made under Section 250 of the Act in a newspaper circulating in the area of the Council.	
51368	128. Register of By-Laws and Certified Copies 128.1 The duty pursuant to Section 252(1) and (2) to cause a separate register to be kept of all by-laws made or adopted by the Council; such register to include a copy of any code, standard or other document referred to or incorporated in a by-law.	
51369	128. Register of By-Laws and Certified Copies 128.2 The duty pursuant to Section 252(3) and (4) of the Act to make available the register of by-laws for inspection or purchase an extract from the register (on payment of a fee fixed by the Council) by the public at the principal office of the Council during ordinary office hours.	
51370	128. Register of By-Laws and Certified Copies 128.4 The duty pursuant to Section 252(5) of the Act to make available, on payment of a fee fixed by the Council, a certified copy of a by-law of the Council in force at the particular time.	
51371	129. Power to Make Orders 129.1 The power pursuant to Section 254 of the Act to order a person to do or to refrain from doing a thing specified in Column 1 of the Table in Part 2 of Chapter 12, if in the opinion of the Delegate, the circumstances specified in Column 2 of the Table exist and the person is within the description in Column 3 of the Table.	1) EHO1, Adam Bowden, when required on temporary or contract basis. 2) Local Nuisance & Litter Control Act 2016 amends this section effective 1 July 2017.
51372	130. Procedures to be Followed 130.1 The duty pursuant to Section 255(1) of the Act before taking action to make an order under Part 2 of Chapter 12 (but subject to this Section), to give the person to whom it is proposed that the order be directed a notice in writing: 130.1.1 stating the proposed action, including the terms of the proposed order and the period within which compliance with the order will be required; and 130.1.2 stating the reasons for the proposed action; and 130.1.3 inviting the person to show, within a specified time (being a reasonable period), why the proposed action should not be taken (by making representations to the Delegate).	EHO1, Adam Bowden, when required on temporary or contract basis.
51373	130. Procedures to be Followed 130.2 If a notice of intention to make an order is directed to a person who is not the owner of the relevant land, the duty pursuant to Section 255(2) of the Act to take reasonable steps to serve a copy of the notice on the owner.	EHO1, Adam Bowden, when required on temporary or contract basis.
51374	130. Procedures to be Followed 130.3 The power pursuant to Section 255(3) of the Act after considering representations made within the time specified under Section 255(1) of the Act: 130.3.1 to make an order in accordance with the terms of the original proposal; or 130.3.2 to make an order with modifications from the terms of the original proposal; or 130.3.3 to determine not to proceed with an order.	EHO1, Adam Bowden, when required on temporary or contract basis.
51375	130. Procedures to be Followed 130.4 The power pursuant to Section 255(5) of the Act to: 130.4.1 include two or more orders in the same instrument;	EHO1, Adam Bowden, when required on temporary or contract basis.

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	130.4.2 direct two or more persons to do something specified in the order jointly.	
51376	<p>130. Procedures to be Followed</p> <p>130.5 The duty pursuant to Section 255(6) of the Act to ensure that the order:</p> <p>130.5.1 subject to Section 255 of the Act, specifies a reasonable period within which compliance with the order is required; and</p> <p>130.5.2 states the reasons for the order.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
51377	<p>130. Procedures to be Followed</p> <p>130.6 The duty pursuant to Section 255(7) of the Act to serve an order in accordance with Part 2 of Chapter 14 of the Act on the person to whom it is addressed.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
51378	<p>130. Procedures to be Followed</p> <p>130.7 If an order is directed to a person who is not the owner of the relevant land, the duty pursuant to Section 255(8) of the Act to take reasonable steps to serve a copy of the order on the owner.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
51379	<p>130. Procedures to be Followed</p> <p>130.8 The power pursuant to Section 255(11) of the Act at the request or with the agreement of the person to whom an order is directed, to vary the order on the Delegate's own initiative, or to revoke an order if satisfied that it is appropriate to do so.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
51380	<p>130. Procedures to be Followed</p> <p>130.9 If the Delegate, in the circumstances of a particular case, considers:</p> <p>130.9.1 that an activity constitutes, or is likely to constitute, a threat to life or an immediate threat to public health or public safety; or</p> <p>130.9.2 that an emergency situation otherwise exists, the Delegate has the power pursuant to Section 255(12) of the Act to:</p> <p>130.9.3 Proceed immediately to make an order under this Section without giving notice under Section 255(1); and</p> <p>130.9.4 require immediate compliance with an order despite Section 255(6)(a).</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
51381	<p>131. Rights of Review</p> <p>131.1 The duty pursuant to Section 256(1) and (2) of the Act to ensure that an order made under Part 2 of Chapter 12 includes a statement setting out the rights of the person to appeal against the order under the Act, and to include the information specified by the Regulations to the Act.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
51382	<p>132. Action on Non-Compliance</p> <p>132.1 The power pursuant to Section 257(1) of the Act, where the requirements of an order are not complied with within the time fixed for compliance, or if there is an application for review, within 14 days after the determination of the review, to (subject to the outcome of any review) take the action required by the order.</p>	
51383	<p>132. Action on Non-Compliance</p> <p>132.2 The power pursuant to Section 257(2) of the Act to authorise an employee or another person to take action under Section 257(1) of the Act.</p>	
51384	<p>132. Action on Non-Compliance</p> <p>132.3 The power pursuant to Section 257(3) of the Act to take action to recover the reasonable costs and expenses incurred by the Council in taking action for the non-compliance with an order, as a debt from the person who failed to comply with the requirements of the order.</p>	
51385	<p>132. Action on Non-Compliance</p> <p>132.4 The power pursuant to Section 257(5) of the Act where an amount is recoverable from a person by the Council for action of non-compliance with an order, by notice in writing to the person, to fix a period, being not less than 28</p>	

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	<p>days from the date of the notice, within which the amount must be paid and, if the amount is not paid by the person within that period:</p> <p>132.4.1 the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid; and</p> <p>132.4.2 if the person is the owner of the land to which the order relates - the power, in accordance with Schedule 6, to impose a charge over the land for the unpaid amount, together with interest.</p>	
51387	<p>133. Councils to Develop Policies</p> <p>133.2 The power and duty pursuant to Section 259(2) of the Act to:</p> <p>132.2.1 prepare a draft of a Policy; and</p> <p>133.2.2 by notice in a newspaper circulating in the area of the Council, give notice of the place or places at which copies of the draft are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) and invite interested persons to make written representations on the draft within a period specified by the Council or the Delegate (being at least four weeks).</p>	
51388	<p>133. Councils to Develop Policies</p> <p>133.3 The duty pursuant to Section 259(3) of the Act to consider any submission made on a proposed policy in response to an invitation under Section 259(2) of the Act.</p>	
51390	<p>133. Councils to Develop Policies</p> <p>133.5 The duty pursuant to Section 259(5) of the Act before adopting an amendment to a policy, to take the steps specified in Section 259(2) and (3) (as if the amendment were a new policy), unless the Council or the Delegate determines the amendment is only of minor significance.</p>	
51391	<p>133. Councils to Develop Policies</p> <p>133.6 The duty pursuant to Sections 259(6) and (7) of the Act to make a policy available for inspection (without charge) and purchase (upon payment of a fee fixed by the Council) at the principal office of the Council during ordinary office hours.</p>	
51392	<p>133. Councils to Develop Policies</p> <p>133.7 The duty pursuant to Section 259(8) of the Act in considering whether to make an order under Part 2 of Chapter 12 of the Act, to deal with the particular case on its merits and the duty to take into account any relevant policy under Division 3 of Part 2, Chapter 12 of the Act.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
51395	<p>134. Appointment of Authorised Persons</p> <p>134.3 The power and duty pursuant to Section 260(3) of the Act to issue to an authorised person an identity card:</p> <p>134.3.1 containing a photograph of the authorised person; and</p> <p>134.3.2 identifying any conditions or limitations imposed under Section 260(2) of the Act.</p>	
51398	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.0 The power and duty pursuant to Section 270(a2) of the Act to ensure the policies, practices and procedures required under Section 270(a1) of the Act, are directed towards:</p> <p>135.0.1 dealing with the relevant requests or complaints in a timely, effective and fair way; and</p> <p>135.0.2 using information gained from the Council's community to improve its services and operations.</p>	
51400	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.2 The duty pursuant to Section 270(2) of the Act to ensure that the procedures established under Section 270(1) of the Act address the following matters (and any other matters which the Delegate or the Council determines to</p>	

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	<p>be relevant):</p> <p>135.2.1 the manner in which an application for review may be made;</p> <p>135.2.2 the assignment of a suitable person to reconsider a decision under review;</p> <p>135.2.3 the matters that must be referred to the Council itself for consideration or further consideration;</p> <p>135.2.3A in the case of applications that relate to the impact that any declaration of rates or service charges may have had on ratepayers - the provision to be made to ensure that these applications can be dealt with promptly and, if appropriate, addressed through the provision of relief or concessions under the Act;</p> <p>135.2.4 the notification of the progress and outcome of an application for review;</p> <p>135.2.5 the timeframes within which notifications will be made and procedures on a review will be completed.</p>	
51401	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.3 The power pursuant to Section 270(4) of the Act to refuse to consider an application for review of a decision under Section 270 of the Act, if:</p> <p>135.3.1 the application was made by an employee of the Council and relates to an issue concerning his or her employment; or</p> <p>135.3.2 it appears that the application is frivolous or vexatious; or</p> <p>135.3.3 the applicant does not have a sufficient interest in the matter.</p>	
51402	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.4 The power and duty pursuant to Section 270(5) of the Act to ensure that copies of a document concerning the policies, practices and procedures that apply under Section 270 of the Act are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.</p>	
51403	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.5 The power pursuant to Section 270(6) of the Act to, from time to time, amend the policies, practices and procedures established under Section 270 of the Act.</p>	
51404	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.6 The power and duty pursuant to Section 270(8) of the Act to, on an annual basis, initiate and consider a report that relates to:</p> <p>135.6.1 the number of applications for review made under Section 270; and</p> <p>135.6.2 the kinds of matters to which the applications relate; and</p> <p>135.6.3 the outcome of applications under this Section; and</p> <p>135.6.4 such other matters as may be prescribed by the Regulations.</p>	
51405	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.7 The power pursuant to Section 270(9) of the Act on an application for the provision of some form of relief or concession with respect to the payment of those rates, to, if appropriate, in view of the outcome of the application, refund the whole or a part of any amount that has been paid.</p>	
51406	<p>136. Mediation, Conciliation and Neutral Evaluation</p> <p>136.1 The power pursuant to Section 271(1) of the Act as part of, or in addition to, the procedures established under Section 270 of the Act, to make provision for disputes between a person and the Council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation.</p>	

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51407	<p>136. Mediation, Conciliation and Neutral Evaluation</p> <p>136.2 The duty pursuant to Section 271(2) of the Act to provide for the constitution of panels of persons who are available to act as mediators, conciliators and evaluators, and for the selection of an appropriate mediator, conciliator or evaluator, if a dispute is to be dealt with under a Scheme established under Section 271(1) of the Act.</p>	
51408	<p>136A. Provision of Information to Minister</p> <p>136A.1 The power and duty, pursuant to Section 271A of the Act, to, at the request of the Minister, provide to the Minister specified information, or information of a specified kind, relating to the affairs or operations of the Council.</p>	
51409	<p>136A. Provision of Information to Minister</p> <p>136A.2 The power pursuant to Section 271A(3) of the Act to, provide information in accordance with a request under Section 271A(1) of the Act, even if:</p> <p>136AA.2.1 the information was given to the Council in confidence; or</p> <p>136AA.2.2 is held on a confidential basis under Chapter 6 Part 4.</p>	
51410	<p>136B. Minister May Refer Investigation of Council to Ombudsman</p> <p>136B.1 The power pursuant to Section 272(3) of the Act, to, before the Minister refers a matter, explain the Council's actions and make submissions to the Minister.</p>	
51411	<p>136B. Minister May Refer Investigation of Council to Ombudsman</p> <p>136B.2 The power pursuant to Section 272(5) of the Act, to make submissions to the Minister in relation to the matter.</p>	
51412	<p>136C. Action on a Report</p> <p>136C.1 The power pursuant to Section 273(3) of the Act to make submissions to the Minister on the report on which the action is based.</p>	
51415	<p>136E. Action on a Report</p> <p>136E.1 The power pursuant to Section 275(2) of the Act to make submissions to the Minister.</p>	
51416	<p>137. Special Jurisdiction</p> <p>137.1 The power pursuant to Section 276(1) and (2) of the Act to commence, defend or participate in the following proceedings before the District Court, on behalf of the Council:</p> <p>137.1.1 proceedings to try the title of a member to an office;</p> <p>137.1.2 proceedings to try the right of a person to be admitted or restored to an office;</p> <p>137.1.3 proceedings to compel restoration or admission;</p> <p>137.1.4 proceedings to compel the Council to proceed to an election, poll or appointment;</p> <p>137.1.5 proceedings to try the validity of a rate or service charge;</p> <p>137.1.6 proceedings to try the validity of a by-law;</p> <p>137.1.7 proceedings to compel the production or delivery of any books, voting papers, or other documents or papers to the production or possession of which the Council or person is entitled under this Act.</p>	
51442	<p>138. Service of Documents by Councils etc</p> <p>138.1 Where a document is required or authorised to be served on or given to a person by the Council, the power and duty to effect service in accordance with and pursuant to Section 279 of the Act.</p>	
51417	<p>139. Service of Documents on Councils</p> <p>139.1 The power pursuant to Section 280(1)(c) and (d) of the Act to determine the means available for service of documents on the Council and the power to accept or authorise a person to accept documents on Council's behalf.</p>	

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51418	140. Recovery of Amounts from Lessees or Licensees 140.1 Where an owner of land is liable to pay an amount to the Council, the power pursuant to Section 281(1) of the Act by written notice to a lessee or licensee of the land, to require him or her to pay to the Council rent or other consideration payable under the lease or license in satisfaction of the liability to the Council.	
51419	141. Ability of Occupiers to Carry out Works 141.1 Where an owner of land fails to carry out work that the Council has required the owner to carry out under an Act, the power pursuant to Section 282(1) of the Act to give approval to the occupier of the land to cause the work to be carried out.	
51420	142. Power to Enter and Occupy Land in Connection with an Activity 142.1 The duty pursuant to Section 294(1a) of the Act and subject to Section 294(1b) of the Act, to give an owner or occupier of land at least 48 hours notice in writing of an intention to exercise a power under Section 294(1)(b) or (c) of the Act.	
51421	142. Power to Enter and Occupy Land in Connection with an Activity 142.2 The duty pursuant to Section 294(3) of the Act: 142.2.1 to pay to the owner or occupier of the land rent on a quarterly or half-yearly basis, at a rate to be determined by agreement between the Council and the owner or occupier or, in default of agreement, by the Land and Valuation Court; and 142.2.2 to pay to the owner or occupier of the land within 1 month after occupying the land - reasonable compensation for damage caused to any crops on the land; and 142.2.3 within 6 months of ceasing to occupy the land: 142.2.3.1 remedy damage to land caused by the Council while in occupation of the land (to such extent as this may be reasonably practicable); and 142.2.3.2 to pay to the owner or occupier of the land reasonable compensation for any other loss or damage caused by the Council, including the full value of any earth, minerals or resources taken from the land;	
51422	142. Power to Enter and Occupy Land in Connection with an Activity 142.3 The duty pursuant to Section 294(5) of the Act, at the request of an owner or occupier of the land entered and occupied by Council, to erect a fence of reasonable quality and design between the occupied land and the adjoining land.	
51443	143. Reclamation of Land 143.1 Where the Council raises, fills in, improves, drains, levels or reclaims land in the area of the Council, the power pursuant to Section 296(1) of the Act to recover the whole or a proportion of the cost of the work from the owners of adjacent or adjoining rateable land improved by the performance of the work in proportion to additional value the work has added to the land.	
51423	143. Reclamation of Land 143.2 The power pursuant to Section 296 (2) of the Act to appoint a valuer to determine the additional value added to the land by Council's activities, under Section 296(1) of the Act.	
51424	143. Reclamation of Land 143.3 The duty pursuant to Section 296(3) of the Act to give notice of a valuation to the relevant owner under this Section of the Act.	
51425	143. Reclamation of Land 143.4 The duty pursuant to Section 296(5) of the Act to conduct an objection or review in the same manner as an objection to or appeal against a valuation under Division 6 of Part 1, Chapter 10 of the Act.	
51426	144. Property in Rubbish 144.1 The power pursuant to Section 297 of the Act to sell or dispose of any rubbish that the Council collects within its area, as the Delegate thinks appropriate.	

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51427	145. Power of Council to Act in Emergency 145.1 Where flooding in the area of the Council has occurred or is imminent and the Delegate is of the opinion that a situation of emergency has arisen in which there is danger to life or property, the power pursuant to Section 298(1) of the Act to order that action be taken as the Delegate thinks fit to avert or reduce the danger.	
51430	147. Costs of Advertisements 147.1 The duty pursuant to Section 300(1) of the Act to pay the cost of an advertisement required by the Act, or where the Council or an employee of the Council takes any action that immediately necessitates the advertisement.	
87479	148A Use of Facilities 148A.1 The power pursuant to Clause 13 of Schedule 1A of the Act to arrange with the Authority for the Authority to make use of the services of the staff, equipment or facilities of the Council.	
87480	151A Preparation of Stormwater Management Plans by Councils 151A.1 The power pursuant to Clause 17(1) of Schedule 1A of the Act to prepare a stormwater management plan which: (a) complies with the guidelines issued by the Authority; and (b) is prepared in consultation with the relevant regional NRM board or boards; and (c) is prepared in accordance with any other procedures or requirements prescribed by the Regulations.	
87481	151B Authority May Issue Order 151B.1 The power pursuant to Clause 20(5) of Schedule 1A of the Act, before the Authority takes any action under Clause 20(4) of Schedule 1A of the Act, to make submissions to the Authority in relation to the matter.	
87482	151B.2 The power pursuant to Clause 20(6) of Schedule 1A of the Act, if costs and expenses are to be recovered from the Council as a debt, to enter into an agreement with the Authority for the debt to be repaid over a period of time, subject to the payment by the Council of interest on the debt (and the power to agree the rate with the Authority).	
87483	154. Special Powers in Relation to Land 154.1 The power pursuant to Clause 24(1) of Schedule 1A of the Act and in accordance with Clause 24(2) of Schedule 1A of the Act, for the purpose of taking 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 of Schedule 1 of the Act, to: (a) enter and occupy any land; and (b) construct, maintain or remove any infrastructure; and (c) excavate any land; and (d) inspect, examine or survey any land and for that purpose: (i) fix posts, stakes or other markers on the land; and (ii) dig trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and (iii) remove samples for analysis. (e) alter water table levels, stop or reduce the flow of water in a watercourse, divert water flowing in a watercourse to another watercourse or to a lake or control the flow of water in any other manner; and (f) hold any water in a watercourse or lake or by any other means; and (g) divert water to an underground aquifer, dispose of water to a lake, underground aquifer or the sea, or deal with water in any other manner; and (h) deepen, widen or change the course of a watercourse, deepen or widen a lake or take action to remove any obstruction to the flow of water; and (i) undertake any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation); and (j) undertake any testing, monitoring or evaluation; and (k) undertake any other activity of a prescribed kind.	
87484	154.2 The power pursuant to Clauses 24(2)(b) and 25 of Schedule 1A of the Act to acquire an easement or other appropriate interest over the relevant land by	

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	agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws.	
87485	155. Entry and Occupation of Land Other Than Council Land 155.1 The power pursuant to Clause 25(2) of Schedule 1A of the Act, subject to Clause 25(3) of Schedule 1A of the Act, to give reasonable notice of an intention to enter, or to enter and occupy, land in accordance with Clause 24 of Schedule 1A of the Act to the occupier of the land.	
87486	155.2 The power pursuant to Clause 25(3)(b) of Schedule 1A of the Act to, in an emergency, give such notice (if any) as the delegate considers is reasonable in the circumstances.	
87487	156. Vesting of Infrastructure, etc 156.1 The power pursuant to Clause 26(3) of Schedule 1A of the Act to, before the Minister publishes a notice vesting the care, control and management of infrastructure or land in the Council under Clauses 26(1) or (2) of Schedule 1A of the Act make submissions to the Minister in relation to the proposed notice.	
171538	161. Payment of Building Upgrade Charge 161.1 The power pursuant to Clause 7(2) of Schedule 1B of the Act, on payment of money in respect of a building upgrade charge to the Council, to deduct and retain any service fee and late payment fee authorised by the building upgrade agreement.	
171539	161. Payment of Building Upgrade Charge 161.2 The power pursuant to Clause 7(3) of Schedule 1B of the Act in relation to money paid to the Council in respect of a building upgrade charge, to, other than any service fee and late payment fee retained by the Council, 161.2.1 hold that money on behalf of the finance provider pending payment to the finance provider; and 161.2.2 pay that money to the finance provider in accordance with the terms of the building upgrade agreement under which the charge was levied.	
171540	162. Sale of Land for Non-payment of Building Upgrade Charge 162.1 The power pursuant to Clause 9(1) of Schedule 1B of the Act, subject to clause 9 of Schedule 1B of the Act to, if an amount for which a building owner is liable in respect of a building upgrade charge remains unpaid for more than 3 years, sell the relevant land in accordance with the regulations.	
171541	162. Sale of Land for Non-payment of Building Upgrade Charge 162.2 The power pursuant to Clause 9(2) of Schedule 1B of the Act to, apply any money received by the Council in respect of the sale of land under Clause 9 of Schedule 1B of the Act as follows: 162.2.1 firstly – in paying the costs of the sale and any other costs incurred in proceeding under Clause 9 of Schedule 1B of the Act; 162.2.2 secondly – in discharging any liabilities to the Council in respect of the land (other than any building upgrade charge, service fee or late payment fee in relation to a building upgrade charge); 162.2.3 thirdly – in discharging any liability to the Council for a building upgrade charge, service fee or late payment fee in relation to a building upgrade charge; 162.2.4 fourthly – in discharging any liability to the Crown for rates, charges or taxes, or any prescribed liability to the Crown in respect of the land; 162.2.5 fifthly – in discharging any liabilities secured by registered mortgages, encumbrances or charges; 162.2.6 sixthly – in discharging any other mortgages, encumbrances or charges of which the Council has notice; 162.2.7 seventhly – in payment to the owner of the land.	
171542	162. Sale of Land for Non-payment of Building Upgrade Charge 162.3 The power pursuant to Clause 9(3) of Schedule 1B of the Act, if the owner cannot be found after making reasonable inquiries as to his or her whereabouts, to deal with an amount payable to the owner as unclaimed money under the Unclaimed Moneys Act 1891.	
171543	163. Repayment of Advances to Finance Provider 163.1 The power pursuant to Clause 10(2) of Schedule 1B of the Act, if a building upgrade agreement is terminated before all the money that the finance provider agreed to advance to the building owner is advanced, to:	

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	163.1.1 adjust the building upgrade charge to reflect the lower amount advanced to the building owner; and 163.1.2 give the building owner written notice of the adjustment.	
171544	163. Repayment of Advances to Finance Provider 163.2 The power pursuant to Clause 10(3) of Schedule 1B of the Act, if, as a result of an adjustment being made to a building upgrade charge under clause 10 of Schedule 1B of the Act: 163.2.1 the building owner has made payment in respect of the charge in excess of the adjusted amount; and 163.2.2 the excess amount has been paid by the Council to the finance provider, to refund the building owner the excess amount paid.	
171545	164. Register of Building Upgrade Agreements 164.1 The power pursuant to Clause 13(1) of Schedule 1B of the Act to keep a register of building upgrade agreements in accordance with Clause 13(2) of Schedule 1B of the Act.	
171546	164. Register of Building Upgrade Agreements 164.2 The power pursuant to Clause 13(3) of Schedule 1B of the Act to make available the register for inspection (without charge) by a member of the public at the principal office of the Council during ordinary office hours and to provide a person with an extract from the register (without charge).	

LOCAL NUISANCE & LITTER CONTROL ACT 2016

Instrument of Delegation under the *Local Nuisance and Litter Control Act 2016* and *Local Nuisance and Litter Control Regulations 2017*

#	Item Delegated	Conditions and Limitations
126365	<p>1. Authorised Officers</p> <p>1.1 The power pursuant to Section 12(3) of the Local Nuisance and Litter Control Act 2016 (the Act), to appoint:</p> <p>1.1.1 specified officers or employees of the Council; or</p> <p>1.1.2 a specified class of officers or employees of the Council,</p> <p>to be authorised officers for the purposes of the Act.</p>	
126366	<p>1. Authorised Officers</p> <p>1.2 The power pursuant to Section 12(4) of the Act to make an appointment subject to conditions specified in the instrument of appointment.</p>	
126367	<p>1. Authorised Officers</p> <p>1.3 The power pursuant to Section 12(6) of the Act to, at any time, revoke an appointment, or vary or revoke a condition specified in the instrument of an appointment or impose a further such condition.</p>	
126368	<p>2. Identity Cards</p> <p>2.1 The duty pursuant to Section 13(2) of the Act where the Minister has not designated a card issued by the Council to an authorised officer appointed by the Council as an identity card for the purposes of the Act, to issue an authorised officer appointed under the Act, with an identity card in a form approved by the Minister:</p> <p>2.1.1 containing the person's name and a recent photograph of the person; and</p> <p>2.1.2 stating that the person is an authorised officer for the purposes of the Act; and</p> <p>2.1.3 specifying the name of the Council.</p>	
126369	<p>2. Identity Cards</p> <p>2.2 The duty pursuant to Section 13(3) of the Act to issue an identity card as soon as is reasonably practicable after the appointment is made.</p>	
126370	<p>3. Limit of Area of Authorised Officers Appointed by Councils</p> <p>3.1 The power pursuant to Section 15(a) of the Act to agree in writing to an authorised officer appointed by another council exercising powers under the Act in the Council's area.</p>	
126371	<p>4. Provisions Relating to Seizure</p> <p>4.1 The duty pursuant to Section 16(1)(a) of the Act if a substance, material or thing has been seized under Division 3 of the Act, to hold the substance, material or thing seized pending proceedings for an offence against the Act.</p>	
126372	<p>4. Provisions Relating to Seizure</p> <p>4.2 The power pursuant to Section 16(1)(a) of the Act, on application, authorise the release of the substance, material or thing seized to the person from whom it was seized, or to any person who had legal title to it at the time of its seizure, subject to such conditions as the delegate thinks fit.</p>	
126373	<p>4. Provisions Relating to Seizure</p> <p>4.3 The power pursuant to Section 16(1)(e) of the Act if a person is, under section 16 of the Act, entitled to recover any substance, material or thing, to request the person do so.</p>	
126374	<p>4. Provisions Relating to Seizure</p> <p>4.4 The power pursuant to Section 16(1)(f) of the Act to direct that any substance, material or thing forfeited under Section 16 of the Act be disposed of.</p>	

#	Item Delegated	Conditions and Limitations
126375	5. Exemptions from Application of Section 18 5.1 The power pursuant to Section 19(1) of the Act to declare by notice in writing in accordance with Section 19 of the Act that a person is exempt from the application of Section 18 of the Act in respect of a specified activity to be carried on in the Council's area.	
126376	5. Exemptions from Application of Section 18 5.2 The power pursuant to Section 19(2) of the Act to require an application for a declaration under Section 19 of the Act made to the Council to be accompanied by any other information in connection with the application that the delegate may require.	
126377	5. Exemptions from Application of Section 18 5.3 The duty pursuant to Section 19(3) of the Act to not make a declaration under Section 19 of the Act unless the delegate is satisfied that: 5.3.1 there are exceptional circumstances that justify the making of the declaration; and	
137908	5. Exemptions from Application of Section 18 5.3 The duty pursuant to Section 19(3) of the Act to not make a declaration under Section 19 of the Act unless the delegate is satisfied that: 5.3.2 the applicant's nuisance management plan adequately sets out the measures that the person will take to prevent, minimise or address any anticipated adverse effects from the specified activity on the amenity value of the area concerned.	
126378	5. Exemptions from Application of Section 18 5.4 The power pursuant to Section 19(4) of the Act to make a declaration unconditional or subject to conditions, including (but not limited to) conditions relating to: 5.4.1 the permitted times or periods of time for carrying on the activity; or 5.4.2 the manner of carrying on the activity.	
126379	5. Exemptions from Application of Section 18 5.5 The power pursuant to Section 19(5) of the Act to, by further notice in writing, vary or revoke a declaration under Section 19 of the Act.	
126380	5.6 The: 5.6.1 power pursuant to Section 19(7) of the Act to determine the website for publishing a declaration made under Section 19 of the Act and any variations of the declaration; and	
135052	5.6 The: 5.6.2 duty pursuant to Section 19(7) of the Act to publish a declaration made under Section 19 of the Act and any variations of the declaration, on a website determined by the Council or the delegate.	
126381	6. Disposing of Litter 6.1 The power pursuant to Section 22(3)(a)(i) of the Act to provide a bin or other receptacle in the Council's area for the disposal of litter.	
126382	6. Disposing of Litter 6.2 The power pursuant to Section 22(3)(a)(ii) of the Act to approve or authorise the manner of the disposal of litter in the Council's area.	
126383	7. Liability of Vehicle Owners 7.1 The duty pursuant to Section 26(3) of the Act, to accompany an expiation notice or expiation reminder notice given under the Expiation of Offences Act 1996 to the owner of a vehicle for an alleged offence against Section 26 of the Act involving the vehicle with a notice inviting the owner, if he or she was not the alleged principal offender, to provide the Council or officer specified in the notice, within the period specified in the notice, with a statutory declaration: 7.1.1 setting out the name and address of the person who the owner believes to	

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	<p>have been the alleged principal offender; or</p> <p>7.1.2 if he or she had transferred ownership of the vehicle to another prior to the time of the alleged principal offence and has complied with the Motor Vehicles Act 1959 or the Harbors and Navigation Act 1993 (as the case may require) in respect of the transfer – setting out details of the transfer (including the name and address of the transferee).</p>	
126384	<p>7. Liability of Vehicle Owners</p> <p>7.2 The power pursuant to Section 26(4) of the Act, to bring a prosecution for an offence against Section 26 of the Act against one of the owners or against some or all of the owners jointly as co-defendants.</p>	
126385	<p>7. Liability of Vehicle Owners</p> <p>7.3 The duty pursuant to Section 26(5) of the Act, before proceedings are commenced against the owner of a vehicle for an offence against Section 26 of the Act to send the owner a notice:</p> <p>7.3.1 setting out particulars of the alleged principal offence; and</p> <p>7.3.2 inviting the owner, if he or she was not the alleged principal offender or the owner of the vehicle at the time of the alleged principal offence, to provide the Council, within 21 days of the date of the notice, with a statutory declaration setting out any matters referred to in subsection 3(a)(and (b).</p>	
126386	<p>7. Liability of Vehicle Owners</p> <p>7.4 The duty pursuant to Section 26(9) of the Act, if:</p> <p>7.4.1 an expiation notice is given to a person named as the alleged principal offender in a statutory declaration under Section 26, or</p> <p>7.4.2 proceedings are commenced against such a person, to accompany the notice or summons, as the case may be, with a notice setting out particulars of the statutory declaration that named the person as the alleged principal offender.</p>	
126387	<p>7. Liability of Vehicle Owners</p> <p>7.5 The duty pursuant to Section 26(10) of the Act to not include in the particulars of the statutory declaration provided to the alleged principal offender the address of the person who provided the statutory declaration.</p>	
126388	<p>8. Notification of EPA of Serious or Material Environmental Harm</p> <p>8.1 The duty pursuant to Section 29 of the Act, if the delegate has reason to believe that an offence committed under Sections 18 or 22 of the Act has, or may have, resulted in material environmental harm, or serious environmental harm, within the meaning of the Environment Protection Act 1993, to, as soon as practicable, notify the Environment Protection Authority of that belief.</p>	
126389	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.1 The power pursuant to Section 30(1)(a) of the Act to issue a nuisance abatement notice for or in connection with securing compliance with Part 4 Division 1 of the Act.</p>	
126390	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.2 The power pursuant to Section 30(1)(b) of the Act to issue a litter abatement notice for or in connection with securing compliance with Part 4 Division 2 of the Act.</p>	
126391	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3 The</p> <p>9.3.1 duty pursuant to Section 30(2) of the Act in relation to a notice under Section 30 of the Act to ensure it:</p> <p>9.3.1.1 is in the form of a written notice served on the person to whom it is issued; and</p> <p>9.3.1.2 specifies the person to whom it is issued (by name or by a description</p>	

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	<p>sufficient to identify the person); and specifies the purpose for which it is issued; and</p> <p>9.3.2 power pursuant to Section 30(2) of the Act, in relation to a notice under Section 30 of the Act, to:</p> <p>9.3.2.1 direct two or more persons to do something specified in the notice jointly; and</p> <p>9.3.2.2 impose a requirement that the person do one or more of the following:</p>	
126427	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (a) discontinue, or not commence, a specified activity indefinitely or for a specified period or until further notice;</p>	
126428	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (b) not carry on a specified activity except at specified times or subject to specified conditions;</p>	
126429	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (c) take specified samples or conduct specified tests, examinations, monitoring or analyses at specified times or intervals or for a specified period or until further notice;</p>	
126430	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (d) furnish to the Council specified results or reports within a specified period;</p>	
126431	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (e) clean up litter that the Council or delegate considers to have been caused by a contravention of this Act;</p>	
126432	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (f) make good any damage to property that the Council or delegate considers to have been caused by a contravention of this Act;</p>	
126433	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (g) prepare, in accordance with specified requirements and to the satisfaction of the Council or delegate, a plan of action for the purposes of securing compliance with any requirement of the Act or preventing any future contravention of the Act;</p>	
126434	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (h) take such other specified action in a specified way, and within a specified period or at specified times or in specified circumstances; and</p>	
126435	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (i) in the case of a litter abatement notice, impose a requirement that the person prepare, in accordance with specified requirements and to the satisfaction of the Council or delegate, a plan of action for the purposes of:</p> <p>A. preventing the escape of litter from business premises; or</p> <p>B. keeping a specified area (not exceeding 100 metres) around business premises free from litter; and</p>	
126436	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (j) impose any other requirement prescribed by regulation; and</p>	
126437	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.3.2.2 (k) ensure it states that the person may, within 14 days, appeal against the notice to the Environment Resources and Development Court.</p>	
126392	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.4 The power pursuant to Section 30(3) of the Act to issue a notice under Section 30 of the Act jointly with one or more other councils to prevent the person contravening a provision of the Act in those council areas.</p>	
126393	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.5 The power pursuant to Section 30(4) of the Act to issue a notice under Section 30 of the Act that relates to an activity or conditions on premises to:</p>	

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	<p>9.5.1 the owner or occupier of the premises; or</p> <p>9.5.2 a person who has the management or control of the premises; or</p> <p>9.5.3 a person who is the trustee of a person referred to in paragraph (a) or (b) or Section 30(4) of the Act, or is managing the affairs of such a person on some other basis.</p>	
126394	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.6 The duty pursuant to Section 30(6) of the Act, if an emergency notice issued orally, to advise forthwith the person to whom the notice is issued of the person's right to appeal against the notice to the Environment, Resources and Development court.</p>	
126395	<p>9. Nuisance and Litter Abatement Notices</p> <p>9.7 The power pursuant to Section 30(8) of the Act, to, by written notice served on a person to whom a notice under section 30 of the Act has been issued by the Council, vary or revoke the notice.</p>	
126396	<p>10. Action on Non-compliance with Notice</p> <p>10.1 The power pursuant to Section 31 of the Act, if the requirements of a nuisance abatement notice or litter abatement notice issued by Council are not complied with, to take any action required by the notice.</p>	
126397	<p>10. Action on Non-compliance with Notice</p> <p>10.2 The power pursuant to Section 31(2) of the Act to authorise a person to take action under section 31(1) of the Act on behalf of the Council.</p>	
126398	<p>10. Action on Non-compliance with Notice</p> <p>10.3 The duty pursuant to Section 30(3) of the Act, if the delegate authorises a person to take action under section 31(2) of the Act to issue the person with an instrument of authority.</p>	
126399	<p>10. Action on Non-compliance with Notice</p> <p>10.4 The power pursuant to Section 31(5) of the Act to recover the reasonable costs and expenses incurred by the Council in taking action under Section 31 of the Act as a debt from the person who failed to comply with the requirements of the notice.</p>	
126400	<p>10. Action on Non-compliance with Notice</p> <p>10.5 The power pursuant to Section 31(6) of the Act, if an amount is recoverable from a person under Section 31 of the 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, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid.</p>	
126401	<p>11. Civil Remedies</p> <p>11.1 The power pursuant to Sections 33(1) and (6) of the Act to apply to the Environment, Resources and Development court for one or more of the following orders:</p> <p>11.1.1 if a person has engaged, is engaging or is proposing to engage in conduct in contravention of the Act – an order restraining the person from engaging in the conduct and, if the court considers it appropriate to do so, requiring the person to take any specified action;</p> <p>11.1.2 if a person has refused or failed, is refusing or failing or is proposing to refuse or fail to take any action required by the Act – an order requiring the person to take that action;</p> <p>11.1.3 if a person has caused damage to property by a contravention of the Act – an order requiring the person to take specified action to make good the damage and, if appropriate, to take specified action to prevent or mitigate further damage;</p> <p>11.1.4 if the Council has incurred costs or expenses in taking action to prevent or mitigate damage caused by a contravention of the Act, or to make good resulting</p>	

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	<p>damage – an order against the person who committed the contravention for payment of the reasonable costs and expenses incurred in taking that action;</p> <p>11.1.5 if the Council has suffered injury or loss or damage to property as a result of a contravention of the Act, or incurred costs and expenses in taking action to prevent or mitigate such injury, loss or damage – an order against the person who committed the contravention for payment of compensation for the injury, loss or damage, or for payment of the reasonable costs and expenses incurred in taking that action;</p> <p>11.1.6 if the court considers it appropriate to do so, an order against a person who has contravened the Act for payment to the Council.</p>	
126402	<p>11. Civil Remedies</p> <p>11.2 The power pursuant to Section 33(6) of the Act to make an application under Section 33 of the Act.</p>	
126403	<p>11. Civil Remedies</p> <p>11.3 The power pursuant to Section 33(8) of the Act to serve a copy of the application on the Minister within three days after filing the application with the court.</p>	
126404	<p>11. Civil Remedies</p> <p>11.4 The power pursuant to Section 33(9) of the Act to apply to the court for the Council to be joined as a party to the proceedings.</p>	
126405	<p>11. Civil Remedies</p> <p>11.5 The power pursuant to Section 33(10) of the Act to make an application under Section 33 of the Act in a representative capacity (provided the consent of all persons on whose behalf the application is made is obtained).</p>	
126406	<p>11. Civil Remedies</p> <p>11.6 The power pursuant to Section 33(11) of the Act to make an application without notice to any person.</p>	
126407	<p>11. Civil Remedies</p> <p>11.7 The power pursuant to Section 33(14) of the Act to apply for an interim order without notice to any person.</p>	
126408	<p>11. Civil Remedies</p> <p>11.8 The power pursuant to Section 33(19) of the Act to apply to the court to vary or revoke an order previously made under Section 33 of the Act.</p>	
126409	<p>12. Minister or Council May Recover Civil Penalty in Respect of Contravention</p> <p>12.1 The power pursuant to Section 34(1) of the Act, subject to Section 34 of the Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Environment, Resources and Development court an amount as a civil penalty in respect of the contravention.</p>	
126410	<p>12. Minister or Council May Recover Civil Penalty in Respect of Contravention</p> <p>12.2 The duty pursuant to Section 34(2) of the Act to not recover an amount under Section 34 of the Act, in respect of a contravention if the relevant offence requires proof of intention or some other state of mind, and to, in respect of any other contravention, determine whether to initiate proceedings for an offence or take action under Section 34 of the Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.</p>	
126411	<p>12. Minister or Council May Recover Civil Penalty in Respect of Contravention</p> <p>12.3 The duty pursuant to Section 34(3) of the Act to not make an application to the court under Section 34 of the Act to recover an amount from a person as a civil penalty in respect of a contravention:</p> <p>12.3.1 unless the Council or the delegate has served 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 and the person has been allowed not less than 21 days after service of the notice to make such an election; or</p>	

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	12.3.2 if the person serves written notice on the Council, before the making of such an application, that the person elects to be prosecuted for the contravention.	
126412	12. Minister or Council May Recover Civil Penalty in Respect of Contravention 12.4 The power pursuant to Section 34(4) of the Act to recover by negotiation as a civil penalty in respect of a contravention a maximum amount being the sum of the amount specified by the Act as the criminal penalty in relation to that contravention and the amount of any economic benefit acquired by the person, or accrued or accruing to the person, as a result of the contravention.	
126413	12. Minister or Council May Recover Civil Penalty in Respect of Contravention 12.5 The power pursuant to Section 34(5) of the Act to apply to the Environment, Resources and Development court for an order the person pay to the Council an amount as a civil penalty (but not exceeding the sum of the amount specified by the Act as the criminal penalty in relation to that contravention and the amount of any economic benefit acquired by the person, or accrued or accruing to the person, as a result of the contravention).	
126414	12. Minister or Council May Recover Civil Penalty in Respect of Contravention 12.6 The power pursuant to Section 34(8) of the Act, if conduct of a person constitutes a contravention of two or more provisions of the Act, to recover an amount from the person under Section 34 of the Act in relation to the contravention of one or more of those provisions (provided that the person is not liable to pay more than one amount as a civil penalty in respect of the same conduct).	
126415	12. Minister or Council May Recover Civil Penalty in Respect of Contravention 12.7 The power pursuant to Section 34(13) of the Act to apply to the Attorney General for authorisation to commence proceedings for an order under Section 34 of the Act more than three years and within 10 years after the date of the alleged contravention.	
126416	13. Statutory Declaration 13.1 The power pursuant to Section 40 of the Act if a person is required by or under the Act to provide information to the Council, to require that the information be verified by statutory declaration and, in that event, the person will not be taken to have provided the information as required unless it has been so verified.	
126417	14. Orders in Respect of Contraventions 14.1 The power pursuant to Section 45(1) of the Act, if, in proceedings under the Act, the court finds that the defendant contravened the Act and the contravention has resulted in injury to the Council or loss or damage to property, to apply to the court, in addition to any penalty it may impose, one or more of the following: 14.1.1 an order the person to take specified action to make good any damage and, if appropriate, to take specified action to prevent or mitigate further damage; 14.1.2 an order the person to take specified action to publicise the contravention and its consequences and any other orders made against the person; 14.1.3 an order the person pay to the Council if the Council has incurred costs or expenses in taking action to prevent or mitigate or make good any damage (including, in the case of litter, taking action to remove or clean up, and lawfully dispose of the litter); the reasonable costs and expenses so incurred, or compensation for the injury, loss or damage so suffered, as the case may be, in such a manner as is determined by the Court.	
126418	14. Orders in Respect of Contraventions 14.2 The power pursuant to Section 45(2) of the Act if a person is found by a court to have contravened the Act, to apply to the court, for, in addition to any penalty it may impose, an order the person to pay to the Council an amount not exceeding the court's estimation of the amount of the economic benefit acquired by the person, or accrued or accruing to the person, as a result of the contravention.	
126419	14. Orders in Respect of Contraventions 14.3 The power pursuant to Section 45(5) of the Act to apply to the court for an order under Section 45 of the Act, fixing a period for compliance and imposing any	

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	other requirements the court considers necessary or expedient for enforcement of the order.	
126420	<p>15. Recovery of Administrative and Technical Costs Associated with Contraventions</p> <p>15.1 The power pursuant to Section 48(1) of the Act, if a person has contravened this Act and the Council:</p> <p>15.1.1 has taken action to</p> <p>15.1.1.1 investigate the contravention; or</p> <p>15.1.1.2 issue a nuisance abatement notice or litter abatement notice in respect of the contravention; or</p> <p>15.1.1.3 ensure that the person has complied with requirements imposed in relation to the contravention by a nuisance abatement notice or litter abatement notice or by an order of a court under the Act; or</p> <p>15.1.2 has, in taking such action, incurred costs and expenses in taking samples or in conducting tests, examinations, monitoring or analyses, to, by notice in writing served on the person, require the person to pay to the Council the reasonable costs and expenses incurred by the Council in taking such action.</p>	
126421	<p>15. Recovery of Administrative and Technical Costs Associated with Contraventions</p> <p>15.2 The power pursuant to Section 48(2) of the Act to specify in the notice the period within which an amount payable to the Council in accordance with a notice under Section 48 of the Act must be paid.</p>	
126422	<p>15. Recovery of Administrative and Technical Costs Associated with Contraventions</p> <p>15.3 The power pursuant to Section 48(3) of the Act, on application by a person who has been served a notice under Section 48 of the Act to, by notice in writing:</p> <p>15.3.1 extend the time for payment of an amount payable in accordance with the notice; or</p>	
135053	<p>15. Recovery of Administrative and Technical Costs Associated with Contraventions</p> <p>15.3 The power pursuant to Section 48(3) of the Act, on application by a person who has been served a notice under Section 48 of the Act to, by notice in writing:</p> <p>15.3.2 waive payment of such an amount or reduce the amount payable.</p>	
126423	<p>15. Recovery of Administrative and Technical Costs Associated with Contraventions</p> <p>15.4 The power pursuant to Section 48(6) of the Act, if an amount payable to the Council is not paid in accordance with Section 48 of the Act to recover the amount as a debt.</p>	
126424	<p>16. Assessment of Reasonable Costs and Expenses</p> <p>16.1 The duty pursuant to Section 49 of the Act, to for the purposes of the Act, assess the reasonable costs and expenses that have been or would be incurred by the Council or some other person or body in taking any action by reference to the reasonable costs and expenses that would have been or would be incurred in having the action taken by independent contractors engaged for that purpose.</p>	
126425	<p>17. Evidentiary Provisions</p> <p>17.1 The power pursuant to Section 50(4) of the Act to execute a certificate certifying as to the matter relating to:</p> <p>17.1.1 the appointment or non-appointment of a person as an authorised officer under the Act; or</p> <p>17.1.2 a delegation or authority under the Act; or</p>	

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	<p>17.1.3 a notice, requirement or direction of the Council or an authorised officer under the Act; or</p> <p>17.1.4 the receipt or non-receipt by the Council or an authorised officer of a notification, report or information given or required to be given or furnished to the Council or authorised officer under the Act.</p>	
126426	<p>17. Evidentiary Provisions</p> <p>17.2 The power pursuant to Section 50(5) of the act to execute a certificate detailing the costs and expenses incurred by the Council and the purpose for which they were incurred.</p>	
137890	<p>18. Annual Reports by Councils</p> <p>18.1 The duty pursuant to Regulation 5 of the Local Nuisance and Litter Control Regulations 2017 (the Regulations), to, for the purposes of Section 8 of the Act, include in the Council's annual report details of:</p> <p>18.1.1 the number of complaints of local nuisance or littering received by the Council; and</p> <p>18.1.2 the number and nature of:</p> <p>18.1.2.1 offences under the Act that were expiated; and</p> <p>18.1.2.2 offences under the Act that were prosecuted; and</p> <p>18.1.2.3 nuisance abatement notices or litter abatement notices issued; and</p> <p>18.1.2.4 civil penalties negotiated under Section 34 of the Act; and</p> <p>18.1.2.5 applications by the Council to the Court for orders for civil penalties under Section 34 of the Act and the number of orders made by the Court on those applications; and</p> <p>18.1.3 any other functions performed by the Council under the Act.</p>	
137891	<p>19. Exemptions from Application of Section 18</p> <p>19.1 The power pursuant to Regulation 6(1)(a)(ii) of the Regulations:</p> <p>19.1.1 to fix a lodgement period for an application in relation to an activity that is to take place over a period not exceeding 24 hours; and</p> <p>19.1.2 to fix a lodgement period for an application in relation to an activity that is to take place over a period of 24 hours or longer.</p>	
137892	<p>19. Exemptions from Application of Section 18</p> <p>19.2 The power pursuant to Regulation 6(2) of the Regulations, if an application for a declaration in relation to an activity is not lodged with the Council as required by Regulation 6(1)(a)(ii) of the Act, to refuse to consider the application.</p>	
137893	<p>19. Exemptions from Application of Section 18</p> <p>19.3 The power pursuant to Regulation 6(3) of the Regulations to require the following prescribed details to be contained in a site nuisance management plan to the extent relevant to the activity:</p> <p>19.3.1 an assessment of the potential for local nuisance and the number of residential and commercial premises occupied by persons likely to be affected by the local nuisance (potentially affected persons);</p>	
137894	<p>19. Exemptions from Application of Section 18</p> <p>19.3.2 a map showing:</p> <p>19.3.2.1 the proposed location of the activity and the likely fixed sources of local nuisance (for example, in the case of a concert, the location and orientation of stages and speakers); and</p>	

#	Item Delegated	Conditions and Limitations
	19.3.2.2 the location of premises occupied by potentially affected persons and the distance of the premises from those sources;	
137895	19. Exemptions from Application of Section 18 19.3.3 the name and contact details of the responsible person in relation to the activity;	
137896	19. Exemptions from Application of Section 18 19.3.4 the proposed strategy for minimising, managing and monitoring the effects of the local nuisance on potentially affected persons;	
137897	19. Exemptions from Application of Section 18 19.3.5 a copy of the notice (forming part of the communication strategy) proposed to be given to those persons to notify them of the activity, which must include the following details: 19.3.5.1 the nature of the proposed activity; 19.3.5.2 the start and finish dates for the activity; 19.3.5.3 the daily start and finish times for the activity; 19.3.5.4 the anticipated sources of local nuisance generated by the activity; 19.3.5.5 the proposed measures to be implemented to minimise the local nuisance; 19.3.5.6 the name and contact details of the person who may be contacted by potentially affected persons regarding concerns or complaints in relation to the activity; 19.3.5.7 such other details as the delegate may require;	
137898	19. Exemptions from Application of Section 18 19.3.6 the proposed communication strategy with the Council, including reporting by the exempt person on progress of the activity and the site nuisance management plan and any unforeseen incidents;	
137899	19. Exemptions from Application of Section 18 19.3.7 the proposed process for recording details about complaints, including: 19.3.7.1 contact details for each complainant; and 19.3.7.2 the date and time of the complaint; and 19.3.7.3 a description of the complaint; and 19.3.7.4 the nature of the activity giving rise to the complaint; and 19.3.7.5 any action taken to address the complaint.	
137900	20. Notification to EPA of Serious or Material Environmental Harm 20.1 The duty pursuant to Regulation 12 of the Regulations, to, for the purposes of Section 29 of the Act, include in notifications to the Environment Protection Authority: 20.1.1 as many of the following details as may be in the possession of the Council: 20.1.1.1 any investigation statements from authorised officers, witnesses or suspects; 20.1.1.2 copies of relevant evidence (for example, images, photographs, video or audio recordings or transcripts, maps, reports of analyses, tests or samples, file notes, exhibit management records and any certificates under Section 50 of the Act or other relevant documents, orders, notes or information); and	

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	<p>20.1.2 details as to any limitation of time for prosecution or expiation of offences under the Act; and</p> <p>20.1.3 details of the application of any relevant prescribed period within the meaning of Section 16 of the Act in relation to a substance, material or thing seized under Part 3 Division 3 of the Act.</p>	
137901	<p>21. Action on Non-compliance with Notice</p> <p>21.1 The power pursuant to Regulation 13(2)(a) of the Regulations, to:</p> <p>21.1.1 for the purposes of creating the charge on land, give the Registrar General a notice, in a form determined by the delegate or the Council on the recommendation or with the approval of the Registrar-General,</p> <p>21.1.1.1 setting out the amount recoverable under Section 31 of the Act; and</p> <p>21.1.1.2 setting out the land in relation to which the relevant action was taken; and</p> <p>21.1.1.3 requesting the Registrar-General to make a notation under Regulation 13(2) of the Regulations in relation to the relevant land.</p>	
137902	<p>21. Action on Non-compliance with Notice</p> <p>21.2 The power pursuant to Regulation 13(2)(f) of the Regulations to, in a case where Regulation 13(2)(d)(i)(B) of the Regulations applies, recover the amount as if it were a rate constituting a charge on land under Section 144(2) of the Act.</p>	
137903	<p>21. Action on Non-compliance with Notice</p> <p>21.3 The duty pursuant to Regulation 13(2)(g) of the Regulations, if the amount to which the charge relates is paid, to, by further notice to the Registrar-General (being a notice in a form determined by the Minister on the recommendation or with the approval of the Registrar-General), cancel the charge.</p>	
137904	<p>21. Action on Non-compliance with Notice</p> <p>21.4 The power pursuant to Regulation 13(3) of the Regulations to recover any costs or expenses incurred by the Council in relation to creating a charge over land or cancelling such a charge under Regulation 13 of the Regulations from the owner of the land in accordance with Section 144 of the Local Government Act 1999.</p>	
137905	<p>22. Payment of Fees by Instalments</p> <p>22.1 The power pursuant to Regulation 15(1) of the Regulations to, in allowing the payment of a fee under the Act or the Regulations by instalments, add to each amount payable as an instalment a charge by way of interest, or an administrative fee, determined by the delegate or the Council (as the case may be).</p>	
137906	<p>23. Waiver or Refund of Fees</p> <p>23.1 The power pursuant to Regulation 16 of the Regulations to waive or refund a fee or other amount (or part of a fee or other amount) payable under the Act or the Regulations if the delegate is satisfied that it is appropriate to do so in a particular case.</p>	
137907	<p>24. Recovery of Fees</p> <p>24.1 The power pursuant to Regulation 17 of the Regulations to recover a fee or other amount payable by a person under the Act or Regulations as a debt by action in a court of competent jurisdiction.</p>	

NATURAL RESOURCES MANAGEMENT ACT 2004

Instrument of Delegation under the *Natural Resources Management Act 2004*, *Natural Resources Mgt. (General) Regulations 2005* and the *Natural Resources Mgt. (Transitional Provisions-Levies) Reg. 2005*

#	Item Delegated	Conditions and Limitations
50794	1. Collaboration with NRM board 1.1 The power pursuant to Section 29(4)(d) of the Natural Resources Management Act 2004 ("the Act") to work collaboratively with a regional NRM board in the performance of its functions.	
50795	2. The power pursuant to Section 30 of the Act to act in conjunction with a regional NRM board in relation to the NRM board doing anything necessary, expedient or incidental to - a) performing the functions of the NRM group under the Act or any other Act; or b) assisting in the administration of the Act; or c) furthering the objects of the Act	
50796	3. Special Vesting of Infrastructure 3.1 The power pursuant to Section 33(7) of the Act to give consent on behalf of the Council in respect of making, varying or revoking a proclamation under Section 33(1), 33(2) or 33(6) of the Act.	
50797	4. Approval of Delegation by NRM board to Council Officers 4.1 The power pursuant to Section 36(1)(c) of the Act to give approval to a regional NRM board to delegate a function or a power of the board under the Act or any other Act to the Council or a Council officer.	
50798	5. Use of Facilities 5.1 The power pursuant to Section 41 of the Act to enter into arrangements with a regional NRM board for the board to make use of the services of the staff, equipment or facilities of the Council.	
50799	6. Boards Power to Provide Financial Assistance etc 6.1 The power pursuant to Section 42(2) of the Act where a Council wishes to obtain financial or any other form of assistance from a regional NRM board under Section 42(1) of the Act, to make a written submission to the board setting out - 6.1.1 the nature of the assistance requested (and, in the case of financial assistance, the amount requested); and 6.1.2 the purpose or purposes for which and the manner in which the assistance will be used; and 6.1.3 the reasons why, in the Delegate's opinion, the granting of the assistance by the regional NRM board is justified.	
50800	7. Assignment of Responsibility for Infrastructure 7.1 The power pursuant to Section 43(2) of the Act to make a submission to a regional NRM board in response to notice given by the board under Section 43(2) of the Act of the proposed assignment of the responsibility for the care, control or management of infrastructure to the Council as a third party pursuant to Section 43(1) of the Act.	
50801	7. Assignment of Responsibility for Infrastructure 7.2 The power pursuant to Section 43(3) of the Act to enter into an agreement in accordance with the Regulations with a regional NRM board as contemplated in Section 43(1) for the assignment of the responsibility for the care, control or management of infrastructure to the Council as a third party pursuant to Section 43(1) of the Act.	
50802	8. Appointment of Body to act as a Board 8.1 The power pursuant to Section 44(4)(c) of the Act to agree that by way of a regulation revoking a regulation made under Section 44(1) of the Act, the assets, rights and liabilities of a body appointed by such regulation to be a regional NRM board under the Act, will vest in or attach to the Council.	

#	Item Delegated	Conditions and Limitations
50803	<p>9. Establishment of Areas</p> <p>9.1 The power pursuant to Section 45(5) of the Act to receive notice as a constituent council from a regional NRM board and to make a submission to the regional NRM board within a period (being at least 21 days) specified in the notice.</p>	
50804	<p>9. Establishment of Areas</p> <p>9.2 The power pursuant to Section 46(5) of the Act to enter into an agreement pursuant to which the property, assets, rights or liabilities of the local NRM group will vest in the Council pursuant to a notice under Section 46(4) of the Act.</p>	
50805	<p>10. Composition of NRM groups</p> <p>10.1 The power pursuant to Section 48(2)(b)(i) of the Act to consult with the relevant regional NRM board or boards, if the Council is also a constituent council for the area of the NRM group to which that board belongs, before an appointment is made by the board under Section 48(1) of the Act.</p>	
50806	<p>11. Functions of Groups</p> <p>11.1 The power pursuant to Section 52(2)(c) of the Act, to work collaboratively with an NRM group in the performance of its functions under Section 52(1) of the Act.</p>	
50807	<p>12. Acting in Conjunction with NRM Group</p> <p>12.1 The power pursuant to Section 53(2)(g) of the Act to act in conjunction with an NRM group in relation to the NRM group doing anything necessary expedient or incidental to:</p> <ul style="list-style-type: none"> a) performing its functions under the Act or any other Act b) assisting in the administration of the Act or c) furthering the objects of the Act <p>pursuant to Section 53(1) of the Act.</p>	
50808	<p>13. Power of Delegation</p> <p>13.1 The power pursuant to Section 55(2) of the Act, to approve a delegation made by an NRM group in accordance with Section 55(1) of the Act to the Council or a Council subsidiary, or to an officer of the Council or a Council subsidiary (as the case requires), of a function or power of the NRM group under the Act or any other Act.</p>	
50809	<p>14. Use of Facilities</p> <p>14.1 The power pursuant to Section 60 of the Act to enter into an arrangement with an NRM group for the NRM group to use the services of the staff, equipment or facilities of the Council.</p>	
50810	<p>15. Appointment of Body to Act as Group</p> <p>15.1 The power pursuant to Section 61(4)(c) of the Act to agree that by way of a regulation revoking a regulation made under Section 61 of the Act, the assets, rights and liabilities of a body appointed by such regulation, to be a regional NRM group under the Act, will vest in or attach to the Council.</p>	
50811	<p>16. Regional Authorised Officers</p> <p>16.1 The power pursuant to Section 67(10) of the Act to agree to the appointment of an officer of the Council as an authorised officer by a regional NRM board</p>	
50812	<p>17. State NRM Plan</p> <p>17.1 The power pursuant to Section 74(8) of the Act to consult with the NRM Council in relation to any proposal to create or amend the State NRM Plan as defined in Section 74 of the Act, where the Local Government Association has nominated the Council pursuant to Section 74(14)(b) of the Act.</p>	
50813	<p>18. Regional NRM Plans</p> <p>18.1 The duty pursuant to Section 75(9) of the Act, when performing functions or exercising powers under the Local Government Act 1999 or any other Act, to have regard to any regional NRM plan that applies within the relevant area and in particular to give consideration to the question of whether changes should be implemented to the manner in which, or the means by which, the Council performs a function or exercises a power or undertakes any other activity that has been identified in the regional NRM plan as requiring change.</p>	

#	Item Delegated	Conditions and Limitations
50815	20. Preparation of Plans and Consultation 20.1 The power pursuant to Section 79(6)(a)(vii) of the Act where a draft plan has been prepared by a regional NRM board, to receive a copy of the draft plan.	
50816	20. Preparation of Plans and Consultation 20.2 The power pursuant to Section 79(8) of the Act to prepare and furnish a response to the regional NRM board within the period prescribed by the Regulations to a draft plan provided to the Council as a constituent council in accordance with Section 79(6)(a)(vii) of the Act.	
50817	21. Submission of Plan to Minister 21.1 The power pursuant to Section 80(5) of the Act to receive a copy of a draft plan as amended by the Minister, or if it appears to the Minister that the part or parts of the plan that have been amended can conveniently be substituted in the draft plan - a copy of that part or those parts as amended.	
50818	22. Review and Amendment of Plans 22.1 The power pursuant to Section 81(7)(a)(ii) of the Act, to consult with a regional NRM board within the prescribed period (being a period of at least 21 days), in respect of amendments to a regional NRM plan which are within the ambit of Section 81(8) of the Act.	
50819	23. Time for Implementation of Plans 23.1 The power pursuant to Section 82(2) of the Act to give consent to the implementation by a regional NRM board of a draft plan or amendments to a plan that have not been adopted by the Minister.	
50820	24. Contributions by Constituent Councils 24.1 The duty pursuant to Section 92(1) of the Act if a regional NRM plan for a regional NRM board specifies an amount (the base contribution amount) to be contributed by the constituent councils for the region towards the costs of the board performing its functions under the Act in a particular financial year, to make a contribution based on that amount in accordance with the requirements of Part 1 of Chapter 5 of the Act in respect of that financial year.	
50821	24. Contributions by Constituent Councils 24.2 The power pursuant to Section 92(7) of the Act to receive notice from the Minister of the Minister's determination.	
50822	25. Payment of Contributions by Councils 25.1 The duty pursuant to Section 93(1) of the Act, subject to Section 93(2) of the Act, to pay the Council's share of the amount to be contributed by the constituent councils in approximately equal instalments on 30 September, 31 December, 31 March and 30 June in the year to which the contribution relates, including any interest which accrues on any amount unpaid at the rate and in the manner prescribed by regulation.	
50823	25. Payment of Contributions by Councils 25.2 The duty pursuant to Section 93(2) of the Act, if notice of a regional NRM levy imposed by a Council in respect of a financial year could not be included in the notice of general rates for that year because the share to be contributed was not approved by the Governor on or before 1 June preceding that year, to pay the Council's share of the amount to be contributed by constituent councils in approximately equal instalments on 31 December, 31 March and 30 June in that year.	
50825	27. Cost of Councils 27.1 The power pursuant to Section 96(1) of the Act, subject to Section 96(2) and 96(3) of the Act, to receive an amount from a regional NRM board determined in accordance with the regulations on account of the costs of the Council as a constituent council in complying with the requirements of Part 1 of Chapter 5 of the Act.	
50826	28. Declaration of Prescribed Water Resources 28.1 The duty pursuant to Section 125(5)(b) of the Act, to receive a copy of a notice from the Minister outlining a proposed recommendation to the Governor declaring that part of the State is a surface water prescribed area.	
50827	29. Requirement for notice of certain applications 29.1 The power pursuant to Section 136(3) of the Act, where the Council is a	

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	person specified in the plan to whom notice of an application must be given pursuant to Section 136(2) of the Act to make representations in writing to the relevant authority in relation to the granting or refusal of a permit.	
50828	29. Requirement for notice of certain applications 29.2 The duty pursuant to Section 136(6) of the Act, if the Council has made a representation under Section 136(3) of the Act, as part of that representation indicated an interest in appearing before the authority, to appear personally or by representative before the authority to be heard in support of the representation.	
50829	29. Requirement for notice of certain applications 29.3 The power pursuant to Section 136(11) of the Act to lodge an appeal with the ERD Court.	
50830	30. By-Laws 30.1 The power pursuant to Section 171(7)(a) of the Act to consult with a regional NRM board before a by-law is made by the NRM board under Section 171 of the Act that directly affects the area of the Council.	
50831	30. By-Laws 30.2 The power pursuant to Section 171(7)(c) of the Act to submit to the regional NRM board the Council's views on a by-law proposed to be made under Section 171 of the Act.	
50832	31. Orders made by ERD Court 31.1 The power pursuant to Section 201(5) of the Act, where the Council's interests are affected by the subject matter of the application to make an application to the ERD Court for Orders under Section 201 of the Act.	
50833	31. Orders made by ERD Court 31.2 The duty pursuant to Section 201(7) of the Act where an application is made to the ERD Court to serve a copy of the application on the Minister within 3 days after filing the application with the ERD Court.	
50834	32. Management Agreements 32.1 The power pursuant to Section 205(3) of the Act to receive notice from the Minister of a proposal to provide for the remission of any Council rate under Section 205(2)(j) of the Act by way of a management agreement.	
50835	33. Service of notices or other documents 33.1 The duty pursuant to Section 208(1) of the Act, subject to Section 208(2) of the Act, where required or authorised by the Act to serve a notice or other document on a person, to effect service of the notice or other document by - 33.1.1 giving the notice or document to the person or an agent of the person; or 33.1.2 leaving the notice or other document for the person at his or her place of residence or business with someone apparently over the age of 16 years; or 33.1.3 if the notice or document is to be served on the owner of the land and the land is unoccupied, and the Delegate has taken reasonable steps to effect service under the other paragraphs of Section 208(1) of the Act, to serve the notice or document by fixing it to some conspicuous part of the land; or 33.1.4 if the notice or document is to be served on the occupier of the land, be sent by post to the occupier of the land; or 33.1.5 be served on the person by fixing it to, or leaving it on, a vessel or craft that the person is apparently in charge of, or expected to board at some stage, if the Delegate has reasonable grounds to believe that service in this manner will bring the notice or document to the attention of the person to be served; or 33.1.6 send the notice or document to the person by facsimile transmission; or 33.1.7 serve or give the notice or document to a person in a manner prescribed by the Regulations.	

#	Item Delegated	Conditions and Limitations
50836	<p>33. Service of notices or other documents</p> <p>33.2 The power pursuant to Section 208(3) of the Act, subject to the Regulations, if a notice or document is required or authorised to be given to an owner of land, if it is to be served personally, to serve the notice on the owner, one of any joint owners, or the agent of the owner.</p>	
50837	<p>34. Vesting of Property</p> <p>34.1 The power pursuant to Clause 46(1)(d) of Schedule 4 of the Act to consent to the vesting in the Council by proclamation of the Governor any asset, right or liability of a statutory body or of a related body nominated by the proclamation.</p>	
50838	<p>35. Special Provisions relating to the repeal of the Water Resources Act 1997</p> <p>35.1 The duty pursuant to Clause 54(17) of Schedule 4 of the Act, subject to Clause 55 of the Act, to pay any amount payable by the Council under Part 8, Division 2 of the Water Resources Act 1997 under a scheme established by the Minister for the purposes of Clause 54 of Schedule 4 of the Act (and such a scheme may provide that an amount be paid to a regional NRM board rather than a catchment water management board).</p>	
50841	<p>DELEGATIONS UNDER THE NATURAL RESOURCES MANAGEMENT (GENERAL) REGULATIONS 2005</p> <p>37. The power pursuant to Regulation 35(2) of the Natural Resources Management (General) Regulations ("the Regulations"), when making an agreement under Section 43 of the Act, to include provisions terms or conditions other than those identified in Regulation 35(1) of the Regulations.</p>	

PLANNING, DEVELOPMENT & INFRASTRUCTURE ACT 2016

Instrument of Delegation Under the *Planning, Development and Infrastructure Act 2016*

#	Item Delegated	Conditions and Limitations
157618	1. Planning Regions and Greater Adelaide 1.1 The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the Act.	
157619	2. Subregions 2.1 The power pursuant to Section 6(3)(b) of the Act to make submissions to the Minister on the Minister's proposed course of action.	
157621	4. Planning Agreements 4.1 The power pursuant to Section 35(1)(a) of the Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State in accordance with Section 35 of the Act.	
157622	4. Planning Agreements 4.2 The power pursuant to Section 35(3) of the 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: 4.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and	
157623	4. Planning Agreements 4.2.2 the constitution of a joint planning board including, in relation to such a board: 4.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and 4.2.2.2 subject to Section 35(4) of the Act, the criteria for membership; and 4.2.2.3 the procedures to be followed with respect to the appointment of members; and 4.2.2.4 the terms of office of members; and 4.2.2.5 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 4.2.2.6 the appointment of deputy members; and 4.2.2.7 the procedures of the board; and	
157624	4. Planning Agreements 4.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and	
157625	4. Planning Agreements 4.2.4 the staffing and other support issues associated with the operations of the joint planning board; and	

#	Item Delegated	Conditions and Limitations
157626	<p>4. Planning Agreements</p> <p>4.2.5 financial and resource issues associated with the operations of the joint planning board, including:</p> <p>4.2.5.1 the formulation and implementation of budgets; and</p> <p>4.2.5.2 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</p>	
157627	<p>4. Planning Agreements</p> <p>4.2.6 such other matters as the Delegate thinks fit.</p>	
157628	<p>4. Planning Agreements</p> <p>4.3 The power pursuant to Section 35(5)(a) of the Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).</p>	
157629	<p>4. Planning Agreements</p> <p>4.4 The power pursuant to Section 35(5)(b) of the Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.</p>	
157630	<p>5. Community Engagement Charter</p> <p>5.1 The power pursuant to Section 44(6)(a) of the Act, to, in accordance with the Charter, make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 (unless the proposal has been initiated by the Council).</p>	
157631	<p>6. Preparation and Amendment of Charter</p> <p>6.1 The power pursuant to Section 45(2)(c) of the Act to make representations (in writing or via the SA planning portal) on a proposal to prepare or amend the Charter.</p>	
171985	<p>6A. Preparation and Amendment</p> <p>6A.1 The power pursuant to Section 73(2)(b)(iv) of the Act to initiate a proposal to amend a designated instrument with the approval of the Minister, acting on the advice of the Commissioner.</p>	
171986	<p>6A. Preparation and Amendment</p> <p>6A.2 The power pursuant to Section 73(6) of the Act where the Council is authorised or approved under Section 73 of the Act, and after all of the requirements of Section 73 have been satisfied:</p> <p>6A.2.1 to prepare a draft of the relevant proposal; and</p> <p>6A.2.3 to the extent that paragraph (b) of Section 73(6) of the Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – to consult with the joint planning board; and</p> <p>6A.2.4 to the extent that paragraph (b) of Section 73(6) of the 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:</p> <p>6A.2.4.1 an owner or occupier of the land; and</p> <p>6A.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and</p> <p>6A.2.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and</p> <p>6A.2.6 to carry out such investigations and obtain such information specified by the Commission; and</p> <p>6A.2.7 to comply with any requirement prescribed by the regulations.</p>	
171987	<p>6A. Preparation and Amendment</p> <p>6A.3 The power pursuant to Section 73(8) of the Act to, after the Council has furnished a report to the Minister under Section 73(7) of the Act, ensure that a</p>	

#	Item Delegated	Conditions and Limitations
	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 Act.	
171988	6A. Preparation and Amendment 6A.4 The power pursuant to Section 73(9) of the 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 Act (subject to the requirement to charge costs under Section 73(4)(b) of the Act (if relevant)).	
171989	6B. Parliamentary Scrutiny 6B.1 The power pursuant to Section 74(8) of the Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.	
171990	6C. Entities Constituting Relevant Authorities 6C.1 The power pursuant to Section 82(d) of the Act, subject to the Act, to appoint an assessment panel.	
171991	6D. Panels Established by Joint Planning Boards or Councils 6D.1 The power pursuant to Section 83(1) of the Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the Act, to: 6D.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; 6D.1.2 determine: 6D.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 6D.1.2.2 the procedures to be followed with respect to the appointment of members; and 6D.1.2.3 the terms of office of members; and 6D.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 6D.1.2.5 the appointment of deputy members; and 6D.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.	
171992	6D. Panels Established by Joint Planning Boards or Councils 6D.2 The power pursuant to Section 83(1)(h) of the Act to arrange the staffing and support required for the purposes of the operations of the panel.	
171993	6D. Panels Established by Joint Planning Boards or Councils 6D.3 The power pursuant to Section 83(1)(i) of the 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 Act.	
171994	6D. Panels Established by Joint Planning Boards or Councils 6D.4 The power pursuant to Section 83(2) of the 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.	
171995	6E. Panels Established by Minister 6E.1 The power pursuant to Section 84(1)(c)(ii)(B) of the Act to make submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council (or part of the area).	
171996	6F. Substitution of Local Panels 6F.1 The power pursuant to Section 86(2)(a) of the Act to make submissions to the Commission in relation to an inquiry.	
157632	7. Initiation of Scheme	

#	Item Delegated	Conditions and Limitations
	7.1 The power pursuant to Section 163(3)(b) of the Act to request the Minister initiate a proposal to proceed under Section 163 of the Act.	
157633	7. Initiation of Scheme 7.2 The power pursuant to Section 163(10) of the Act to consult with the Minister in relation to the draft outline.	
157634	8. Consideration of Proposed Scheme 8.1 The power pursuant to Section 166(1)(c) of the Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.	
157635	9. Adoption of Scheme 9.1 The power pursuant to Section 167(7) of the Act to consult with the Minister in relation to a variation to a scheme.	
157636	10. Funding Arrangements 10.1 The power pursuant to Section 169(2)(b) of the Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the Act to apply for a periodic review of the levels and amounts of those contributions and as part of such review for any matter to be considered or determined by ESCOSA.	
157637	10. Funding Arrangements 10.2 The power pursuant to Section 169(8) of the Act to approve a funding arrangement that provides for or includes the collection of contributions under subdivision 8 in relation to prescribed infrastructure.	
157638	10. Funding Arrangements 10.3 The power pursuant to Section 169(9) of the Act to consult with the Commission in relation to a funding arrangement that is specifically relevant to the Council.	
157639	11. Contributions by Constituent Councils 11.1 The power pursuant to Section 177(4) of the Act to consult with the Minister in relation to the Council's share.	
157640	11. Contributions by Constituent Councils 11.2 The power pursuant to Section 177(5) of the Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to determine shares under Sections 177(2) and (3) of the Act.	
157641	12. Imposition of Charge by Councils 12.1 The power pursuant to Section 180(7) of the 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.	
157642	13. Authorised Works 13.1 The power pursuant to Section 187(1) of the Act, subject to Section 187(3) of the Act, to carry out any infrastructure works if the Council is authorised to so do by or under the Act or any other Act.	
157643	13. Authorised Works 13.2 The power pursuant to Section 187(5) of the Act, subject to Section 187(6) of the Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to: 13.2.1 inform the relevant road maintenance authority of the proposal at least 28	

#	Item Delegated	Conditions and Limitations
	<p>days before the proposed commencement of any work; and</p> <p>13.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and</p> <p>13.2.3 ensure that proper consideration is given to the views of the road maintenance authority.</p>	
157644	<p>13. Authorised Works</p> <p>13.3 The power pursuant to Section 187(5)(b) of the Act to consult with the relevant road maintenance authority in relation to the matter.</p>	
157645	<p>13. Authorised Works</p> <p>13.4 The power pursuant to Section 187(5)(b) of the Act, in a case of emergency, to only comply with Section 187(5) of the Act to such extent as is practicable in the circumstances.</p>	
157646	<p>14. Entry onto Land</p> <p>14.1 The power pursuant to Section 188(1) of the 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 Act to:</p> <p>14.1.1 enter and pass over any land; and</p> <p>14.1.2 bring onto any land any vehicles, plant or equipment; and</p> <p>14.1.3 temporarily occupy land; and</p> <p>14.1.4 do anything else reasonably required in connection with the exercise of the power.</p>	
157647	<p>14. Entry onto Land</p> <p>14.2 The power pursuant to Section 188(4) of the 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 Act.</p>	
157648	<p>15. Acquisition of Land</p> <p>15.1 The power pursuant to Section 189(1) of the Act, to with the consent of the Minister, acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969.</p>	
157649	<p>16. Review of Performance</p> <p>16.1 The power pursuant to Clause 3(3) of Schedule 4 of the Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.</p>	
157650	<p>16. Review of Performance</p> <p>16.2 The power pursuant to Clause 3(14) of Schedule 4 of the Act to make submissions to the Minister on the report on which the action to be taken by the Minister under Clause 3(13) of Schedule 4 of the Act is based.</p>	
157651	<p>16. Review of Performance</p> <p>16.3 The power pursuant to Clause 3(15) of Schedule 4 of the Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, consult with the Minister in relation to the directions of the Minister.</p>	
157652	<p>16. Review of Performance</p>	

#	Item Delegated	Conditions and Limitations
	16.4 The power pursuant to Clause 3(16) of Schedule 4 of the Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the Act.	
157653	17. General Schemes 17.1 The power pursuant to Clause 30(3) of Schedule 8 of the Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the Act in relation to a scheme.	

REAL PROPERTY ACT 1886

Instrument of Delegation under the *Real Property Act 1886*

#	Item Delegated	Conditions and Limitations
51627	<p>4. Applicant may withdraw his application</p> <p>4.1 The power pursuant to Section 41 of the Act, to:</p> <p>4.1.1 withdraw the Council's application at any time prior to the issuing of the certificate;</p> <p>4.1.2 request in writing signed by the Delegate the return to the Council or the person notified in the application as having a lien thereon of all documents of title deposited in support of the application.</p>	
87675	<p>6A. Priority of instruments</p> <p>6A.1 The power pursuant to Section 56(5) of the Act and in accordance with Section 56(6) of the Act to apply to the Registrar-General, in the appropriate form, to vary the order of priority between 2 or more registered mortgages or encumbrances.</p>	
87676	<p>6A. Priority of instruments</p> <p>6A.2 The power pursuant to Section 56(6)(a) of the Act to consent to an application under Section 56(5) of the Act where the Council is the holder of a mortgage or encumbrance that is to have its order of priority varied.</p>	
87677	<p>6A. Priority of instruments</p> <p>6A.3 The power pursuant to Section 56(6)(b) of the Act, if a registered mortgage or encumbrance is, by virtue of the proposed variation of order of priority, to be postponed to a mortgage or encumbrance over which it has had priority, to consent where the Council is the holder of the mortgage or encumbrance that is to be postponed.</p>	
51631	<p>7. Certificates in lieu of surrendered certificates</p> <p>The power pursuant to Section 78 of the Act where the Council is a registered proprietor holding land under 1 or more certificates, to apply to the Registrar-General for the issue of one certificate for the whole of such land, or several certificates each comprising portion of such land.</p>	
51633	<p>9. Application for Certificate based on possession</p> <p>The power pursuant to Section 80A of the Act and in accordance with Section 80B of the Act, where the Council would have obtained a title by possession to any land which is subject to the Act if that land had not been subject to the Act, to apply to the Registrar-General for the issue to the Council of a certificate of title to that land.</p>	
51634	<p>10. Caveats</p> <p>The power pursuant to and in accordance with Section 80F of the Act, where the Council claims an estate or interest in land to which an application under Part 7A relates, to lodge a caveat with the Registrar-General forbidding the granting of the application.</p>	
51635	<p>11. Variation and Extinguishment of Easements</p> <p>11.1 The power pursuant to Section 90B(1) of the Act, and subject to Section 90B of the Act, where the Council is the proprietor of the dominant or servient land, to make application (in a form approved by the Registrar-General) to:</p> <p>11.1.1 vary the position of, or extend or reduce the extent of, an easement over servient land; or</p> <p>11.1.2 vary an easement by extending the appurtenance of the easement to other land owned by the proprietor of the dominant land; or</p> <p>11.1.3 extinguish an easement.</p>	
51636	<p>11. Variation and Extinguishment of Easements</p> <p>11.2 The power pursuant to Section 90B(2) of the Act, where the Council is the proprietor of the dominant land or servient land, or has, or claims to have, an estate</p>	

#	Item Delegated	Conditions and Limitations
	or interest in the dominant or servient land, to give written consent to the Registrar-General acting under Section 90B(1) of the Act.	
51637	<p>12. Easement subject to existing mortgage etc</p> <p>The power pursuant to Section 90F of the Act, where an easement is created over servient land and the dominant land or any part of it is subject to a mortgage or encumbrance held by the Council, to consent to the easement also being subject to the mortgage or encumbrance and endorse the Council's consent on the instrument granting the easement.</p>	
51641	<p>15. Transfers</p> <p>15.1 15.1 The power pursuant to and in accordance with Section 96 of the Act, where the Council is the transferor or transferee of land intended to be transferred or a right of way or other easement intended to be created or transferred, to execute a transfer in the appropriate form to be lodged for registration in the Lands Titles Registration Office.</p>	
51643	<p>16. Creation of easements by reservation</p> <p>The power pursuant to Section 96AA of the Act, to create an easement on the transfer under the Act of an estate of freehold or the granting of an estate of leasehold under the Act by reservation of the easement to the transferor or lessor in the instrument of transfer or the lease.</p>	
51646	<p>19. Sale under Writ of fieri facias or Decree, Warrant or Order of Court</p> <p>The power pursuant to Section 105 of the Act in relation to a writ or warrant of execution against land, or of a decree or order (other than an order for sale for non-payment of rates) affecting land issued out of or made by the Court, or any Court of insolvency or other Court of competent jurisdiction, to sign a statement to accompany such a writ, warrant, decree or order where the Council is a party interested, specifying the land sought to be affected.</p>	
51647	<p>20. Issue of certificate where land is vested by operation of law</p> <p>20.1 The power pursuant to Section 115A of the Act, in relation to an estate or interest in land that has become vested in the Council, to make an application to the Registrar-General, to:</p> <p>20.1.1 in the case of land under the provisions of the Act - register the Council as the proprietor of that estate or interest in the land; or</p> <p>20.1.2 in the case of land not under the provisions of the Act - bring the land under the provisions of the Act and register the Council as the proprietor of that estate or interest in the land.</p>	
51648	<p>21. Lands, now leased</p> <p>The power pursuant to Section 116 of the Act, when any land is intended to be leased for a life or lives, or for any term of years exceeding one year, to execute a lease in the appropriate form, in accordance with Section 117 of the Act.</p>	
51649	<p>22. Leases not to bind non-consenting mortgagees or encumbrancees</p> <p>The power pursuant to Section 118 of the Act, to consent in writing to a lease of mortgaged or encumbered land prior to the lease being registered where the Council is the mortgagee or encumbrancee of the land.</p>	
51650	<p>23. Standard terms and conditions of lease</p> <p>The power pursuant to Section 119A(1) of the Act to deposit with the Registrar-General for filing in the Lands Titles Registration Office a document containing terms and conditions for incorporation as standard terms and conditions in leases under Section 119A of the Act.</p>	
51651	<p>24. Lease may be surrendered by separate instrument</p> <p>The power pursuant to Section 120 of the Act to surrender a registered lease by instrument in the appropriate form, executed by the lessee and lessor.</p>	
51652	<p>25. Registrar-General may record surrender</p> <p>The power pursuant to Section 121 of the Act, where the lessee has given written notice to the Council as lessor or the Council's agent of his or her intention to give up possession of land comprised in a registered lease, to make application to the Registrar-General in the appropriate form and producing such evidence as the</p>	

#	Item Delegated	Conditions and Limitations
	Registrar-General may require that the lessee has abandoned occupation of the land comprised in the lease, to make a record in the Register Book.	
51653	26. Surrender where lease subject to mortgage or under lease The power pursuant to Section 123 of the Act, where the Council holds a mortgage or encumbrance over a lease or over land, to provide written consent to the surrender of the lease.	
51654	27. Registrar-General to note particulars of re-entry in Register Book The power pursuant to Section 126 of the Act, where the Council is the lessor of land, to provide proof to the Registrar-General of the Council's re-entry of the land.	
87678	28. Mortgage of land 28.2 The power pursuant to Section 128(2) of the Act to lodge a mortgage for registration in the Lands Titles Registration Office in the appropriate form.	The delegation of the power contained in Section 128 of the Act is subject to Section 44(3)(c) of the Local Government Act 1999, that is, the delegate is not delegated the power to borrow money or obtain other forms of financial accommodation.
87679	28. Mortgage of land 28.3 The power pursuant to Section 128(4) of the Act where the Council is a mortgagee in relation to a mortgage lodged for registration in the Lands Titles Registration Office to provide certification under Section 273(1) of the Act.	The delegation of the power contained in Section 128 of the Act is subject to Section 44(3)(c) of the Local Government Act 1999, that is, the delegate is not delegated the power to borrow money or obtain other forms of financial accommodation.
87680	28A Encumbrance of land The power pursuant to Section 128B(1) of the Act if land is to be charged with or made security for the payment of an annuity, rent charge or sum of money in favour of a person, to execute an encumbrance in the appropriate form.	
51656	29. Standard terms and conditions of Mortgage or Encumbrance The power pursuant to Section 129A(1) of the Act to deposit for filing in the Lands Titles Registration Office a document containing terms and conditions for incorporation as standard terms and conditions in mortgages or encumbrances under Section 129A of the Act.	
51657	30. Nature of Mortgage and Encumbrance and procedure in case of default The power pursuant to Section 132 of the Act, where the Council holds a mortgage or encumbrance and default is made in the payment of the principal sum, interest, annuity, or rent charge, or any part thereof thereby secured, or in the observance of any covenant therein expressed or implied and such default be continued for the space of one month, or for such other period of time as may therein for that purpose be expressly limited, to give to the mortgagor or encumbrancer notice in writing to pay the money then due or owing on such mortgage or encumbrance, or to observe the covenants therein expressed or implied, as the case may be and that sale will be effected if such default be continued, and to leave such notice on the mortgaged or encumbered land, or at the usual or last known place of abode in South Australia of the mortgagor or encumbrancer.	
51659	32. Power of Mortgagee to enter, take possession, distrain, let or bring action for recovery of land 32.1 The power pursuant to Section 137 of the Act, where the Council is a mortgagee or encumbrancee and there is a default in payment of the principal sum, interest, annuity, or rent charge secured by that mortgage or encumbrance, to: 32.1.1 enter into possession of the mortgaged or encumbered land and receive the rents and profits thereof; or	

#	Item Delegated	Conditions and Limitations
	<p>32.1.2 distrain upon the occupier or tenant of the land; or</p> <p>32.1.3 from time to time let the said land for any term not exceeding one year; or</p> <p>32.1.4 bring an action for recovery of the land either before or after entering into the receipt of the rent and profits or making any distress.</p>	
51660	<p>33. Power of Mortgagee to distrain on tenant or occupier for arrears not exceeding the amount of rent due</p> <p>The power pursuant to and in accordance with Section 138 of the Act, where the Council is a mortgagee or encumbrancee and the principal sum, interest, annuity, or rent charge has been in arrears for 21 days and a further 7 days have elapsed from the date of application for the payment thereof to the occupier or tenant, to enter upon the mortgaged or encumbered land and distrain upon the goods and chattels of the occupier or tenant for such arrears to an amount not exceeding the rent then due from such occupier or tenant to the Council, and to dispose of the goods and chattels so distrained upon in like manner as landlords may do in ordinary distresses for rent, and out of the proceeds to retain the moneys distrained for, and all costs and expenses occasioned by such distress and sale.</p>	
51661	<p>34. Application to Mortgagee to Registrar-General for foreclosure</p> <p>The power pursuant to Section 140(1) of the Act, and in accordance with Section 140(2) of the Act, when default has been made for six months in the payment of the principal or interest secured by any mortgage held by the Council, to make application, in writing, to the Registrar-General for an order for foreclosure.</p>	
51662	<p>35. Provision for case where Mortgagee or Encumbrancee refuses to join in proceedings on default</p> <p>35.1 The power pursuant to Section 142A(1) of the Act, where the Council and one or more other persons are registered as mortgagees or encumbrances under the same mortgage or encumbrance, and default has been made in payment of any money due under the mortgage or encumbrance or in the performance of any covenant in the said mortgage or encumbrance expressed or implied as entitles the mortgagees or encumbrances to exercise any of their rights or remedies under the Act or under the mortgage or encumbrance, and any such mortgagee or encumbrance fails or refuses to join in giving any notice, making any application or doing any other act or thing for the purpose of enforcing any of the said rights or remedies, to apply to the Court by originating summons to:</p> <p>35.1.1 appoint the Council or any other person to exercise on behalf of the mortgagees or encumbrances such of the said rights or remedies as the Court thinks proper;</p> <p>35.1.2 give any directions as to the mode of exercising the said rights or remedies and as to any other matters incidental thereto.</p>	
51663	<p>36. Discharge of Mortgages and Encumbrances</p> <p>The power pursuant to and in accordance with Section 143(1) of the Act to wholly or partially discharge, by instrument in the appropriate form and executed by the Delegate, a mortgage or encumbrance held by the Council.</p>	
51664	<p>37. Partial discharge of Mortgage or Encumbrance on Grant of Easement</p> <p>The power pursuant to Section 144 of the Act, where an easement is granted over land that is subject to a mortgage or an encumbrance and the Council is the mortgagee or encumbrancee, to endorse the Council's consent to the easement on the instrument granting the easement.</p>	
62347	<p>39. Transfer of Mortgage Lease and Encumbrance</p> <p>The power pursuant to Section 150 of the Act to transfer a registered mortgage, lease or encumbrance by execution of a transfer in the appropriate form.</p>	Confirmed that this is a process undertaken by a qualified Land Broker/Conveyancer
51666	<p>40. Renewal or extension of Mortgage etc</p> <p>The power pursuant to Section 153(1) of the Act and in accordance with Sections</p>	

#	Item Delegated	Conditions and Limitations
	153(1) and (2) of the Act to renew or extend a mortgage, encumbrance or lease by registration of an instrument in the appropriate form.	
87681	40AA Requirements for renewal or extension of mortgage The power pursuant to Section 153A(1) of the Act, in relation to an instrument lodged for registration in the Lands Titles Registration Office renewing or extending a mortgage, to provide certification required under Section 273(1) of the Act.	
68094	40A Person who intends to lodge instrument may lodge priority notice 40A.1 The power pursuant to Section 154A(1) of the Act to, where the Council intends to lodge an instrument, on payment of the prescribed fee, lodge in the Lands Titles Registration Office a notice (a priority notice), in accordance with Sections 154A(2), (3), (4) and (9) of the Act, for the purpose of giving priority to 1 or more instruments relevant to the same conveyancing transaction.	
68095	40A Person who intends to lodge instrument may lodge priority notice 40A.2 The power pursuant to Section 154A(6) of the Act to, if a priority notice is lodged in the Lands Titles Registration Office in relation to land, lodge a further priority notice in relation to the same land.	
68096	40B Effect of priority notice 40B.1 The power pursuant to Section 154B(2)(b) of the Act to, where a priority notice lodged by the Council is in force in relation to land, provide written consent to the Registrar-General to register, record or give effect to an instrument in relation to the land.	
68097	40B Effect of priority notice 40B.2 The power pursuant to Section 154B(2)(v) of the Act, where a priority notice is in force in relation to land, to make an application under the Act where the Council is a person to whom land has been transmitted for registration as proprietor of the land.	
87682	40B Effect of priority notice 40B.3 The power pursuant to Section 154B(2)(va) of the Act, where a priority notice is in force in relation to land, to make an application under the Act where the Council is a surviving joint proprietor to have the death of a joint proprietor recorded in the Register Book.	
68098	40C Withdrawal of priority notice 40C.1 The power pursuant to Section 154E of the Act to withdraw a priority notice lodged by the Council by lodging in the Lands Titles Registration Office a notice of withdrawal in the appropriate form.	
68099	40D Cancellation of priority notice by Registrar-General 40D.1 The power pursuant to Section 154F(1) of the Act where the Council is a person with an interest in land to which a priority notice is in force, to make application to the Registrar-General to cancel the notice on the basis that the priority notice purports to protect the priority of an instrument that is unlikely to be registered or recorded within 90 days of the day on which the notice was lodged.	
68100	40D Cancellation of priority notice by Registrar-General 40D.2 The power pursuant to Section 154F(2) of the Act, where the Registrar General gives written notice to the Council as the person who lodged a priority notice, of an application under Section 154F(1) to cancel the priority notice, to provide written submissions in response to the application within a specified period.	
68101	40E Cessation of priority notice 40E.1 The power pursuant to Section 154G(6) of the Act, where the Council has lodged a priority notice, to make application to the Registrar General to extend the duration of the notice for 30 days.	
51667	41. Disclaimers 41.1 The power pursuant to Section 169(1) of the Act, where the Council is registered as proprietor of an estate or interest in land, to advise the Registrar-General in writing that the registration occurred without the Council's consent.	
51668	41. Disclaimers 41.2 The power pursuant to Section 169(2a) of the Act to lodge with the Registrar-General a notice of objection to the registration of the instrument of disclaimer.	

#	Item Delegated	Conditions and Limitations
51669	<p>41. Disclaimers</p> <p>41.3 The power pursuant to Section 169(6) of the Act, where the Council is a disclaimant who has received a notice under Section 169(4)(b) of the Act, to apply to the Court for an order that the Registrar-General take such action as is necessary to give effect to the disclaimer.</p>	
51670	<p>42. Bankruptcy or assignment of lessee</p> <p>42.1 The power pursuant to Section 173(a) of the Act where the registered proprietor of a lease has heretofore, or shall hereafter, become bankrupt, or has heretofore made or shall hereafter make, a statutory assignment, and if the lease is not mortgaged or encumbered under the Act, to apply to the Registrar General in writing as the lessor being a lessor in possession of a statement signed by the Official Receiver or by the trustee under bankruptcy or the assignment, certifying his or her refusal to accept the lease, to make a record in the Register Book of the refusal.</p>	
51671	<p>42. Bankruptcy or assignment of lessee</p> <p>42.2 The power pursuant to Section 173(b) of the Act and in accordance with Section 173(c) of the Act, where the Council is the mortgagee or encumbrancee of a lease and the registered proprietor of the lease has heretofore or shall hereafter become bankrupt or has heretofore made or shall hereafter make, a statutory assignment to:</p> <p>42.2.1 apply to the Registrar General in writing, accompanied by a statement in writing, signed by the Official Receiver or the trustee under such bankruptcy or assignment certifying his refusal to accept such lease to enter in the Register Book a note of such refusal.</p> <p>42.2.2 apply to the Registrar-General with proof that the Official Receiver has neglected or refused to certify such refusal or to become registered as proprietor of such lease within one month after being thereunto required by notice in writing given to him by the Council to enter in the Register Book a note of such refusal or neglect.</p>	
51672	<p>42. Bankruptcy or assignment of lessee</p> <p>42.3 The power pursuant to Section 173(c) of the Act, where the Council is the mortgagee or encumbrance of a lease and the registered proprietor of the lease has heretofore made or shall hereafter make, a statutory assignment to give fourteen days' notice in writing of the Council's intended application to every subsequent mortgagee or encumbrancee of the lease, or obtain their written consent.</p>	
51673	<p>42. Bankruptcy or assignment of lessee</p> <p>42.4 The power pursuant to Section 173(c) of the Act where the Council is a subsequent mortgagee or encumbrancee of a lease and the registered proprietor of the lease has heretofore or shall hereafter become bankrupt or has heretofore made or shall hereafter make a statutory assignment, to consent in writing to an application to the Registrar-General by a mortgagee or encumbrance to enter in the Register Book a note of the refusal or neglect of the Official Receiver or trustee under bankruptcy or assignment to accept such lease.</p>	
51674	<p>42. Bankruptcy or assignment of lessee</p> <p>42.5 The power pursuant to Section 173(d) of the Act where the Council is a lessor and the registered proprietor of the lease has heretofore, or shall hereafter, become bankrupt, or has heretofore made or shall hereafter make, a statutory assignment to:</p> <p>42.5.1 require the Official Receiver or the trustee under the bankruptcy or assignment by notice in writing to become registered as the proprietor of the lease;</p> <p>42.5.2 require the mortgagees or encumbrancees (if any) of the lease by notice in writing to have an entry operating as a foreclosure made in the Register Book under the provision in that behalf hereinbefore contained.</p>	
51675	<p>42. Bankruptcy or assignment of lessee</p> <p>42.6 The power pursuant to Section 173(d) of the Act where the Council is a lessor and the registered proprietor of the lease has heretofore, or shall hereafter, become</p>	

#	Item Delegated	Conditions and Limitations
	bankrupt, or has heretofore made or shall hereafter make a statutory assignment, and the Official Receiver or the trustee under the bankruptcy or assignment certifies his refusal to accept the lease, or shall neglect or refuse to become registered as proprietor of the lease, within, one month after having been thereunto required by notice in writing given to him by the Council, and the mortgagees or encumbrancees (if any) of the lease shall neglect or refuse to have an entry operating as a foreclosure made in the Register Book under the provision in that behalf hereinbefore contained within the period of two months after having been thereunto required by notice in writing given to them by the Council, to apply to the Registrar-General in writing to enter in the Register Book a note of such neglect or refusal.	
51676	43. Application to be made in such case The power pursuant to Section 176 of the Act where the Council is an executor before dealing with such estate or interest, make application in writing to the Registrar-General to be registered as the proprietor.	
51677	44. Proceedings when executor etc refuse to transfer The power pursuant to Section 181 of the Act, whenever an executor, or administrator, or the Public Trustee, is registered as proprietor of any land, and refuses, or, after tender of a transfer, unnecessarily delays to transfer such land to the Council where the Council claims to be entitled to the land, to, apply to the Court for an order that the executor, administrator, or Public Trustee shall transfer the said land to the Council.	
51678	45. Registration of survivor of joint proprietors, and of remainder-man entitled to estate in possession The power pursuant to Section 188 of the Act, upon the death of any person registered together with any other person as joint proprietor of any estate or interest in land, or when the life estate in respect of which any certificate has been issued has determined, and the Council has become vested in possession, or the Council has become entitled to the land for an estate in fee-simple in possession, to apply to the Registrar-General to make an entry thereof in the Register Book, that the Council is the registered proprietor of the estate or interest to which the Council is entitled.	
51679	46. Caveats 46.1 The power pursuant to and in accordance with Section 191 of the Act, where the Council is the settlor of land, beneficiary claiming under a will or settlement, or claiming to be interested at law or in equity whether under an agreement, or under an unregistered instrument or otherwise howsoever in any land to, lodge a caveat in the Lands Titles Registration Office.	
51680	46. Caveats 46.2 The power pursuant to Section 191(d) of the Act, where the Council is the registered proprietor or other person claiming estate or interest in the land, to, by summons, call on any caveator, including the Registrar-General, to attend before the Court to show cause why the caveat should not be removed.	
51681	46. Caveats 46.3 The power pursuant to and in accordance with Section 191(e) of the Act except when the caveat is lodged by a settlor, or by a beneficiary under a will or settlement, to make application in writing to the Registrar-General to remove the caveat.	
51682	46. Caveats 46.4 The power pursuant to Section 191(fa) of the Act, where the Council is a caveator, to bring an action in the Court to establish the validity of the claim on which the caveat is based.	
51683	46. Caveats 46.5 The power pursuant to Section 191(g) of the Act to apply to the court to extend the period of 21 days until an action under Section 191(fa) is determined or for any other period.	
51684	46. Caveats 46.6 The power pursuant to Section 191(h) of the Act, to, by notice in writing to the Registrar-General, withdraw the Council's caveat at any time.	

#	Item Delegated	Conditions and Limitations
51685	<p>46. Caveats</p> <p>46.7 The power pursuant to Section 191(k) of the Act to seek the permission of the Court to lodge a further caveat relating to the same matter.</p>	
51686	<p>47. Ejectment</p> <p>47.1 The power pursuant to Section 192 of the Act, and in accordance with Section 193 of the Act, where the Council is:</p> <p>47.1.1 the registered proprietor of a freehold estate in possession;</p> <p>47.1.2 the registered mortgagee or encumbrancee where the person in possession of land is a mortgagor or encumbrancer in default or a person claiming under such mortgagor or encumbrancer;</p> <p>47.1.3 the lessor with power to re-enter where rent is in arrears for three months; or</p> <p>47.1.4 the lessor where a legal notice to quit has been given or the lease has become forfeited or the term of the lease has expired, to cause any person in possession of that land to be summoned to appear before the Court to show cause why the person summoned should not give up possession to the Council.</p>	
51687	<p>48. Persons claiming may, before taking proceedings, apply to the Registrar General for compensation</p> <p>The power pursuant to and in accordance with Section 210 of the Act, where the Council is sustaining loss or damage in any case in which the Council shall be entitled to institute proceedings to recover compensation against the Registrar-General as nominal defendant, to, before commencing such proceedings, make application in writing to the Registrar-General, for compensation, supported by affidavit or declaration.</p>	
68102	<p>48A Reviews</p> <p>48A.1 The power pursuant to Section 221(1) of the Act, if the Delegate, is dissatisfied with a decision of the Registrar-General in relation to an application by the Council:</p> <p>48A.1.1 to have an instrument registered or recorded; or</p> <p>48A.1.2 to have a foreclosure order issued; or</p> <p>48A.1.3 to have the Registrar-General do or perform an act or duty under the Act, to seek a review of the decision by the Tribunal.</p>	
87683	<p>48A Reviews</p> <p>48A.1A The power pursuant to Section 221(1a) of the Act, if the Delegate is dissatisfied with a decision of the Registrar-General to cancel the registration of a mortgage under Section 147 of the Act, to seek a review of the decision by the Tribunal.</p>	
68103	<p>48A Reviews</p> <p>48A.2 The power pursuant to Section 221(2) of the Act, if the Registrar General decides under Section 154A(12) of the Act that the Council is a vexatious lodger of priority notices, to seek a review of the decision by the Tribunal.</p>	
68104	<p>48A Reviews</p> <p>48A.3 The power pursuant to Section 221(3) of the Act, if the Registrar General rejects a priority notice lodged by the Council where the Council is a person in relation to whom a determination has been made under Section 154A(12) of the Act, to seek a review by the Tribunal of the decision to reject the notice.</p>	
68105	<p>48A Reviews</p> <p>48A.4 The power pursuant to Section 221(4) of the Act, if the Registrar General refuses an application by the Council under Section 154F of the Act for the cancellation of a priority notice, to seek a review by the Tribunal of the decision to refuse to cancel the notice.</p>	
68106	<p>48A Reviews</p> <p>48A.5 The power pursuant to Section 221(5) of the Act, if the Registrar General cancels a priority notice under Section 154F of the Act and the Council is affected by the cancellation to seek a review by the Tribunal of the decision to cancel the notice.</p>	

#	Item Delegated	Conditions and Limitations
68107	<p>48A Reviews</p> <p>48A.6 The power pursuant to Section 221(9) of the Act, if the reasons of the Registrar-General are not given in writing at the time the Council receives notice of the decision, to within 21 days of receiving notice of the decision, require the Registrar-General to state the reasons in writing.</p>	
68108	<p>48A Reviews</p> <p>48A.7 The power pursuant to Section 221(10) of the Act, to make an application to the Tribunal for any 1 or more of the following orders:</p> <p>48A.7.1 an order prohibiting a person from lodging a priority notice in the Lands Titles Registration Office;</p> <p>48A.7.2 an interim order extending the duration of a priority notice until the determination of the application or until a date specified by the Tribunal or until further order;</p> <p>48A.7.3 an interim order preventing the Registrar-General from registering or recording a specified instrument until the determination of the application.</p>	
51688	<p>49. Applications for amendment</p> <p>49.1 The power pursuant to and in accordance with Section 223A(1) of the Act, and subject to Section 223A(3) of the Act, where the Council is the registered proprietor of land, to apply to have the certificate amended if:</p> <p>49.1.1 the boundaries, area, or position of the land described in the certificate differ from the boundaries, area or position of the land actually and bona fide occupied by it as being the land included in the certificate; or</p> <p>49.1.2 the description of the land in the certificate is erroneous or imperfect on the face of it.</p>	
51689	<p>49. Applications for amendment</p> <p>49.2 The power pursuant to Section 223A(2) of the Act, and subject to Section 223A(3) of the Act, where the Council is the registered proprietor of land, to apply to have the certificate of any other registered proprietor amended if any of the land described in the Council's certificate, and actually and bona fide occupied by the Council as being the land included in the certificate, is, by reason of any error in survey or in any misdescription, included in the certificate of the other registered proprietor.</p>	
51690	<p>50. Caveats</p> <p>The power pursuant to Section 223D(1) of the Act and in accordance with Section 223D(2) of the Act, where the Council claims any estate or interest in any land in respect of which an application under Part 19A of the Act is made, to at any time before the application is granted lodge a caveat in the Lands Titles Registration Office forbidding the granting of the application.</p>	
51691	<p>51. Rectification by consent</p> <p>The power pursuant to Section 223J of the Act to consent to the Registrar General making any correction or amendment to any certificate of title for the purpose of reconciling the boundaries shown in the certificate with the boundaries of the land occupied.</p>	
51692	<p>52. Application for Division of Land</p> <p>52.1 The power pursuant to Section 223LD of the Act and in accordance with Section 223LD(2), (3) and (11) of the Act, where the Council is the registered proprietor of land, to make application for the division of land to the Registrar General.</p> <p>52.2 The power pursuant to Section 223LD(8) of the Act and subject to Section 223LD(9) of the Act to consent to the withdrawal or amendment of a plan of division or the application to which it relates.</p> <p>52.3 The power pursuant to and subject to Section 223LD(9) of the Act to amend the application or the plan to which it relates in order to comply with the Act or with a requirement of the Registrar-General under the Act.</p>	

#	Item Delegated	Conditions and Limitations
51693	<p>53. Application may deal with statutory encumbrances</p> <p>53.1 The power pursuant to Section 223LDA of the Act to:</p> <p>53.1.1 specify in an application under Part 19AB of the Act or the plan of division that variation or termination of a statutory encumbrance is to be registered or noted; and</p> <p>53.1.2 sign a certificate on behalf of the Council as the holder of the statutory encumbrance certifying that the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance (if any) have been complied with.</p>	
51694	<p>54. Consent to plans of division</p> <p>54.1 The power pursuant to Section 223LH(1) of the Act:</p> <p>54.1.1 where the deposit of a plan of division in the Lands Titles Registration Office will affect the estate or interest of the Council, in the land - to consent to the deposit of the plan and sign a certificate certifying that the Council has consented to the deposit of the plan;</p> <p>54.1.2 where the Council has or claims an estate or interest in the land to be divided - to consent to the deposit of the plan and sign a certificate certifying that the Council has consented to the deposit of the plan;</p> <p>54.1.3 where the land to be divided is subject to a statutory encumbrance held by the Council - to consent to the deposit of the plan and sign a certificate certifying that the Council has consented to the deposit of the plan.</p>	
51695	<p>54. Consent to plans of division</p> <p>54.2 The power pursuant to Section 223LH(2) of the Act, where the deposit of a plan of division will operate to vest an estate or interest in land in the Council, to consent to the deposit of the plan and sign a certificate certifying that the Council has consented to the deposit of the plan.</p>	
51696	<p>55. Amalgamation</p> <p>55.1 The power pursuant to Section 223LJ(1) of the Act and in accordance with Section 223LJ(2) and (3) of the Act, where the Council is the registered proprietor of two or more contiguous allotments, to apply to the Registrar-General for amalgamation of those allotments into a single allotment.</p>	
51697	<p>55. Amalgamation</p> <p>55.2 The power pursuant to Section 223LJ(3) of the Act to consent to an amalgamation of allotments under Division 2 Part 19AB of the Act, where it appears from the Register Book that the Council has an interest as mortgagee or encumbrance of the land or any part of the land to be amalgamated or where such consent is required either in the opinion of the Registrar-General or by regulation.</p>	

ROAD TRAFFIC ACT 1961

CEO ONLY:

Instrument of Delegation to the Chief Executive Officer under the *Road Traffic Act 1961*

#	Item Delegated	Conditions and Limitations
51736	<p>POWER TO CLOSE ROADS AND GRANT EXEMPTION FOR EVENTS</p> <p>2. The power pursuant to Section 33(1) of the Act to declare an event to be an event to which Section 33 of the Act applies and to make orders directing:</p> <p>2.1 that specified roads (being roads on which the event is to be held or roads that, in the opinion of the Delegate, should be closed for the purposes of the event) be closed to traffic for a specified period; and</p> <p>2.2 that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the Australian Road Rules specified in Clause G.4 of the Instrument, subject to the conditions in Clause G.5 of the Instrument.</p>	See Minister's Instrument, clause G.1, sub-clauses G.1.1 to G.1.6. Note especially sub-clause G.1.1: Council may only sub-delegate the power to the person for the time being occupying the position of Chief Executive Officer.

For Sub-Delegation:

Instrument of Delegation under *the Road Traffic Act 1961, the Road Traffic (Miscellaneous) Regulations 2014* and the *Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014*

#	Item Delegated	Conditions and Limitations
50874	<p>1. Direction as to installation etc of traffic control devices</p> <p>1.1 The duty pursuant to Section 18(5) of the Road Traffic Act 1961 ("the Act") to carry out a direction which the Minister directs the Council (as a road authority) to carry out pursuant to Section 18(6) of the Act in circumstances where another road authority has failed to comply with the direction.</p>	
50875	<p>1. Direction as to installation etc of traffic control devices</p> <p>1.2 The power pursuant to Section 18(7) of the Act where the Minister has directed the Council to carry out a direction pursuant to Section 18(6) of the Act, to recover as a debt due from the defaulting road authority any expenses incurred in carrying out the direction under Section 18(6) of the Act, subject to Section 18(8) of the Act.</p>	
50876	<p>2. Action to deal with false devices or hazards to traffic</p> <p>2.1 The power pursuant to Section 31(2) of the Act to remove from any road the care, control or management of which is vested in the Council and dispose of any false traffic control device or any device, structure or thing that the Delegate is satisfied might constitute a hazard to traffic.</p>	
172244	<p>2A. Road Closing and Exemptions for Certain Events</p> <p>2A.1 The power pursuant to Section 33(2) of the Act, to consent to an order under Section 33(1) of the Act to close a road in the Council's area.</p>	
50877	<p>3. Notice of Removal of Vehicle and Disposal of Vehicle if Unclaimed</p> <p>3.1 The duty pursuant to Section 40P(3) of the Act and subject to Section 40P(4) to offer a vehicle, which was removed by an officer of the Council under Section 40N of the Act and for which there had been notice given according to Section 40P(2) of the Act and the owner of the vehicle failed to take possession of the vehicle and pay all expenses in connection with the removal, custody and maintenance of the vehicle and of serving, posting or publishing the notice, within one month after service or publication of the notice in accordance with Section 40P(2) of the Act, for sale by public auction.</p>	
50878	<p>3. Notice of Removal of Vehicle and Disposal of Vehicle if Unclaimed</p> <p>3.2 The power pursuant to Section 40P(4) of the Act, where a vehicle is offered for sale by public auction but is not sold at the auction or the relevant authority</p>	

#	Item Delegated	Conditions and Limitations
	reasonably believes that the proceeds of the sale of the vehicle would be unlikely to exceed the costs incurred in selling the vehicle, to dispose of the vehicle in such manner as the Delegate thinks fit.	
50879	<p>3. Notice of Removal of Vehicle and Disposal of Vehicle if Unclaimed</p> <p>3.3 The duty pursuant to Section 40P(5) of the Act to apply the proceeds of the sale of a vehicle as follows:</p> <p>3.3.1 firstly, in payment of the costs of and incidental to the sale;</p> <p>3.3.2 secondly, in payment of the costs of and incidental to the removal, custody and maintenance of the vehicle and of the notice served, posted or published under this section; and</p> <p>3.3.3 thirdly, in payment of the balance to the owner of the vehicle.</p>	
50880	<p>3. Notice of Removal of Vehicle and Disposal of Vehicle if Unclaimed</p> <p>3.4 The power pursuant to Section 40P(6) of the Act, if after reasonable inquiry following sale of the vehicle the owner of the vehicle cannot be found, to pay the balance of the proceeds of the sale to the Council.</p>	
50881	<p>4. Compensation Orders for Damage to Road Infrastructure</p> <p>The power, pursuant to Section 163ZC(2) of the Act and in accordance with Section 163ZC(5) of the Act to make an application for a compensation order.</p>	
50882	<p>4A. Assessment of Compensation</p> <p>4A.1 The power pursuant to Section 163ZD(2) of the Act and in accordance with Section 163ZE of the Act to use in proceedings for the court to take into account in assessing the amount of any compensation:</p> <p>4A.1.1 any evidence not adduced in connection with the prosecution of the offence but adduced in connection with the making of the proposed order; and</p> <p>4A.1.2 any certificate of the Council, as the road authority stating that the Council maintains the road concerned; and</p> <p>4A.1.3 any other certificate of the Council as the road authority, such as a certificate:</p> <p>4A.1.3.1 estimating the monetary value of all or any part of the road infrastructure or of the damage to it; or</p> <p>4A.1.3.2 estimating the cost of remedying the damage; or</p> <p>4A.1.3.3 estimating the extent of the offender's contribution to the damage.</p>	
50883	<p>4B. Service of Certificates</p> <p>4B.1 The duty, pursuant to Section 163ZE(1) of the Act, if the Council, as the road authority, proposes to use a certificate referred to in Section 163ZD in proceedings, to serve a copy of the certificate on the defendant at least 28 working days before the day on which the matter is set down for hearing.</p>	
50884	<p>5. Exemptions</p> <p>5.1 The power pursuant to Section 174C(1) of the Act to exempt any person, or any persons of specified class, or any specified vehicle, or any vehicles of a specified class, from compliance with a prescribed provision of the Act, subject to the payment of such fee and to such other conditions (if any) as the Delegate thinks fit and specifies in the exemption.</p>	
50885	<p>6. Event Management Plan</p> <p>6.1 The power pursuant to Regulation 6(2) of the Road Traffic (Miscellaneous) Regulations 2014 to consult with an applicant in the preparation of an event management plan for the purpose of Section 33(1) of the Act.</p>	
50886	<p>6. Event Management Plan</p> <p>6.2 The power pursuant to Regulation 6(2) of the Road Traffic (Miscellaneous) Regulations 2014 to consult with the Commissioner of Police or the Commissioner</p>	

#	Item Delegated	Conditions and Limitations
	of Highways in the preparation of an event management plan for the purpose of Section 33(1) of the Act.	
50887	<p>7. Permit Zones</p> <p>7.1 The power pursuant to Regulation 17(2) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014 to determine –</p> <p>7.1.1 the class of permits required for vehicles to stop in a permit zone established by the Council;</p> <p>7.1.2 the persons entitled to such permits;</p> <p>7.1.3 any fees to be paid for such permits;</p> <p>7.1.4 the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles).</p> <p>and to vary any such determination.</p>	
50888	<p>7. Permit Zones</p> <p>7.2 The power pursuant to Regulation 17(3) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014 to issue permits in respect of permit zones to persons entitled to them, on payment of a fee (if any) and subject to the conditions, determined by the Delegate.</p>	See email 28/3/14 from GM Comm (2201582)

ROADS (OPENING & CLOSING) ACT 1991

CEO ONLY:

Instrument of Delegation under the *Roads (Opening and Closing) Act 1991*

#	Item Delegated	Conditions and Limitations
50857	7. Making of Road Process Order 7.5 The power to pursuant to Section 18(1) of the Act and in accordance with the provisions in Section 18(2) of the Act, when acting as the relevant authority where a road process order for a road closure has been made, to make an order as part of that order for the granting of an easement over land subject to the road closure.	
50858	7. Making of Road Process Order 7.6 The power pursuant to Section 18(2)(d) of the Act, where an application for an easement has been made pursuant to Division 1 of Part 3 of the Act by a person as the owner of adjoining or nearby land, to form the opinion that the persons use or enjoyment of that adjoining or nearby land would be substantially altered if the easement were not granted and therefore make an order for the granting of the easement in favour of that person.	

For Sub-Delegation:

Instrument of Delegation under the *Roads (Opening and Closing) Act 1991*

#	Item Delegated	Conditions and Limitations
50843	1. Commencement Of Road Process 1.1 The power pursuant to Section 5 of the Roads (Opening and Closing) Act 1991 ("the Act") to commence a road process in relation to a road or proposed road within the area of the Council.	
50844	2. Deposit of Preliminary Plan and Statement of Persons Affected 2.1 The duty pursuant to Section 9(1) of the Act where the Council proposes to commence a road process, to cause to be prepared: 2.1.1 a preliminary plan of the land subject to the proposed road process in a form approved by the Surveyor-General; and 2.1.2 a statement in a form approved by the Surveyor-General containing - 2.1.2.1 the names and addresses of those persons affected who can be identified by reasonable enquiry; and 2.1.2.2 such information in relation to the land subject to the proposed road process as is required by the Surveyor-General.	
50845	2. Deposit of Preliminary Plan and Statement of Persons Affected 2.2 The duty pursuant to Section 9(2) of the Act where the Council has proposed a road process and a preliminary plan and statement has been prepared pursuant to the requirements of Section 9(1) of the Act, to deposit a copy of the said preliminary plan and statement at the Adelaide office of the Surveyor-General together with the prescribed fee.	
50846	3. Notification of Proposed Road Process 3.1 The duty pursuant to Section 10(1) of the Act where the Council commences a road process (where the Council is the relevant authority in relation to the road process) to - 3.1.1 after compliance with the requirements of Section 9 of the Act, give public notice, in accordance with the Regulations, of the proposal; and	

#	Item Delegated	Conditions and Limitations
	3.1.2 at the same time to give notice in writing of the proposal on each person affected who can be identified by reasonable enquiry.	
50847	<p>3. Notification of Proposed Road Process</p> <p>3.2 The duty pursuant to Section 10(2) of the Act to (where the Council is a relevant authority in relation to a proposed road process) as soon as practicable after giving public notice under Section 10(1) of the Act in relation to the process, deposit a copy of the notice at the Adelaide office of the Surveyor-General.</p>	
50848	<p>4. Dealings in Land after Commencement of Road Process</p> <p>4.1 The power pursuant to Section 11(a)(ii) of the Act where the Council commences a road process under which a road is proposed to be opened over land not owned by the Council (where that land is land which has been brought under the Real Property Act 1886), to lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the Council.</p>	
50849	<p>4. Dealings in Land after Commencement of Road Process</p> <p>4.2 The power pursuant to Section 11(b)(iii) of Act where the Council commences a road process under which a road is proposed to be opened over land not owned by the Council (where that land is not land that has been brought under the Real Property Act 1886), to lodge a copy of the notice of the proposed road opening at the General Registry office, and by notice in writing served on any person, require the person to deliver up to the Registrar-General any instrument evidencing the person's interest in the land.</p>	
50850	<p>5. Power to make Preliminary Agreements</p> <p>5.1 The power pursuant to Section 12(1) of the Act and in accordance with the provisions of Section 12 to make agreements for exchange or transfer in relation to land subject to a proposed road closure with the owner of land adjoining that land.</p>	
50851	<p>5. Power to make Preliminary Agreements</p> <p>5.2 The duty pursuant to Section 12(3) of the Act where the Delegate seeks to make an agreement for transfer in relation to land subject to a proposed road closure pursuant to Section 12 of the Act -</p> <p>5.2.1 where adjoining land is owned by a person who owns land subject to a proposed road opening, to first endeavour to secure an agreement for exchange with that person;</p> <p>5.2.2 in any case, to first invite offers from the owners of land adjoining the land subject to the proposed road closure.</p>	
50852	<p>6. Meeting to Consider Objection or Application</p> <p>6.1 The duty pursuant to Section 14(1) of the Act in circumstances where the Council is the relevant authority and where the Council has commenced a road process and a person has made an objection or application in relation to the proposed road process, to notify that person in writing of a time and place at which the Council will meet as the relevant authority to consider all such objections and applications.</p>	
50853	<p>7. Making of Road Process Order</p> <p>7.1 The duty pursuant to Section 15(1) of the Act to (as the relevant authority) as soon as practicable after the expiration of the time allowed for the making of objections and applications and after considering all objections and applications (if any) made in relation to a proposed road process -</p> <p>7.1.1 make a road process order in relation to all or part of the land to which the proposed road process relates; or</p> <p>7.1.2 determine that no road process order is to be made.</p>	
50854	<p>7. Making of Road Process Order</p> <p>7.2 The duty pursuant to Section 15(3) of the Act where the Delegate (as the relevant authority) determines that no road process order is to be made, to as soon as practicable give notice in writing of that decision;</p> <p>7.2.1 to the Surveyor General; and</p>	

#	Item Delegated	Conditions and Limitations
	<p>7.2.2 to any person who made an objection or application in relation to the proposed road process pursuant to Division 1 of Part 3 of the Act; and</p> <p>7.2.3 in addition, in the case of a proposed road opening, to any person who has an interest in land over which the road was proposed to be opened.</p>	
50855	<p>7. Making of Road Process Order</p> <p>7.3 The duty pursuant to Section 16 of the Act when acting as the relevant authority, in determining whether to make a road process order and what order should be made, to have regard to -</p> <p>7.3.1 any objections made by any person pursuant to the Act; and</p> <p>7.3.2 the plans, principles, regulations and other matters to which regard must be had by assessment authorities for determining applications for development authorisation under the Development Act 1993 in relation to developments in the area to which the proposed road process order relates; and</p> <p>7.3.3 whether the land subject to the road process is reasonably required as a road for public use in view of present and likely future needs in the area; and</p> <p>7.3.4 alternative uses of the land subject to the road process that would benefit the public or a section of the public; and</p> <p>7.3.5 any other matter that the Delegate considers relevant.</p>	
50856	<p>7. Making of Road Process Order</p> <p>7.4 The duty pursuant to Section 17 of the Act where, when acting as the relevant authority, a road process order or a road closure has been made, to as part of that order make one or more of the following orders dealing, or together dealing, with all of the land subject to the road closure:</p> <p>7.4.1 if an agreement for exchange or transfer has been made in respect of land subject to the road closure, an order that the land be transferred or added to other land in accordance with the agreement;</p> <p>7.4.2 an order that the land be sold by public auction or tender, if the Delegate considers that land subject to the road closure can conveniently be used separately from other land and the power to so form that opinion;</p> <p>7.4.3 an order that land subject to the road closure be sold, or transferred, for use for some public, charitable or beneficial community purpose;</p> <p>7.4.4 if land subject to the road closure is required by the Council for some purpose - in order that the land be retained by the Council and the Certificate of Title be issued to the Council;</p> <p>7.4.5 an order that land subject to the road closure -</p> <p>7.4.5.1 be added to adjoining land that is dedicated under the Crown Lands Act 1929; or</p> <p>7.4.5.2 be transferred to the proprietor of adjoining land that is alienated in fee simple in trust under the Crown Lands Act 1929; or</p> <p>7.4.5.3 be vested in the Crown.</p>	
50859	<p>7. Making of Road Process Order</p> <p>7.7 The duty pursuant to Section 19 of the Act when acting as the relevant authority to as soon as is practicable after a road process order is made;</p> <p>7.7.1 give notice in writing of the order to any person who made an objection or application in relation to the proposed road process pursuant to Division 1 of Part 3 of the Act; and</p>	

#	Item Delegated	Conditions and Limitations
	<p>7.7.2 In addition, in the case of an order for a road opening -</p> <p>7.7.2.1 give notice in writing of the order to any person who has an interest in land over which a road is proposed by the order to be opened; and</p> <p>7.7.2.2 if the order does not deal with part of the land specified in the public notice of the proposed road opening given pursuant to Division 1 - give notice in writing of the discontinuance of the road process in respect of that land to any person who has an interest in that land; and</p> <p>7.7.2.3 deliver to the Adelaide office of the Surveyor-General a copy of the minutes of all meetings held by it in relation to the proposed road process certified by the Chief Executive Officer of the Council.</p>	
50860	<p>7. Making of Road Process Order</p> <p>7.8 The duty pursuant to Section 20 of the Act, within 3 months after a road process order is made to deposit at the Adelaide office of the Surveyor-General -</p> <p>7.8.1 2 copies of the order; and</p> <p>7.8.2 survey plans as required by the Registrar-General for the purposes of this Section; and</p> <p>7.8.3 in the case of an order for a road closure that includes an order that land be transferred or added to other land in accordance with an agreement for exchange or transfer - a copy of the agreement for exchange or transfer on which is denoted all stamp duty payable in respect of the agreement; and</p> <p>7.8.4 in the case of an order for a road opening or the narrowing of a road - a statement that the order complies with the requirements of Part 8 of the Act as to the minimum width of roads; and</p> <p>7.8.5 any other document required by the Surveyor-General; and</p> <p>7.8.6 any fee prescribed by regulation including any fee required to be paid by a person in whom land or an interest in land would be vested on publication in the Gazette of notice of the order and its confirmation by the Minister.</p>	
50861	<p>7. Making of Road Process Order</p> <p>7.9 The duty pursuant to Section 20(3) of the Act in circumstances where a road process lapses by virtue of the provisions of Section 20(2) of the Act to, as soon as practicable, give notice in writing of that fact -</p> <p>7.9.1 to any person who made an objection or application in relation to the proposed road process pursuant to Division 1 of Part 3 of the Act; and</p> <p>7.9.2 in addition, in the case of a proposed road opening - to any person who has an interest in land over which a road is proposed to be opened.</p>	
50862	<p>8. Review and Confirmation of Road Process Order</p> <p>8.1 The duty pursuant to Section 22(2)(i) of the Act as the relevant authority in circumstances where the Surveyor-General has amended a road process order under Section 22(1) of the Act and then provided a written notice of that amendment to the Council, to as soon as practicable give notice in writing of that amendment to any person who was required to be given notice in writing of the road process order under Section 19(a) or (b) of the Act.</p>	
50863	<p>8. Review and Confirmation of Road Process Order</p> <p>8.2 The duty pursuant to Section 24(2)(b) of the Act in circumstances where the Minister declines to confirm a road process order under Section 24(1) of the Act and has then provided written notice of that decision to the Council, to as soon as practicable give notice in writing of that decision -</p> <p>8.2.1 to any person who made an objection or application in relation to the</p>	

#	Item Delegated	Conditions and Limitations
	<p>proposed road process pursuant to Division 1 of Part 3 of the Act; and</p> <p>8.2.2 in addition, in the case of a proposed road opening - to any person who has an interest in land over which a road was proposed to be opened.</p>	
50864	<p>9. Compensation</p> <p>9.1 The duty pursuant to Section 31(1)(a) of the Act where a road is opened pursuant to the Act over land not owned by the Council to -</p> <p>9.1.1 serve notice in writing of the road process order on each person who had an interest in the land immediately before it vested in the Council by virtue of the road opening; and</p> <p>9.1.2 append to the notice an offer in writing stating the total amount of compensation that the Council proposes to pay to the person and dividing that amount, so far as is practicable, into its separable components.</p>	
50865	<p>10. Acquisition of Additional Land under Land Acquisition Act</p> <p>10.1 The power pursuant to Section 33(1) of the Act in circumstances where a Council proposes to open a road over any land pursuant to the Act, to -</p> <p>10.1.1 consider that the acquisition of additional land adjoining or near to the land to which the road opening relates is appropriate; and</p> <p>10.1.2 proceed to acquire the land, whether or not the land is required in connection with the proposed road.</p>	
50866	<p>10. Acquisition of Additional Land under Land Acquisition Act</p> <p>10.2 The power pursuant to Section 33(4) of the Act, where additional land is acquired by the Council pursuant to Section 33 of the Act, to sell or otherwise deal with that land in such manner as the Delegate considers appropriate, and to use the proceeds from the sale of any such land toward defraying expenses incurred by the Council in connection with the road opening.</p>	
50867	<p>10A. Roads Associated with Adelaide Park Lands</p> <p>10A.1 The power pursuant to Section 34G(1) of the Act to prepare an application to be made by the Council to the Minister to make a road wider, narrower, longer or shorter pursuant to Section 6B of the Act.</p>	
50868	<p>10A. Roads Associated with Adelaide Park Lands</p> <p>10A.2 The duty pursuant to Section 34G(2) of the Act to ensure that an application pursuant to Section 34G of the Act is accompanied by -</p> <p>10A.2.1 a preliminary plan of the land subject to the proposed road process, in a form determined or approved by the Surveyor General; and</p> <p>10A.2.2 such other information as may be required by the Regulations.</p>	
50869	<p>10A. Roads Associated with Adelaide Park Lands</p> <p>10A.3 The duty pursuant to Section 34G(4) of the Act, if the Minister, after consultation under Section 34G(3) of the Act, determines that the application should be considered to, in accordance with Section 34G(5) of the Act, -</p> <p>10A.3.1 give public notice, in accordance with the Regulations, of the proposal; and</p> <p>10A.3.2 give notice of the proposal to any State authority or council specified by the Minister; and</p> <p>10A.3.3 give notice of the proposal to the Adelaide Park Lands Authority (unless the Authority has already been consulted under Section 34G(3) of the Act and indicated that it has no further comment to make in relation to the matter).</p>	
50870	<p>10A. Roads Associated with Adelaide Park Lands</p> <p>10A.4 The duty pursuant to Section 34G(6) of the Act to forward to the Surveyor-General, after the expiration of the period that applies under Section 34G(5) of the Act -</p>	

#	Item Delegated	Conditions and Limitations
	<p>10A.4.1 any representation in relation to the proposal made to the Council within the relevant period; and</p> <p>10A.4.2 any response that the Council wishes to make in relation to those representations.</p>	
50871	<p>10A. Roads Associated with Adelaide Park Lands</p> <p>10A.5 The power pursuant to Section 34G(9) of the Act, if the Minister is willing to approve the application, to, after consultation with the Surveyor-General, cause survey plans and other documents to be prepared as required by the Registrar-General and submit them to the Minister.</p>	
50872	<p>10A. Roads Associated with Adelaide Park Lands</p> <p>10A.6 The power and duty pursuant to Section 34G(14) of the Act, after publication of the order, to provide any documentation required by the Registrar-General to the Registrar-General.</p>	
50873	<p>11. Duty to Fence</p> <p>11.1 The duty pursuant to Section 39 of the Act in any case in which a road is fenced along one or both of its boundaries and the road is altered or diverted, to ensure that the road as altered or diverted is fenced along its boundaries with a substantial fence of the same nature as the fence previously on the boundary of the road and the abutting land.</p>	

SAFE DRINKING WATER 2011

CEO ONLY:

Instrument of Delegation under the *Safe Drinking Water Act 2011*

#	Item Delegated	Conditions and Limitations
182766	14. Related matters (3) (b) The power pursuant to Section 14(3)(b) of the Act to consult with the Minister in relation to alterations to the program or protocol (or both) submitted for the purposes of Section 14 of the Act.	
182767	14. Related matters (4) The power pursuant to Section 14(4) of the Act and in accordance with Section 14(5) of the Act, where the Council is required to make an alteration under Section 14(3) of the Act, to seek a review of the requirement by the Tribunal under Section 34 of the South Australian Civil and Administrative Tribunal Act 2013.	

For Sub-Delegation:

Instrument of Delegation under the *Safe Drinking Water Act 2011*

#	Item Delegated	Conditions and Limitations
182766	14. Related matters (3) (b) The power pursuant to Section 14(3)(b) of the Act to consult with the Minister in relation to alterations to the program or protocol (or both) submitted for the purposes of Section 14 of the Act.	
51561	34. Appointment of authorised officers (1) The power pursuant to Section 34(1) of the Act, to appoint a person to be an authorised officer for the purposes of the Act, but only if the Delegate considers the person has appropriate qualifications or experience to exercise the functions of an authorised officer. (2) The power pursuant to Section 34(2) of the Act to prepare and maintain a list of authorised offices appointed by the Council.	General Manager City Services and Executive Manager, Office of the CEO only have sub-delegation for Section 34(2).
51562	35. Certificates of authority (1) The power pursuant to Section 35(1) of the Act to provide each authorised officer appointed by the Council with a certificate of authority as an authorised officer. (2) The power pursuant to Section 35(2) of the Act to limit the powers of an authorised officer by the authorised officer's certificate of authority.	
51564	37. Seizure orders (3) (a) The power pursuant to Section 37(3)(a)(i) and (ii) of the Act to: (i) authorise the release of a thing seized to the person from whom it was seized or any person who had a right to possession of it at the time of its seizure subject to such conditions as the Delegate thinks fit, including conditions as to the giving of security for satisfaction of an order under Section 37(3)(b)(i)(B) of the Act; or (ii) order that the thing seized be forfeited to the Council; (d) The power pursuant to Section 37(3)(d) of the Act if a thing seized is forfeited under Section 37 of the Act to dispose of it by sale, destruction or otherwise as the Delegate directs.	

#	Item Delegated	Conditions and Limitations
51570	<p>38. Notices</p> <p>(1) The power pursuant to Section 38(1) of the Act and in accordance with Section 38(2) of the Act to issue a notice under Section 38 for the purpose of:</p> <p>(a) securing compliance with a requirement imposed by or under the Act; or</p> <p>(b) averting, eliminating or minimising a risk, or a perceived risk, to the public in relation to drinking water.</p> <p>(6) The power pursuant to Section 38(6) of the Act to, by written notice served on a person to whom a notice under Section 38 has been issued by the Council, vary or revoke the notice.</p>	<p>EHO1, Adam Bowden, when required on a temporary or contract basis.</p>
51565	<p>39. Action or non-compliance with a notice</p> <p>(1) The power pursuant to Section 39(1) of the Act, if the requirements of a notice under Division 3 of the Act are not complied with, to take any action required by the notice.</p> <p>(2) The power pursuant to Section 39(2) of the Act to authorise another person to take action under Section 39(1) of the Act on the Council's behalf.</p> <p>(4) The power pursuant to Section 39(4) of the Act to recover the reasonable costs and expenses incurred by the Council in taking action under Section 39 of the Act from the person who failed to comply with the requirements of the notice as a debt in a court of competent jurisdiction.</p> <p>(5) The power pursuant to Section 39(5) of the Act, if an amount is recoverable from a person by the Council under Section 39 of the 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.</p>	<p>(1) EHO1, Adam Bowden, when required on a temporary or contract basis.</p> <p>(2) Manager Finance and ICT has sub-delegation only under Section 39(4) and 39(5).</p>
51566	<p>40. Action in emergency situations</p> <p>(5) The power pursuant to Section 40(5) of the Act to recover the reasonable costs and expenses incurred by an authorised officer in taking action under Section 40 of the Act as a debt in a court of competent jurisdiction.</p>	<p>EHO1, Adam Bowden, when required on a temporary or contract basis.</p>
51567	<p>41. Specific power to require information</p> <p>(1) The power pursuant to Section 41(1) of the Act, to by notice in writing under Section 41 of the Act require a person to furnish such information relating to the quality or supply of drinking water, or any other matter associated with the administration or operation of the Act, as the Delegate thinks fit.</p>	<p>EHO1, Adam Bowden, when required on a temporary or contract basis.</p>
51568	<p>42. Appeals</p> <p>(3) The power pursuant to Section 42(3) of the Act to apply for the Council to be a party to proceedings under Section 42 of the Act.</p>	<p>EHO1, Adam Bowden, when required on a temporary or contract basis.</p>
51569	<p>52. Annual reports by enforcement agencies</p> <p>(1) The power pursuant to Section 52(1) of the Act to on or before 30 September in each year, furnish to the Minister a report on the activities of the Council under the Act during the financial year ending on the preceding 30 June.</p>	<p>EHO1, Adam Bowden, when required on a temporary or contract basis.</p>

SOUTH AUSTRALIAN PUBLIC HEALTH ACT 2011

Instrument of Delegation under the *South Australian Public Health Act 2011* and *South Australian Public Health (Legionella) Regulations 2013* and *South Australian Public Health (Wastewater) Regulations 2013* and *South Australian Public Health (General)*

#	Item Delegated	Conditions and Limitations
50943	1. Power to Require Reports 1.1 The power pursuant to Section 18(2) of the South Australian Public Health Act 2011 (the Act) to, if required by the Minister, provide a report on any matter relevant to the administration or operation of the Act.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50944	1. Power to Require Reports 1.2 The power pursuant to Section 18(3) of the Act to, if required by the Minister, in a case involving the Council provide a combined report with 1 or more other councils.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50945	1. Power to Require Reports 1.3 The power pursuant to Section 18(5) of the Act to provide the report in accordance with the requirements of the Minister.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50946	2. Risk of Avoidable Mortality or Morbidity 2.1 The power pursuant to Section 22(2) of the Act, if the Council receives a request under Section 22(1) of the Act, to consider the request and then respond in accordance with Section 22(3) of the Act to the Chief Public Health Officer within a reasonable time.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50947	2. Risk of Avoidable Mortality or Morbidity 2.2 The power pursuant to Section 22(3) of the Act to include in a response under Section 22(2) of the Act details about: 2.2.1 any steps already being taken by the Council that may be relevant in the circumstances; and 2.2.2 any plans that the Council may have that may be relevant in the circumstances; and 2.3 any steps that the Council is willing to take in the circumstances; and 2.4 any other matter relating to the Council that appears to be relevant.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50948	3. Cooperation Between Councils 3.1 The power pursuant to Section 39(1) of the Act to, in performing the Council's functions or exercising the Council's powers under the Act, act in conjunction or partnership with, or cooperate or coordinate the Council's activities with, 1 or more other councils	EHO1, Adam Bowden, when required on a temporary or contract basis.
50949	3. Cooperation Between Councils 3.2 The power pursuant to Section 39(2) of the Act to, if requested by the Chief Public Health Officer, cooperate with 1 or more other councils.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50950	3. Cooperation Between Councils 3.3 The power pursuant to Section 39(3) of the Act to, if the Council receives a request under Section 39(2) of the Act, within 28 days after receiving the request or such longer period as the Chief Public Health Officer may specify, furnish the Chief Public Health Officer with a written report on the action that the Council intends to take in response to the request.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50951	4. Power of Chief Public Health Officer to Act 4.1 The power pursuant to Section 40(2) of the Act to consult with the Chief Public Health Officer.	EHO1, Adam Bowden, when required on a

#	Item Delegated	Conditions and Limitations
		temporary or contract basis.
50952	5. Council Failing to Perform a Function Under Act 5.1 The power pursuant to Section 41(1) of the Act to consult with the Minister in relation to the Minister's opinion that the Council has failed, in whole or in part, to perform a function conferred on the Council under the Act.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50953	5. Council Failing to Perform a Function Under Act 5.2 The power pursuant to Section 41(6) of the Act to: 5.2.1 make written submissions to the Minister in relation to the matter within a period specified by the Minister; and 5.2.2 request in the written submissions to the Minister that the Minister discuss the matter with a delegation representing the Council; and 5.2.3 appoint a delegation representing the Council to discuss the matter with the Minister.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50954	6. Transfer of Function of Council at Request of Council 6.1 The power pursuant to Section 42(1) of the Act to request, in accordance with Section 42(2), of the Act that a function of the Council under the Act be performed by the Chief Public Health Officer.	
50955	6. Transfer of Function of Council at Request of Council 6.2 The power pursuant to Section 42(10) of the Act to enter into an agreement with the Minister for the Minister to recover costs and expenses associated with the Chief Public Health Officer acting under Section 42 of the Act.	
50956	6. Transfer of Function of Council at Request of Council 6.3 The power pursuant to Section 42(11) of the Act to request that the Minister vary or revoke a notice under Section 42 of the Act.	
50962	6. Transfer of Function of Council at Request of Council 6.4 The power pursuant to Section 42(11) of the Act to consult with the Minister in relation to the Minister varying or revoking a notice under Section 42 of the Act.	
50963	7. Local Authorised Officers 7.1 The power pursuant to Section 44(1) of the Act, subject to Section 45 of the Act, to, by instrument in writing, appoint a suitably qualified person to be a local authorised officer.	A local authorised officer must hold suitable qualifications as specified by the Minister for Health and Ageing.
50964	7. Local Authorised Officers 7.2 The power pursuant to Section 44(2) of the Act to make an appointment under Section 44 subject to such conditions or limitations as the Delegate thinks fit.	A local authorised officer must hold suitable qualifications as specified by the Minister for Health and Ageing.
50965	7. Local Authorised Officers 7.3 The power pursuant to Section 44(4) of the Act to direct a local authorised officer.	
50966	7. Local Authorised Officers 7.4 The power pursuant to Section 44(6) of the Act to vary or revoke an appointment at any time.	
50967	7. Local Authorised Officers 7.5 The power pursuant to Section 44(7) of the Act to notify the Chief Public Health Officer in accordance with Section 44(8) of the Act, if the Council or the Delegate: 7.5.1 makes an appointment under Section 44 of the Act; or 7.5.2 revokes an appointment under Section 44 of the Act.	

#	Item Delegated	Conditions and Limitations
50968	<p>7. Local Authorised Officers</p> <p>7.6 The power pursuant to Section 44(9) of the Act to determine the number of local authorised officers who should be appointed for the Council's area and in determining the number of local authorised officers who should be appointed for the Council's area, take into account any policy developed by the Chief Public Health Officer for the purposes of Section 44 of the Act.</p>	
50969	<p>8. Identity Cards</p> <p>8.1 The power pursuant to Section 46(1) of the Act to issue in accordance with Section 46(2) of the Act to an authorised officer appointed under the Act an identity card in a form approved by the Chief Public Health Officer:</p> <p>8.1.1 containing the person's name and a photograph of the person; and</p> <p>8.1.2 stating that the person is an authorised officer for the purposes of the Act; and</p> <p>8.1.3 setting out the name or office of the issuing authority.</p>	
50957	<p>9. Specific Power to Require Information</p> <p>9.1 The power pursuant to Section 49(1) of the Act to require a person to furnish such information relating to public health as may be reasonably required for the purposes of the Act.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
50970	<p>10. Regional Public Health Plans</p> <p>10.1 The power pursuant to Section 51(1) of the Act to in accordance with Sections 51(2), (5), (6), (8), (9), (11), (12), (13) and (15) of the Act prepare and maintain a plan or, if the Minister so determines or approves, with a group of councils, prepare and maintain a plan, for the purposes of the operations of the Council or Councils under the Act (a regional public health plan).</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
50971	<p>10. Regional Public Health Plans</p> <p>10.2 The power pursuant to Section 51(10) of the Act, to, subject to Section 51(11), amend a regional public health plan at any time.</p>	
50972	<p>10. Regional Public Health Plans</p> <p>10.3 The power pursuant to Section 51(11) of the Act to, in relation to any proposal to create or amend a regional public health plan:</p> <p>10.3.1 prepare a draft of the proposal; and</p> <p>10.3.2 when the draft plan is completed, subject to Section 51(12) of the Act:</p> <p>10.3.2.1 give a copy of it to:</p> <p>(a) the Minister; and</p> <p>(b) any incorporated hospital established under the Health Care Act 2008 that operates a facility within the region; and</p> <p>(c) any relevant public health partner authority under Section 51(23); and</p> <p>(d) any other body or group prescribed by the regulations; and</p> <p>10.3.2.2 take steps to consult with the public.</p>	
50973	<p>10. Regional Public Health Plans</p> <p>10.4 The power pursuant to Section 51(12) of the Act to, if required by the Minister, consult with the Minister, or any other person or body specified by the Minister, before the Council or the Delegate releases a draft plan under Section 51(11).</p>	
50974	<p>10. Regional Public Health Plans</p> <p>10.5 The power pursuant to Section 51(13) of the Act to, before bringing a regional public health plan into operation, submit the plan to the Chief Public Health Officer for consultation.</p>	
50975	<p>10. Regional Public Health Plans</p> <p>10.6 The power pursuant to Section 51(15) of the Act to take into account any comments made by the Chief Public Health Officer, SAPHC, and any other body</p>	

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	within the ambit of a determination under Section 51(14) of the Act, at the conclusion of the consultation processes envisaged by Sections 51(13) and (14).	
50976	10. Regional Public Health Plans 10.7 The power pursuant to Section 51(16) of the Act to then adopt a plan or amend a plan with or without alteration.	
50977	10. Regional Public Health Plans 10.8 The power pursuant to Section 51(17) of the Act to undertake the processes set out in Section 51 of the Act in conjunction with the preparation and adoption of its strategic management plans under Section 122 of the Local Government Act 1999 (and the power if the delegate thinks fit, incorporate a regional public health plan into the Council's strategic management plans under that Act).	
50978	10. Regional Public Health Plans 10.9 The power pursuant to Section 51(18) of the Act to provide in a regional public health plan, by agreement with the public health partner authority, for a public health partner authority to take responsibility for undertaking any strategy, or for attaining any priority or goal, under the plan.	
50979	10. Regional Public Health Plans 10.10 The power pursuant to Section 51(19) of the Act to review a regional public health plan at least once in every 5 years.	
50980	10. Regional Public Health Plans 10.11 The power pursuant to Section 51(20) of the Act to, in preparing and reviewing the Council's regional public health plan insofar as is reasonably practicable, give due consideration to the plans of other councils insofar as this may be relevant to issues or activities under the Council's plan.	
50981	10. Regional Public Health Plans 10.12 The power pursuant to Section 51(21) of the Act to, when performing functions or exercising powers under the Act or any other Act, insofar as may be relevant and reasonable, have regard to the State Public Health Plan, any regional public health plan that applies within the relevant area and any other requirement of the Minister, and in particular to give consideration to the question whether the Council or the Delegate should implement changes to the manner in which, or the means by which, the Council or the Delegate performs a function or exercises a power or undertakes any other activity that has been identified in the State Public Health Plan as requiring change.	
50982	11. Reporting on Regional Public Health Plans 11.1 The power pursuant to Section 52(1) of the Act to, in relation to a regional health plan for which the Council is responsible, on a 2 yearly basis, prepare a report that contains a comprehensive assessment of the extent to which, during the reporting period, the Council has succeeded in implementing its regional public health plan to the Chief Public Health Officer in accordance with Sections 52(2), (3) and (4) of the Act.	
50958	12. Action to Prevent Spread of Infection 12.1 The power pursuant to Section 66(6) of the Act to recover as a debt costs and expenses reasonably incurred in exercising powers under Section 66(5) of the Act from the person who failed to take the required action.	
50959	12. Action to Prevent Spread of Infection 12.2 The power pursuant to Section 66(9) of the Act to, if the Chief Public Health Officer informs the Council of the occurrence of a disease constituting a notifiable condition, take such action as is reasonably open to the Delegate to assist in preventing the spread of the disease.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50983	13. Notices 13.1 The power pursuant to Section 92(1) of the Act and subject to Sections 92(2), (3), (4), (5) and (12) of the Act to issue a notice for the purpose of: 13.1.1 securing compliance with a requirement imposed by or under the Act (including the duty under Part 6 or a requirement imposed under a regulation or a code of practice under the Act); or	EHO1, Adam Bowden, when required on a temporary or contract basis.

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	13.1.2 averting, eliminating or minimising a risk, or a perceived risk, to public health.	
50984	<p>13. Notices</p> <p>13.2 The power pursuant to Section 92(2) of the Act and subject to Section 92(12) of the Act, to, before issuing a notice to secure compliance with the general duty under Part 6 of the Act:</p> <p>13.2.1 have regard to:</p> <p>13.2.1.1 the number of people affected, or potentially affected, by the breach of the duty;</p> <p>13.2.1.2 the degree of harm, or potential degree of harm, to public health on account of the breach of the duty;</p> <p>13.2.1.3 any steps that a person in breach of the duty has taken, or proposed to take, to avoid or address the impact of the breach of the duty,</p> <p>and such other matters as the Delegate thinks fit; and</p> <p>13.2.2 subject to Section 92 of the Act, give the person to whom it is proposed that the notice be given a preliminary notice in writing:</p> <p>13.2.2.1 stating the proposed action, including the terms of the proposed notice and the period within which compliance with the notice will be required; and</p> <p>13.2.2.2 stating the reasons for the proposed action; and</p> <p>13.2.2.3 inviting the person show, within a specified time (of a reasonable period), why the proposed action should not be taken (by making representations to the Delegate or a person nominated to act on behalf of the Council).</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
50985	<p>13. Notices</p> <p>13.3 The power pursuant to Section 92(2)(b)(iii) of the Act to nominate a person to act on behalf of the Council.</p>	
50986	<p>13. Notices</p> <p>13.4 The power pursuant to Section 92(3) of the Act to, in a case where Section 92(2)(b) of the Act applies, after considering representations made within the time specified under Section 92(2)(b) of the Act:</p> <p>13.4.1 issue a notice in accordance with the terms of the original proposal; or</p> <p>13.4.2 issue a notice with modifications from the terms of the original proposal; or</p> <p>13.4.3 determine not to proceed further under Section 92.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
50987	<p>13. Notices</p> <p>13.5 The power pursuant to Section 92(4) of the Act to:</p> <p>13.5.1 not give notice under Section 92(2)(b) of the Act if the Delegate considers that urgent or immediate action is required in the circumstances of the particular case; and</p> <p>13.5.2 not give further notice before issuing a notice with modifications under Section 92(3)(b) of the Act.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
50988	<p>13. Notices</p> <p>13.6 The power pursuant to Section 92(5) of the Act issue a notice under Section 92 of the Act:</p> <p>13.6.1 in the form of a written notice served on the person to whom it is issued; and</p> <p>13.6.2 specifying the person to whom it is issued (whether by name or by a description sufficient to identify the person); and</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.

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	<p>13.6.3 directing 2 or more persons to do something specified in the notice jointly; and</p> <p>13.6.4 without limiting any other provision, in the case of a notice that relates to the condition of any premises, to any person who:</p> <p>13.6.4.1 is the owner or occupier of the premises; or</p> <p>13.6.4.2 has the management or control of the premises; or</p> <p>13.6.4.3 is the trustee of a person referred to in Section 92(5)(i) or (ii) of the Act or is managing the affairs of such a person on some other basis; and</p> <p>13.6.5 stating the purpose for which the notice is issued and giving notice of the requirement or the risk to which it relates; and</p> <p>13.6.6 imposing any requirement reasonably required for the purpose for which the notice is issued including 1 or more of the following:</p> <p>13.6.6.1 a requirement that the person discontinue, or not commence, a specified activity indefinitely or for a specified period or until further notice from a relevant authority;</p> <p>13.6.6.2 a requirement that the person not carry on a specified activity except at specified times or subject to specified conditions;</p> <p>13.6.6.3 a requirement that the person take specified action in a specified way, and within a specified period or at specified times or in specified circumstances;</p> <p>13.6.6.4 a requirement that the person take action to prevent, eliminate, minimise or control any specified risk to public health, or to control any specified activity;</p> <p>13.6.6.5 a requirement that the person comply with any specified code or standard prepared or published by a body or authority referred to in the notice;</p> <p>13.6.6.6 a requirement that the person undertake specified tests or monitoring;</p> <p>13.6.6.7 a requirement that the person furnish to a relevant authority specified results or reports;</p> <p>13.6.6.8 a requirement that the person prepare, in accordance with specified requirements and to the satisfaction of the relevant authority, a plan of action to secure compliance with a relevant requirement or to prevent, eliminate, minimise or control any specified risk to public health;</p> <p>13.6.6.9 a requirement prescribed under or for the purposes of the regulations; and</p> <p>13.6.7 stating that the person may, within 14 days, apply for a review of the notice or institute an appeal against the notice under the provisions of the Act.</p>	
50989	<p>13. Notices</p> <p>13.7 The power pursuant to Section 92(9) of the Act by written notice served on a person to whom a notice under Section 92 of the Act has been issued by the Delegate or the Council, vary or revoke the notice.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
50990	<p>13. Notices</p> <p>13.8 The power pursuant to Section 92(15) of the Act to, not comply with any other procedure, or hear from any other person, except as provided by Section 92 of the Act before the Delegate issues a notice under Section 92 of the Act.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.

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50991	14. Action on Non-compliance with Notice 14.1 The power pursuant to Section 93(1) of the Act if the requirements of a notice under Part 12 of the Act are not complied with, to take any action required by the notice.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50992	14. Action on Non-compliance with Notice 14.2 The power pursuant to Section 93(2) of the Act to authorise a person for the purpose of taking action on the Council's behalf under Section 93(1) of the Act.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50993	14. Action on Non-compliance with Notice 14.3 The power pursuant to Section 93(4) of the Act to recover the reasonable costs and expenses incurred by the Council in taking action under Section 93 of the Act as a debt from the person who failed to comply with the requirements of the notice.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50994	14. Action on Non-compliance with Notice 14.4 The power pursuant to Section 93(5) of the Act, if an amount is recoverable from a person by the Council under Section 93, 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.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50995	15. Action in Emergency Situations 15.1 The power pursuant to Section 94(5) of the Act to recover the reasonable costs and expenses incurred by a local authorised officer in taking action under Section 94 from any person who caused the risk to which the action relates, as a debt.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50960	16. Reviews - Notices Relating to General Duty 16.1 The power pursuant to Section 95(13) of the Act to appear in proceedings before the Review Panel as a representative of the Council.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50961	16. Reviews - Notices Relating to General Duty 16.2 The power pursuant to Section 95(15) of the Act to make an application to the Review Panel to: 16.2.1 dismiss or determine any proceedings that appear: 16.2.1.1 to be frivolous or vexatious; or 16.2.1.2 to have been instituted for the purpose of delay or obstruction, or for some other improper purpose; 16.2.2 bring any proceedings to an end that appear: 16.2.2.1 to be more appropriate suited to proceedings before the District Court rather than the Review Panel; or 16.2.2.2 to be unable to be satisfactorily resolved (or resolved within a reasonable period) by proceedings before the Review Panel; or 16.2.3 bring any proceedings to an end for any other reasonable cause.	EHO1, Adam Bowden, when required on a temporary or contract basis.
50996	17. Appeals 17.1 The power pursuant to Section 96(3) of the Act and subject to Section 96(4) of the Act, appeal to the District Court against the outcome of review proceedings under Division 3, Part 12 of the Act.	
50997	18. Duty to Register High Risk Manufactured Water System 18.1 The power pursuant to Regulation 5(3) of the South Australian Public Health (Legionella) Regulations 2013 (the Legionella Regulations) to, on application made in a manner and form approved by the Council or Delegate and payment of the registration fee specified in Schedule 1 to the Council, register the high risk manufactured water system to which the application relates.	EHO1, Adam Bowden, when required on a temporary or contract basis.

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50998	<p>18. Duty to Register High Risk Manufactured Water System</p> <p>18.2 The power pursuant to Regulation 5(6) of the Legionella Regulations, to, on application made in a manner and form approved by the Council or Delegate and payment of the renewal fee specified in Schedule 1 to the Council, renew the registration of the high risk manufactured water system to which the application relates.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
50999	<p>19. Register of High Risk Manufactured Water Systems</p> <p>19.1 The power pursuant to Regulation 6(2) of the Legionella Regulations and subject to Regulation 6(3) of the Legionella Regulations to determine the manner and form of a register of high risk manufactured water systems registered by the Council.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51000	<p>19. Register of High Risk Manufactured Water Systems</p> <p>19.2 The power pursuant to Regulation 6(3) of the Legionella Regulations to include in relation to each high risk manufactured water system on the register:</p> <p>19.2.1 the type of water system; and</p> <p>19.2.2 the address of the premises on which the water system is installed; and</p> <p>19.2.3 the location of the water system on the premises; and</p> <p>19.2.4 the full name and residential and business addresses of the owner of the premises; and</p> <p>19.2.5 the full name, residential and business addresses, and residential and business telephone numbers, of the person nominated by the owner of the premises as being responsible for the operation and maintenance of the water system,</p> <p>and such other information as the Delegate thinks fit.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51001	<p>19. Register of High Risk Manufactured Water Systems</p> <p>19.3 The power pursuant to Regulation 15(2) of the Legionella Regulations to, at least once in every 12 months, give the owner of each of the premises on which a high risk manufactured water system registered with the Council is installed, written notice:</p> <p>19.3.1 requiring the owner, within the period specified in the notice:</p> <p>19.3.1.1 to cause an inspection of the water system to be carried out by a competent person (not being the owner or person responsible for the operation and maintenance of the system); and</p> <p>19.3.1.2 to arrange for a NATA accredited laboratory to conduct microbiological testing, in accordance with AS/NZS 3896:</p> <p>(a) of at least 1 sample of water taken from a cooling water system; and</p> <p>(b) of at least 2 samples of water taken from a warm water system, to determine the presence and number of colony forming units of Legionella in the water; and</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51002	<p>19. Register of High Risk Manufactured Water Systems</p> <p>19.4 requiring the owner to submit to the Council written reports setting out the findings of the inspection and the results of the microbiological testing within 1 month of receiving the reports.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51003	<p>20. Power of Council to Require Microbiological Testing in Other Circumstances</p> <p>20.1 The power pursuant to Regulation 16(1) of the Legionella Regulations, if:</p> <p>20.1.1 the Council is investigating the occurrence of Legionellosis in the near vicinity of premises on which a high risk manufactured water system is installed; or</p> <p>20.1.2 the Council or Delegate has reason to believe that a high risk manufactured water system installed on premises situated in its area is not being maintained as</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.

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	<p>required by these regulations, to give the owner of the premises written notice:</p> <p>20.1.3 requiring the owner (either immediately or within a period specified in the notice) to arrange for a NATA accredited laboratory to conduct microbiological testing, in accordance with AS/NZS 3896, of water taken from the system, to determine the presence and number of colony forming units of Legionella in the water; and</p> <p>20.1.4 requiring the owner to submit to the Council a written report setting out the results of the microbiological testing within 24 hours of receiving the report.</p>	
51004	<p>21. Fees</p> <p>21.1 The power pursuant to Regulation 21(3) of the Legionella Regulations, if a person is liable to pay a fee to the Council, to give the person written notice requiring the person to pay the fee within the period specified in the notice.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
67932	<p>21. Fees</p> <p>21.2 The power pursuant to Regulation 21(4) of the Legionella Regulations, to reduce or remit a fee payable to the Council under the Legionella Regulations if satisfied that it is appropriate to do so in a particular case.</p>	
67933	<p>21. Fees</p> <p>21.3 The power pursuant to Regulation 21(5) of the Legionella Regulations, to recover a fee payable to the Council under the Legionella Regulations by action in a court of competent jurisdiction as a debt due to the Council.</p>	
51005	<p>22. Relevant Authority</p> <p>22.1 The power pursuant to Regulation 6(1)(b) of the South Australian Public Health (Wastewater) Regulations 2013 (the Wastewater Regulations) to, agree to act as the relevant authority for a matter relating to an on-site wastewater system with a capacity that does not, or will not, on completion of wastewater works, exceed 40 EP and that is located or to be located in another council area if the system is to be operated by another council or wastewater works related to the system are to be undertaken by another council, or by a person acting in partnership, or in conjunction with that other council.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51006	<p>23. Public Notification of Proposed Community Wastewater Management System</p> <p>23.1 The power pursuant to Regulation 8(1) of the Wastewater Regulations to, if the Council proposes to establish a community wastewater management system for the whole or part of its area in the interests of public and environmental health, to give notice to the owners of land in the area affected by the proposal containing the prescribed details relating to the proposal and inviting submissions in relation to the proposal within a period (which must be at least 21 days) specified in the notice.</p>	
51007	<p>24. Connection to Community Wastewater Management System</p> <p>24.1 The power pursuant to Regulation 9(1) of the Wastewater Regulations and subject to Regulation 9(2) of the Wastewater Regulations on obtaining a wastewater works approval for a community wastewater management system, to, by written notice, require the operator of an on-site wastewater system:</p> <p>24.1.1 to connect the system to the community wastewater management system; and</p> <p>24.1.2 for that purpose, to complete and submit an application to the Council, within the period specified in the notice, for a wastewater works approval for:</p> <p>24.1.2.1 the connection; and</p> <p>24.1.2.2 if necessary, consequential alterations to the on-site wastewater system.</p>	
51008	<p>24. Connection to Community Wastewater Management System</p> <p>24.2 The power pursuant to Regulation 9(4) of the Wastewater Regulations, if the operator of an on-site wastewater system does not submit an application within the period specified in a notice under Regulation 9(1) of the Wastewater Regulations,</p>	

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	to grant a wastewater works approval for the required wastewater works as if the application had been made.	
51009	<p>24. Connection to Community Wastewater Management System</p> <p>24.3 The power pursuant to Regulation 9(6) of the Wastewater Regulations, if wastewater works are not carried out in accordance with a wastewater works approval for the connection of an on-site wastewater system to a community wastewater management system required under Regulation 9 of the Wastewater Regulations, to cause the requirements to be carried out (and a person authorised to do so by the Council may enter land at any reasonable time for the purposes of carrying out the relevant work).</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51010	<p>24. Connection to Community Wastewater Management System</p> <p>24.4 The power pursuant to Regulation 9(6) of the Wastewater Regulations to if wastewater works are not carried out in accordance with a wastewater approval for the connection of an on-site wastewater system to a community wastewater management system required under Regulation 9 of the Wastewater Regulations, authorise a person to enter land at any reasonable time for the purpose of carrying out the relevant work.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51011	<p>24. Connection to Community Wastewater Management System</p> <p>24.5 The power pursuant to Regulation 9(7) of the Wastewater Regulations to recover as a debt the costs and expenses reasonably incurred in exercising a power under Regulation 9(6) of the Wastewater Regulations and the fee that would have been payable had the application been made as required under Regulation 9(1) of the Wastewater Regulations from the person who failed to comply with the notice.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51012	<p>25. Exemptions</p> <p>25.1 The power pursuant to Regulation 10(3) of the Wastewater Regulations to give an exemption by written notice and subject to conditions determined by the Delegate and stated in the notice.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51013	<p>25. Exemptions</p> <p>25.2 The power pursuant to Regulation 10(4) of the Wastewater Regulations to vary or revoke an exemption by further written notice to the holder of the exemption.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51014	<p>26. Exemptions From Prescribed Codes</p> <p>26.1 The power pursuant to Regulation 15(3) of the Wastewater Regulations to give an exemption by written notice and is subject to conditions determined by the Delegate and stated in the notice.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51015	<p>26. Exemptions From Prescribed Codes</p> <p>26.2 The power pursuant to Regulation 15(5) of the Wastewater Regulations to vary or revoke an exemption by further written notice to the holder of the exemption.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51016	<p>27. Application</p> <p>27.1 The power pursuant to Regulation 23(2) of the Wastewater Regulations to, by written notice, ask the applicant to provide the Council with further technical specifications, information or documents relevant to the application or to modify the technical specifications submitted for approval.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51017	<p>28. Determination of Application</p> <p>28.1 The power pursuant to Regulation 24(1) of the Wastewater Regulations to refuse to grant a wastewater works approval:</p> <p>28.1.1 if the applicant fails to satisfy the Delegate of either or both of the following:</p> <p>28.1.1.1 that the technical specifications for the wastewater works comply with the prescribed codes;</p> <p>28.1.1.2 that the wastewater works will not, if undertaken in accordance with the conditions of approval, adversely affect or threaten public or environmental health;</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.

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	<p>or</p> <p>28.1.2 for any other sufficient reason.</p>	
51018	<p>28. Determination of Application</p> <p>28.2 The power pursuant to Regulation 24(2) of the Wastewater Regulations, if an application for a wastewater works approval relates to the connection of a community wastewater management system to SA Water sewerage infrastructure or a significant increase in the amount of wastewater to be discharged from a community wastewater management system to SA Water sewerage infrastructure, to give SA Water a reasonable opportunity to comment on the application and take into account any comments so made.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51019	<p>29. Conditions of Approval</p> <p>29.1 The power pursuant to Regulation 25(2) of the Wastewater Regulations to impose:</p> <p>29.1.1 any 1 or more of the following prescribed expiable conditions:</p> <p>29.1.1.1 a condition that sets out mandatory notification stages during the progress of wastewater works when a person is required to notify the Council in a specified manner and stop the work pending an inspection carried out at the person's expense;</p> <p>29.1.1.2 a condition that requires the display of specified notices on the premises on which the wastewater system is located;</p> <p>29.1.1.3 a condition that requires a person to monitor the performance of the wastewater system in a specified manner (including by inspections carried out at specified times at the person's expense) and to provide the Council with specified information in a specified manner and at specified times;</p> <p>29.1.1.4 a condition that provides that specified material must not, or that only specified material may, be discharged into, or from, the wastewater system;</p> <p>29.1.1.5 a condition that requires the wastewater system to be operated, maintained or serviced by a person of a specified class;</p> <p>29.1.1.6 a condition that requires records of a specified kind to be created, maintained, and provided to the Council; or</p> <p>29.1.2 any other conditions including any 1 or more of the following:</p> <p>29.1.2.1 a condition that requires decommissioning of the wastewater system:</p> <p>(a) after a specified trial period; or</p> <p>(b) in specified circumstances; or</p> <p>(c) on written notice to the operator of the system;</p> <p>29.1.2.2 a condition that requires a wastewater system to be connected to a community wastewater management system;</p> <p>29.1.2.3 a condition that prevents activities that would adversely affect the operation or maintenance of a drain or treatment or disposal system or the reuse of wastewater from the wastewater system;</p> <p>29.1.2.4 a condition that requires a wastewater system to have various access points for maintenance or inspection (raised to or terminating at surface level, or as required by the Council);</p> <p>29.1.2.5 a condition that provides that a wastewater system must not be used unless or until it has been inspected or tested by an independent wastewater engineer and the Council supplied with a certificate given by that expert certifying that the wastewater works have been undertaken in accordance with the approved technical specifications;</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.

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	<p>29.1.2.6 a condition that otherwise specifies requirements relating to:</p> <p>(a) the installation of the waste watersystem; or</p> <p>(b) the decommissioning of the wastewater system; or</p> <p>(c) the connection of the wastewater system to a community wastewater management system or SA Water sewerage infrastructure or the disconnection of the wastewater system from a community wastewater management system or from SA Water sewerage infrastructure; or</p> <p>(d) the operation, servicing and maintenance of the wastewater system; or</p> <p>(e) the reuse or disposal of wastewater from the wastewater system.</p>	
51020	<p>29. Conditions of Approval</p> <p>29.2 The power pursuant to Regulation 25(3) of the Wastewater Regulations to impose a condition of approval that:</p> <p>29.2.1 provides that a matter or thing is to be determined according to the discretion of the Council or some other specified person or body; and</p> <p>29.2.2 operates by reference to the manuals referred to in a product approval for the wastewater system; and</p> <p>29.2.3 operates by reference to a specified code as in force at a specified time or as in force from time to time.</p>	EHO1, Adam Bowden, when required on a temporary or contract basis.
51021	<p>29. Conditions of Approval</p> <p>29.3 The power pursuant to Regulation 25(6) of the Wastewater Regulations to, on application and payment of the fee fixed by Schedule 1, by written notice to the applicant, vary or revoke a condition of a wastewater works approval.</p>	
51022	<p>29. Conditions of Approval</p> <p>29.4 The power pursuant to Regulation 25(7) of the Wastewater Regulations to, on the Delegate's own initiative, by written notice to the operator of a wastewater system to which a wastewater works approval applies, vary or revoke a condition of the approval or impose a further condition, provided that the variation, revocation or imposition does not take effect until at least 6 months after the giving of the notice unless:</p> <p>29.4.1 the operator consents; or</p> <p>29.4.2 the Delegate states in the notice that, in his/her opinion, the variation, revocation or imposition is necessary in order to prevent or mitigate significant harm to public or environmental health or the risk of such harm.</p>	
51023	<p>30. Expiry of Approval</p> <p>30.1 The power pursuant to Regulation 26(2) of the Wastewater Regulations to, on application and payment of the fee fixed by Schedule 1, postpone the expiry of a wastewater works approval for a specified period.</p>	
51024	<p>31. Registers of Wastewater Works Approvals</p> <p>31.1 The power pursuant to Regulation 27(3) of the Wastewater Regulations, to extend the registers to include wastewater works approvals granted under the revoked regulations.</p>	
51025	<p>31. Registers of Wastewater Works Approvals</p> <p>31.2 The power pursuant to Regulation 27(6) of the Wastewater Regulations to include in the registers other information considered appropriate by the Delegate.</p>	
51026	<p>32. Requirement to Obtain Expert Report</p> <p>32.1 The power pursuant to Regulation 29(1) of the Wastewater Regulations, if the Delegate suspects on reasonable grounds that a wastewater system is adversely affecting or threatening public or environmental health, to give the operator of the system a written notice requiring the operator to obtain and provide to the Council a written report from an independent wastewater engineer within a specified period addressing specified matters.</p>	
67934	<p>32. Requirement to Obtain Expert Report</p> <p>32.2 The power pursuant to Regulation 29(3) of the Wastewater Regulations, if the requirements of a notice under Regulation 29 of the Wastewater Regulations are</p>	

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	not complied with to obtain the required report and recover the costs and expenses reasonable incurred in doing so from the person who failed to comply with the notice, as a debt.	
51027	<p>32. Requirement to Obtain Expert Report</p> <p>32.3 The power pursuant to Regulation 29(3) of the Wastewater Regulations, to authorise a person to enter land at any reasonable time for the purposes of the report.</p>	
67935	<p>33. Fees</p> <p>33.1 The power pursuant to Regulation 33(1) of the Wastewater Regulations, to refund, reduce or remit payment of a fee payable under the Wastewater Regulations if the Delegate considers that appropriate in the circumstances.</p>	
51028	<p>33. Fees</p> <p>33.2 The power pursuant to Regulation 33(2) of the Wastewater Regulations, to recover a fee payable to the Council by action in a court of competent jurisdiction as a debt due to the Council.</p>	
67973	<p>34. Non-compliance with Notices (Section 93(6) of Act)</p> <p>34.1 The power pursuant to Regulation 5B(2) of the South Australian Public Health (General) Regulations 2013 (the General Regulations), for the purposes of the creation of a charge on land under Section 93 of the Act, to deliver to the Registrar-General a notice, in a form determined by the Minister on the recommendation or with the approval of the Registrar General:</p> <p>34.1.1 setting out the amount recoverable under Section 93 of the Act; and</p> <p>34.1.2 setting out the land in relation to which the relevant action was taken; and</p> <p>34.1.3 requesting the Registrar-General to make a notation under Regulation 5B of the General Regulations in relation to the relevant land.</p>	
67974	<p>34. Non-compliance with Notices (Section 93(6) of Act)</p> <p>34.2 The power pursuant to Regulation 5B(8) of the General Regulations, if or when the amount to which the charge relates is paid, to by further notice in writing to the Registrar-General (being a notice in a form determined by the Minister on the recommendation or with the approval of the Registrar General) cancel the charge.</p>	

UNCLAIMED GOOD ACTS 1987

Instrument of Delegation under the *Unclaimed Goods Act 1987*

#	Item Delegated	Conditions and Limitations
50229	1. Unclaimed Goods 1.1 The power pursuant to Section 5(1)(b) of the Unclaimed Goods Act 1987 (the Act) where the Council is in possession of goods belonging to another (the bailor) in pursuance of an agreement or understanding under which the Council was to deliver the goods to the bailor, to make reasonable attempts to deliver the goods in accordance with the agreement or understanding.	
50230	1. Unclaimed Goods 1.2 The power pursuant to Section 5(1)(c) of the Act where the Council is in possession of goods belonging to the bailor and there is no agreement or understanding governing the collection or delivery of the goods, to request the bailor in accordance with Section 5(2) of the Act, to collect the goods.	
50231	1. Unclaimed Goods 1.3 The duty pursuant to Section 5(2) of the Act in making a request for the purposes of Section 5(1)(c) of the Act, to ensure the request - 1.3.1 states the address at which the goods are available for collection; and 1.3.2 contains a brief description of the goods; and 1.3.3 states the times at which, or the hours between which, the goods will be available for collection at that address; and 1.3.4 is made - 1.3.4.1 by post addressed to the last known address of the bailor; or 1.3.4.2 if the identity or whereabouts of the bailor is unknown - by notice in the prescribed form published in a newspaper circulating generally throughout the State.	
50232	1. Unclaimed Goods 1.4 The duty pursuant to Section 5(3) of the Act to ensure a request made for the purposes of Section 5(1)(c) of the Act allows the bailor a reasonable opportunity to collect the goods to which it relates.	
50233	2. Sale or Disposal of Unclaimed Goods 2.1 The power pursuant to Section 6(1) of the Act and the power subject to Section 6 of the Act, where the Council is a bailee of unclaimed goods, to, after the expiration of three months from the relevant date - 2.1.1 sell the goods; or 2.1.2 if the value of the goods would be insufficient to defray the costs of sale - otherwise dispose of the goods.	
50234	2. Sale or Disposal of Unclaimed Goods 2.2 The power pursuant to Section 6(2) of the Act to apply to the Court for an authorisation to sell or dispose of goods under Section 6(1) of the Act and the duty pursuant to Section 6(2) of the Act, if the value of the goods lies within scale 3, to not sell or dispose of the goods without such an authorisation.	
50235	2. Sale or Disposal of Unclaimed Goods 2.3 The duty pursuant to Section 6(3) of the Act where an application for an authorisation under Section 6(2) of the Act is made, to - 2.3.1 give notice of the application to the Commissioner of Police; and 2.3.2 give such notice (if any) as the Court thinks appropriate to the bailor and any other person who, in the opinion of the Court, may have an interest in the goods.	

#	Item Delegated	Conditions and Limitations
50236	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.4 The power pursuant to Section 6(5) of the Act, if the value of unclaimed goods lies within scale 1 or 2, to sell or dispose of the goods under Section 6(1) of the Act without any authorisation by the Court and the duty pursuant to Section 6(5)(b) of the Act, if goods whose value lies within scale 2 are to be sold without such an authorisation, to</p> <p>2.4.1 sell the goods by public auction; and</p> <p>2.4.2 give notice in the prescribed form of the time and place of the proposed sale at least one month before the date of the proposed sale -</p> <p>2.4.2.1 to the Commissioner of Police; and</p> <p>2.4.2.2 to the bailor.</p>	
50237	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.5 The power pursuant to Section 6(6) of the Act to give a notice under Section 6(5)(b) of the Act by post and, if the identity or whereabouts of the bailor is unknown, to give the notice to the bailor by advertisement in a newspaper circulating generally throughout the State.</p>	
50238	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.1 The duty pursuant to Section 7(1) of the Act and subject to Section 7(2) of the Act, where the Council has commenced proceedings for the sale or disposal of goods under the Act but before the goods are sold or disposed of the bailor claims the goods, to not proceed with the sale or disposal of the goods, and to hand them over to the bailor.</p>	
50239	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.2 The power pursuant to Section 7(2) of the Act to, before handing over goods under Section 7(1) of the Act, require the bailor to pay -</p> <p>3.2.1 the reasonable costs incurred by the Council in proceeding under the Act;</p> <p>3.2.2 the reasonable costs incurred by the Council in storing and maintaining the goods after the date on which the bailor should have collected or taken delivery of them;</p> <p>3.2.3 the amount of any lien that the Council has over the goods.</p>	
50240	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.3 The power pursuant to Section 7(3) of the Act, if at the expiration of 42 days after the Council has rendered a written account of the amounts claimed under Section 7(2) of the Act the bailor has not paid those amounts, to, subject to Section 7(4) of the Act, proceed to sell or dispose of the goods.</p>	
50241	<p>4. Proceeds of Sale</p> <p>4.1 The power pursuant to Section 8(1) of the Act in relation to the proceeds of the sale of goods under the Act to -</p> <p>4.1.1 retain from those proceeds -</p> <p>4.1.1.1 the reasonable costs of the sale and of proceeding under the Act;</p> <p>4.1.1.2 the reasonable costs of storing and maintaining the goods prior to sale;</p> <p>4.1.1.3 the amount of any lien that the Council had over the goods; and</p> <p>4.1.2 pay the balance to the Treasurer.</p>	

WORK HEALTH SAFETY ACT 2012

Instrument of Delegation under the *Work Health and Safety Act 2012*

#	Item Delegated	Conditions and Limitations
51444	51. Determination of work groups (1) The power pursuant to Section 51(1) of the Work Health and Safety Act 2012 (the Act), to, if a request is made under Section 50 of the Act, facilitate the determination of one or more work groups of workers.	
51445	52. Negotiations for agreement for work group (1) The power pursuant to Section 52(1) of the Act, and in accordance with Sections 52(2), (3) and (6) of the Act, to determine a work group by negotiation and agreement with the workers who will form the work group or their representatives.	
51446	52. Negotiations for agreement for work group (4) The power pursuant to Section 52(4) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement in accordance with Section 52(6) of the Act.	
51447	54. Failure of negotiations (1) The power pursuant to Section 54(1) of the Act to, if there is a failure of negotiations (including negotiations concerning the variation of an agreement), ask the regulator to appoint an inspector for the purposes of Section 54 of the Act.	
51448	55. Determination of work groups of multiple businesses (2) The power pursuant to Section 55(2) of the Act to determine the particulars of the work groups by negotiation and agreement, in accordance with Section 56 of the Act, between each of the persons conducting the businesses or undertakings and the workers.	
51449	55. Determination of work groups of multiple businesses (3) The power pursuant to Section 55(3) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement.	
51450	56. Negotiation of agreement for work groups of multiple businesses (3) The power pursuant to Section 56(3) of the Act to, if agreement cannot be reached on a matter relating to the determination of a work group (or a variation of an agreement) within a reasonable time after negotiations commence under Subdivision 3 of Division 3, Part 5 of the Act, ask the regulator to appoint an inspector to assist the negotiations in relation to that matter.	
51451	58. Withdrawal from negotiations or agreement involving multiple businesses (1) The power pursuant to Section 58(1) of the Act to, in relation to a negotiation for an agreement, or an agreement, concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, withdraw from the negotiation or agreement at any time by giving reasonable notice (in writing) to the other parties.	
51452	58. Withdrawal from negotiations or agreement involving multiple businesses (2) The power pursuant to Section 58(2) of the Act to, if a party withdraws from an agreement concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, negotiate a variation to the agreement in accordance with Section 56 of the Act.	
51453	65. Disqualification of health and safety representatives (1) The power pursuant to Section 65(1) of the Act, to make an application to SAET to disqualify a health and safety representative on the ground that the representative has: (a) exercised a power or performed a function as a health and safety representative for an improper purpose; or (b) used or disclosed any information he or she acquired as a health and safety representative for a purpose other than in connection with the role of health and safety representative, where the Council is adversely affected by the exercise of a power or the	

#	Item Delegated	Conditions and Limitations
	performance of a function referred to in Section 65(1)(a) of the Act or the use or disclosure of information referred to in Section 65(1)(b) of the Act.	
51454	<p>70. General obligations of person conducting business or undertaking</p> <p>(1) The power pursuant to Section 70(1) of the Act, to</p> <p>(a) consult, so far as is reasonably practicable, on work health and safety matters with any health and safety representative for a work group of workers carrying out work for the Council; and</p> <p>(b) confer with a health and safety representative for a work group, whenever reasonably requested by the representative, for the purpose of ensuring the health and safety of the workers in the work group; and</p> <p>(c) allow any health and safety representative for the work group to have access to information that the Council has relating to:</p> <p>(i) hazards (including associated risks) at the workplace affecting workers in the work group; and</p> <p>(ii) the health and safety of the workers in the work group; and</p> <p>(d) with the consent of a worker that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between the worker and:</p> <p>(i) an inspector; or</p> <p>(ii) the Council or the Council's representative; and</p> <p>(e) with the consent of one or more workers that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between a group of workers, which includes the workers who gave the consent, and:</p> <p>(i) an inspector; or</p> <p>(ii) the Council or the Council's representative; and</p> <p>(f) provide any resources, facilities and assistance to a health and safety representative for the work group that are reasonably necessary or prescribed by the regulations to enable the representative to exercise his or her powers or perform his or her functions under the Act.</p> <p>(g) allow a person assisting a health and safety representative for the work group to have access to the workplace if that is necessary to enable the assistance to be provided; and</p> <p>(h) permit a health and safety representative for the work group to accompany an inspector during an inspection of any part of the workplace where a worker in the work group works; and</p> <p>(i) provide any other assistance to the health and safety representative for the work group that may be required by the regulations.</p>	
51455	<p>71. Exceptions for obligations under Section 70(1)</p> <p>(5) The power pursuant to Section 71(5) of the Act to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a work group.</p>	
51456	<p>72. Obligation to train health and safety representatives</p> <p>(1) The power pursuant to Section 72(1) of the Act to, consult with a health and safety representative in relation to the health and safety representative attending a</p>	

#	Item Delegated	Conditions and Limitations
	course of training in work health and safety that is subject to Section 72(6), chosen by the health and safety representative.	
51470	72. Obligation to train health and safety representatives (3) The power pursuant to Section 72(3) of the Act to: (a) as soon as practicable within the period of 3 months after the request is made, allow the health and safety representative time off work to attend the course of training; and	
51471	72. Obligation to train health and safety representatives (3) The power pursuant to Section 72(3) of the Act to: (b) pay the course fees and any other reasonable costs associated with the health and safety representative's attendance at the course of training.	
51472	72. Obligation to train health and safety representatives (6) The power pursuant to Section 72(6) of the Act to, if agreement cannot be reached between the Council or Council's delegate and the health and safety representative within the time required by Section 72(3) of the Act as to the matters set out in Sections 72(1)(c) and (3) of the Act, ask the regulator to appoint an inspector to decide the matter.	
51457	73. Obligation to share costs if multiple businesses or undertakings (1) The power pursuant to Section 73(1) of the Act to, if a health and safety representative, or deputy health and safety representative (if any), represents a work group of workers carrying out work for the Council and one or more other person conducting businesses or undertakings, agree that: (a) the costs of the representative exercising powers and performing functions under the Act; and (b) the costs referred to in Section 72(3)(b) of the Act, for which the Council or any of the other persons conducting those businesses or undertakings are liable, are to be apportioned between each of those persons otherwise than equally. (2) The power pursuant to Section 73(2) of the Act, to vary an agreement to apportion the costs in another way, at any time by negotiation and agreement between each of the persons conducting the businesses or undertakings.	
51458	75. Health and safety committees (2) The power pursuant to Section 75(2) of the Act to, establish a health and safety committee for the workplace or part of the workplace.	
51459	76. Constitution of committee (1) The power pursuant to Section 76(1) of the Act and subject to Sections 76(2) to (4) of the Act, to agree the constitution of a health and safety committee with the workers at the workplace. (5) The power pursuant to Section 76(5) of the Act to, if agreement is not reached under Section 76 within a reasonable time, ask the regulator to appoint an inspector to decide the matter.	See Work Health & Safety Act for full wording of Section 76(5).
51460	82. Referral of issue to regulator for resolution by inspector (2) The power pursuant to Section 82(2) of the Act to, ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue.	
51461	87. Alternative work The power pursuant to Section 87 of the Act to, if a worker ceases work under Division 6, Part 5 of the Act, direct the worker to carry out suitable alternative work at the same or another workplace if that work is safe and appropriate for the worker to carry out until the worker can resume normal duties.	
51462	89. Request to regulator to appoint inspector to assist The power pursuant to Section 89 of the Act to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue arising in relation to the cessation of work.	

#	Item Delegated	Conditions and Limitations
51463	100. Request for review of provisional improvement notice (1) The power pursuant to Section 100(1) of the Act, to, within 7 days after a provisional improvement notice is issued to the Council or a worker who carries out work at the Council, ask the regulator to appoint an inspector to review the notice.	
51464	141. Application for assistance of inspector to resolve dispute The power, pursuant to Section 141 of the Act, to, if a dispute arises about the exercise or purported exercise by a WHS entry permit holder of a right of entry under the Act, ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.	
51465	142. Authorising authority may deal with a dispute about a right of entry under this Act (4) The power pursuant to Section 142(4) of the Act to apply to the authorising authority to deal with a dispute where the dispute relates to the Council.	
51466	180. Return of seized things (1) The power pursuant to Section 180(1) of the Act to, if a seized thing has not been forfeited, and the Council is the person entitled to the thing, apply to the regulator for the return of the thing after the end of 6 months after it was seized.	
51467	181. Access to seized things (1) The power pursuant to Section 181(1) of the Act to, until a seized thing is forfeited or returned, inspect it and, if it is a document, to make copies of it at all reasonable times.	
51468	224. Application for internal review (1) The power pursuant to Section 224(1) of the Act, to, where the Council is an eligible person in relation to a reviewable decision, other than a decision made by the regulator or a delegate of the regulator, apply to the regulator for review (an internal review) in accordance with Section 224(2) of the Act, of the decision within: (a) the prescribed time after the day on which the decision first came to the Council's notice; or (b) such longer period as the regulator allows.	
51469	229. Application for external review (1) The power pursuant to Section 229(1) of the Act, to, where the Council is an eligible person, apply to SAET under Part 3 Division 1 of the South Australian Employment Tribunal Act 2014, in accordance with Section 229(2) of the Act, for a review of: (a) a reviewable decision made by the regulator; or (b) a decision made, or taken to have been made, on an internal review.	

Signed _____

**Peter Hughes,
Acting Mayor
City of Unley**

Date; / / 2018

Signed _____

**Peter Tsokas
Chief Executive Officer
City of Unley**

Date; / / 2018

DEVELOPMENT ACT 1993

Instrument of Delegation under the *Development Act 1993, Development (Development Plans) Amendment Act 2006* and *Development Regulations 2008*

#	Item Delegated	Conditions and Limitations
50242	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p>1.1.1 to form the opinion that the revival of that use would be inconsistent with the Development Plan and have an adverse effect on the locality in which the land is situated; and</p>	
71662	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p>1.1.2 to serve written notice on the owner and occupier of the land declaring that a revival of the use will be treated for the purposes of the Act as a change in the use of land.</p>	
50243	<p>2. Appointment of Authorised Officers</p> <p>2.1 The power pursuant to Section 18(1) of the Act to appoint a person to be an authorised officer for the purposes of the Development Act 1993.</p>	
50244	<p>2. Appointment of Authorised Officers</p> <p>2.2 The power pursuant to Section 18(2) of the Act to impose conditions on the appointment of an authorised officer.</p>	
50245	<p>2. Appointment of Authorised Officers</p> <p>2.3 The duty, pursuant to Section 18(3) of the Act to issue an authorised officer with an identity card.</p>	
50246	<p>2. Appointment of Authorised Officers</p> <p>2.4 The power pursuant to Section 18(5) of the Act to at any time, revoke an appointment which the Delegate or the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.</p>	
50247	<p>3. Delegations</p> <p>3.1 The duty pursuant to Section 20(8) of the Act to ensure that notice of a delegation under Section 20 of the Act is, in prescribed circumstances, given in the Gazette.</p>	
50253	<p>4. Council or Minister May Amend a Development Plan</p> <p>4.6 The power pursuant to Section 24(1b) of the Act to make submissions in relation to the matter within the period specified by the Minister.</p>	
50254	<p>4. Council or Minister May Amend a Development Plan</p> <p>4.7 The power pursuant to Section 24(2a) of the Act to make submissions (within a period specified in the notice) in relation to a matter.</p>	
50257	<p>5. Amendments by a Council</p> <p>5.3 Subject to Sections 25(4) and 25(5) of the Act the power pursuant to Section 25(3) of the Act to prepare a proposal, to be called a 'Development Plan Amendment' (or DPA) that complies with the following requirements:</p> <p>5.3.1 the DPA must be based on the outcome of investigations initiated by the Council or the Delegate in accordance with the terms of the Statement of Intent and such other investigations (if any) as the Council or the Delegate thinks fit;</p> <p>5.3.2 the DPA must include an assessment of the extent to which the proposed amendment:</p> <p>5.3.2.1 accords with the Planning Strategy; and</p>	

#	Item Delegated	Conditions and Limitations
	<p>5.3.2.2 accords with the Statement of Intent; and</p> <p>5.3.2.3 accords with other parts of the Development Plan; and</p> <p>5.3.2.4 complements the policies in the Development Plans for adjoining areas; and</p> <p>5.3.2.5 satisfies the matters prescribed in the Regulations;</p> <p>5.3.3 the DPA must include:</p> <p>5.3.3.1 an explanation of the intent of the proposed amendments, the relationship between that intent and the policy of the Statement of Intent, and a summary of the major policy changes (if any) that are proposed; and</p> <p>5.3.3.2 a summary of the conclusions drawn from the investigations and assessments referred to above; and</p> <p>5.3.3.3 a draft of the amendment, or a draft of the relevant section of the Development Plan as amended (with the amendments shown in a distinctive manner);</p> <p>5.3.4 the DPA must include an assessment of the extent to which the proposed amendment accords with relevant infrastructure planning (with respect to both physical and social infrastructure) identified by the Council through strategic planning or other processes undertaken by the Council under the Act or the Local Government Act 1999 or identified by a Minister, or any other relevant government agency, in accordance with any scheme set out in the Regulations, in connection with the preparation of the DPA under the Act;</p> <p>5.3.5 the DPA must include any other matter prescribed by the Regulations.</p>	
50258	<p>5. Amendments by a Council</p> <p>5.4 The power pursuant to Section 25(3)(a) of the Act to initiate investigations in accordance with the terms of the Statement of Intent and such other investigations as the Delegate thinks fit.</p>	
50259	<p>5. Amendments by a Council</p> <p>5.5 The duty, pursuant to Section 25(4) of the Act to prepare a DPA only after the Delegate has considered the advice of a person with prescribed qualifications.</p>	
50260	<p>5. Amendments by a Council</p> <p>5.6 The power pursuant to Section 25(5) of the Act to not, except as authorised by the Minister, propose an amendment to a part of a Development Plan that has been declared by the Minister by notice in the Gazette as being part of a set of standard policy modules for the purposes of the Act.</p>	
50261	<p>5. Amendments by a Council</p> <p>5.7 The duty pursuant to Section 25(6) of the Act to deal with a DPA in accordance with process A, B or C as described by the Act, depending on an agreement reached between the Council or the Delegate and the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.</p>	
50262	<p>5. Amendments by a Council</p> <p>5.8 The power pursuant to Section 25(6) of the Act to reach an agreement with the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.</p>	
50263	<p>5. Amendments by a Council</p> <p>5.9 Process A</p> <p>5.9.1 The duty pursuant to Section 25(7)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent, for comment within the period prescribed by the Regulations.</p>	

#	Item Delegated	Conditions and Limitations
76519	<p>5. Amendments by a Council 5.9 Process A</p> <p>5.9.2 The power pursuant to Section 25(7)(b) of the Act, if a response is not received within the period that applies under Section 25(7)(a) of the Act, to assume that the particular Department, agency or other body does not desire to provide any comment.</p>	
76520	<p>5. Amendments by a Council 5.9 Process A</p> <p>5.9.3 The power pursuant to Section 25(7)(c) of the Act to consult with the Minister.</p>	
76521	<p>5. Amendments by a Council 5.9 Process A</p> <p>5.9.4 The duty pursuant to Section 25(7)(c)(i) of the Act to comply with the requirement of the Minister to make an alteration to the DPA.</p>	
76522	<p>5. Amendments by a Council 5.9 Process A</p> <p>5.9.5 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(7)(d) of the Act to release the DPA for public consultation in accordance with the Regulations), over a period of at least 8 weeks.</p>	
50264	<p>5. Amendments by a Council 5.10 Process B</p> <p>5.10.1 The duty pursuant to Section 25(8)(a) of the Act, if required by the Minister, to first refer the DPA to the Minister for consideration.</p> <p>5.10.2 The power, pursuant to Section 25(8)(a) of the Act, to consult with the Minister.</p> <p>5.10.3 The duty pursuant to Section 25(8)(a)(i) of the Act to comply with a requirement of the Minister to make an alteration to the DPA.</p> <p>5.10.4 Subject to complying with Section 25(8)(a) of the Act, (if relevant) the duty and power pursuant to Section 25(8)(b)(i) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 8 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.</p> <p>5.10.5 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act the duty pursuant to Section 25(8)(b)(ii) of the Act to release the DPA for public consultation in accordance with the Regulations over a period that is at least concurrent with the period that applies under Section 25(8)(b)(i) of the Act.</p>	
50265	<p>5. Amendments by a Council 5.11 Process C</p> <p>5.11.1 The duty and power pursuant to Section 25(9)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 4 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.</p> <p>5.11.2 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(9)(b) of the Act to release the DPA for public consultation in accordance with the Regulations, over a period that is at least concurrent with the period that applies under Section 25(9)(a) of the Act.</p>	

#	Item Delegated	Conditions and Limitations
	<p>5.11.3 The duty pursuant to Section 25(9)(c) of the Act, at the time that the DPA is released for public consultation, to give:</p> <p>5.11.3.1 an owner or occupier of any land that is directly subject to the operation of the proposed amendment; and</p> <p>5.11.3.2 an owner or occupier of each piece of adjacent land to land that is directly subject to the operation of the proposed amendment, a written notice in accordance with the Regulations.</p>	
50266	<p>5. Amendments by a Council</p> <p>5.12 The duty pursuant to Section 25(10) of the Act to not release a DPA for public consultation unless or until the Chief Executive Officer of the Council has, on behalf of the Council, issued a certificate in the prescribed form relating to the extent to which the proposed amendment:</p> <p>5.12.1 accords with the Planning Strategy; and</p> <p>5.12.2 accords with the Statement of Intent; and</p> <p>5.12.3 accords with other parts of the Development Plan; and</p> <p>5.12.4 complements the policies in the Development Plans for adjoining areas; and</p> <p>5.12.5 satisfies the matters prescribed in the Regulations.</p>	
50267	<p>5. Amendments by a Council</p> <p>5.13 In addition to any requirement prescribed by the Regulations, the duty pursuant to Section 25(11) of the Act for the purposes of undertaking the public consultation, to:</p> <p>5.13.1 allow interested persons to make representations in writing in relation to the matter over the period that applies for the purposes of the public consultation; and</p> <p>5.13.2 subject to Section 25(11)(b) of the Act and in accordance with the Regulations, hold within the area of the Council at least 1 meeting where members of the public may attend and make representations in relation to the matter,</p> <p>5.13.3 appoint a committee (which may, but need not, include members of the Council) to consider any representations made under Sections 25(11)(a) or 25(11)(b) of the Act and to provide advice in relation to those representations.</p>	
50268	<p>5. Amendments by a Council</p> <p>5.14 If a proposed amendment designates a place as a place of local heritage value, the duty pursuant to Section 25(12) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land constituting a place proposed as a place of local heritage value a written notice:</p> <p>5.14.1 informing the owner of the proposed amendment, and</p> <p>5.14.2 inviting the owner to make submissions on the amendment within the period provided for public consultation under the Regulations.</p>	
50269	<p>5. Amendments by a Council</p> <p>5.15 If a proposed amendment declares a tree to be a significant tree or a stand of trees to be significant trees, the duty pursuant to Section 25(12a) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land where the tree or trees are located a written notice:</p> <p>5.15.1 informing the owner of the proposed amendment; and</p>	

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	5.15.2 inviting the owner to make submissions on the amendment within the period provided for public consultation under the Regulations.	
50270	5. Amendments by a Council 5.16 The duty pursuant to Section 25(13)(a) of the Act, after complying with the requirements of Sections 25(1)-(12a) of the Act, to, in accordance with the Regulations prepare a report on the matters raised during the consultation period, on the reasons for any failure to comply with any time set for any step under Sections 25(1)-(12a) of the Act, and on any recommended alterations to the proposed amendment.	
50271	5. Amendments by a Council 5.17 The power pursuant to Section 25(13)(b) of the Act, if the Delegate thinks fit, by notice in writing to the Minister, to decline to proceed any further with an amendment.	
50272	5. Amendments by a Council 5.18 The duty to send to the Minister: 5.18.1 a copy of a report under Section 25(13)(a); and 5.18.2 a certificate from the Chief Executive Officer; pursuant to and in accordance with Section 25(14) of the Act and the Regulations.	
50273	5. Amendments by a Council 5.19 The power pursuant to Sections 25(15)(d) and 25(15)(f) of the Act to consult with the Minister.	
50274	5. Amendments by a Council 5.20 The power pursuant to and in accordance with Section 25(21) of the Act to consult with, and make submissions to the Minister.	
50275	5. Amendments by a Council 5.21 The power pursuant to Section 25(23) of the Act to consult with the Minister.	
50276	6. Amendments by the Minister 6.1 The power pursuant to Section 26(5)(d)(i) of the Act, in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.	
50277	6. Amendments by the Minister 6.2 The power pursuant to Section 26(5a)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.	
50278	6. Amendments by the Minister 6.3 The power pursuant to Section 26(5b)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 4 weeks.	
50279	6. Amendments by the Minister 6.4 The power pursuant to Section 26(12) of the Act, to make comment to the Minister within a period determined by the Minister in relation to a proposal to act under Section 26(11) of the Act.	
50280	6. Amendments by the Minister 6.5 The power pursuant to, Section 26(12) of the Act to, by notice in writing, object to the Minister's proposed action.	
50281	7. Parliamentary Scrutiny 7.1 The power pursuant to Section 27(6) of the Act to consult with the Minister.	
50282	8. Strategic Directions Reports 8.1 The duty pursuant to Section 30(1) of the Act, to, from time to time, in accordance with the requirements of Section 30 of the Act, prepare a report under Section 30 of the Act (a Strategic Directions Report) that: 8.1.1 addresses the strategic planning issues within the area of the Council, with particular reference to: 8.1.1.1 the Planning Strategy; and	

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	<p>8.1.1.2 any other policy or document prescribed by the regulations; and</p> <p>8.1.2 addresses appropriate amendments to any Development Plan that applies within the area of the Council; and</p> <p>8.1.3 sets out the Council's priorities for:</p> <p>8.1.3.1 achieving orderly and efficient development through the implementation of planning policies; and</p> <p>8.1.3.2 the integration of transport and land-use planning within its area; and</p> <p>8.1.3.3 implementing any relevant targets set out in the Planning Strategy; and</p> <p>8.1.3.4 implementing affordable housing policies set out in the Planning Strategy within its area; and</p> <p>8.1.3.5 infrastructure planning (with respect to both physical and social infrastructure), taking into account any advice provided by a Minister, or any other relevant government agency, in accordance with a scheme set out in the regulations, and any of the Council's proposals with respect to infrastructure; and</p> <p>8.1.3.6 other projects or initiatives considered to be relevant by the Council; and</p> <p>8.1.4 contains such other material as may be:</p> <p>8.1.4.1 prescribed by the regulations; or</p> <p>8.1.4.2 required by the Minister.</p>	
50283	<p>8. Strategic Directions Reports</p> <p>8.2 The duty pursuant to Section 30(2) of the Act to prepare and complete a report under Section 30 of the Act:</p> <p>8.2.1 within 12 months after an alteration is made to the Planning Strategy, or within such longer period as the Minister may allow, if:</p> <p>8.2.1.1 the Minister declares, by notice in the Gazette, that the alteration is considered to be a significant alteration that should trigger a review of Development Plans, or specified Development Plans, under Section 30 of the Act in relation to issues specified by the Minister; and</p> <p>8.2.1.2 the Development Plan that applies in relation to the Council's area (or a part of its area) falls within the ambit of the declaration; and</p> <p>8.2.2 in any event, within 5 years after the completion of the last report under Section 30 of the Act.</p>	
50284	<p>8. Strategic Directions Reports</p> <p>8.3 The duty, pursuant to Section 30(3) of the Act, in connection with the preparation of a report under Section 30 of the Act, to:</p> <p>8.3.1 by public advertisement, invite interested persons to make written submissions to the Council within 2 months of the date of the advertisement or such longer period as may be allowed by the advertisement; and</p> <p>8.3.2 consult with any prescribed authority or body in the manner specified by the regulations.</p>	
50285	<p>8. Strategic Directions Reports</p> <p>8.4 The duty, pursuant to Section 30(4) of the Act, in connection with the operation of Section 30(3) of the Act, to prepare and make available the documentation prescribed by the regulations.</p>	

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50286	8. Strategic Directions Reports 8.5 The duty pursuant to Section 30(5) of the Act to give a person who makes a written response to an invitation under Section 30(3)(a) of the Act an opportunity to appear personally or by representative before the Council or a Council Committee and to be heard on those submissions.	
50287	8. Strategic Directions Reports 8.6 The duty pursuant to Section 30(6) of the Act, in preparing a report under Section 30 of the Act, to: 8.6.1 reach agreement with the Minister on a Statement of Intent with respect to any proposed amendments to a Development Plan that applies within the area of the Council; and 8.6.2 if relevant, prepare a DPA that is suitable for consideration under Section 25(3) of the Act.	
50288	8. Strategic Directions Reports 8.7 The duty pursuant to Section 30(7) of the Act to furnish a report under Section 30 of the Act to the Minister.	
50289	8. Strategic Directions Reports 8.8 The duty pursuant to Section 30(8) of the Act to, then, in accordance with any reasonable request of the Minister, enter into an agreement with the Minister on the steps that the Council will take as a result of the matters contained in the report (and the report will not be taken to have been completed unless or until such an agreement is reached with the Minister).	
50291	8. Strategic Directions Reports 8.10 The duty pursuant to Section 30(12) of the Act to make copies of a report prepared under Section 30 of the Act available for inspection (without charge) by the public at the principal office of the Council.	
50292	8. Strategic Directions Reports 8.11 The duty pursuant to Section 30(13) of the Act, if a report proposes amendments to a Development Plan that applies within the area of the Council, to ensure that it releases a DPA for public consultation under Section 25 within the period prescribed by the regulations.	
50295	9. Copies of Plans to be Made Available to the Public 9.1 The duty pursuant to Section 31(3) of the Act to make copies of a Development Plan published under Section 31(1) of the Act that applies in relation to the area of the Council available for inspection (without charge) and purchase by the public at an office of the Council.	
50296	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.1 the provisions of the appropriate Development Plan;	See Limitations; ECM Doc Set I.D. 1903673
50622	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.2 the provisions of the Building Rules;	
50623	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.3 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in Section 33(1)(c) of the Act;	
50624	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):	

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	10.1.4 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;	
50625	10.Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.5 the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and	
50626	10.Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.6 such other matters as may be prescribed.	
50297	10.Matters Against Which Development Must be Assessed 10.2 The power pursuant to Section 33(3) of the Act, when granting a development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.	
50298	10.Matters Against Which Development Must be Assessed 10.3 If: 10.3.1 a development only requires an assessment under paragraph (b) of Section 33(1) of the Act; and 10.3.2 the Council: 10.3.2.1 is the relevant authority; and 10.3.2.2 is to make the assessment under that paragraph; and 10.3.3 the Council determines to grant consent under that paragraph, the duty, pursuant to Section 33(4b) of the Act as the relevant authority, to issue the relevant development approval with the consent.	
50299	11. Determination of Relevant Authority 11.1 The power pursuant to Section 34(1)(b)(iii) of the Act to request the Minister to declare the Development Assessment Commission to be the relevant authority for a proposed development.	
50300	11. Determination of Relevant Authority 11.2 The power pursuant to Section 34(1a) of the Act, where the Minister has made a declaration under Section 34(1)(b)(vi) of the Act, to provide the Development Assessment Commission with a report, relating to the application for development authorisation, within the time prescribed by the Regulations.	
50301	11. Determination of Relevant Authority 11.3 The power pursuant to Section 34(8a) of the Act to, in conjunction with the Councils for the areas in relation to which a regional development assessment panel has been constituted, remove a member from the panel for a failure to comply with the requirements of Section 34(6a) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.	
50302	11. Determination of Relevant Authority 11.4 The power in accordance with Section 34(21) of the Act to withdraw from a regional development assessment panel	
50303	11. Determination of Relevant Authority 11.5 The duty pursuant to Section 34(27)(a) of the Act to establish a policy relating to the basis upon which the Council will make the various delegations required by Section 34(23) of the Act.	
50304	11. Determination of Relevant Authority 11.6 The duty pursuant to Section 34(27)(b) of the Act to ensure that a copy of the policy established by the Council under Section 34(27)(a) of the Act is available	

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	for inspection at the principal office of the council during ordinary office hours and for inspection on the internet.	
50305	12. Special Provisions Relating to Assessment Against Development Plans 12.1 The duty pursuant to Section 35(1) of the Act to grant a development plan consent if the Regulations or the relevant Development Plan describes any proposed development as a complying development (subject to such conditions or exceptions as may be prescribed by the Regulations or the relevant Development Plan and subject to any other provision made by the Act or applying under the Regulations).	
50306	12. Special Provisions Relating to Assessment Against Development Plans 12.2 The power pursuant to Section 35(1b) of the Act to determine a development that is assessed by a relevant authority as being a minor variation from complying development to be complying development.	
50307	12. Special Provisions Relating to Assessment Against Development Plans 12.3 Subject to Sections 35 (1d) and (1e) of the Act, if a proposed development meets all but 1 criteria necessary for the development to be complying development, the duty, pursuant to Section 35(1c) of the Act to regard the aspect or aspects of the development that are consistent with the development being complying development accordingly and to assess the balance of the development as merit development.	
50308	12. Special Provisions Relating to Assessment Against Development Plans 12.4 The power pursuant to Section 35(2) of the Act to assess whether or not a development is seriously at variance with the relevant Development Plan.	
50309	12. Special Provisions Relating to Assessment Against Development Plans 12.5 The power pursuant to Section 35(3)(a) of the Act in appropriate cases, to concur in the granting of consent to a development described as a non-complying development.	
50310	13. Special Provisions Relating to Assessment Against the Building Rules 13.1 The duty pursuant to Section 36(1) of the Act to grant a building rules consent if the Regulations provide that any proposed building work complies with the Building Rules.	
50311	13. Special Provisions Relating to Assessment Against the Building Rules 13.2 The power pursuant to and in accordance with Section 36(2) of the Act: 13.2.1 to assess whether a development is at variance with the Building Rules; 13.2.2 to determine whether to grant building rules consent where the variance is with the performance requirements of the Building Code and the Building Rules Assessment Commission concurs in the granting of consent; 13.2.3 to determine whether to grant building rules consent where the variance is with a part of the Building Rules other than the Building Code and to determine that it is appropriate to grant the consent despite the variance on the basis that the Delegate is satisfied that: 13.2.3.1 the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building fails to conform with the Building Rules only in minor respects and the variance is justifiable having regard to the objects of the Development Plan or the performance requirements of the Building Code and would achieve the objects of the Act as effectively, or more effectively, than if the variance were not to be allowed; or 13.2.3.2 in circumstances where the development has already occurred the variance is justifiable in the circumstances of the particular case.	
50312	13. Special Provisions Relating to Assessment Against the Building Rules 13.3 The duty pursuant to Section 36(3) of the Act to modify the application of the Building Rules to avoid an inconsistency between the Building Rules and the Development Plan in relation to a State heritage place or a local heritage place.	
50313	13. Special Provisions Relating to Assessment Against the Building Rules 13.4 The duty pursuant to Section 36(3a) of the Act to seek and consider the	

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	advice of the Building Rules Assessment Commission before imposing or agreeing to a requirement under Section 36(3) of the Act that would be at variance with the performance requirements of the Building Code.	
50314	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.5 The duty pursuant to Section 36(4)(a) and (b) of the Act to accept that proposed building work complies with the Building Rules to the extent that:</p> <p>13.5.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the Regulations; or</p> <p>13.5.2 such compliance is certified by a private certifier.</p>	
50315	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.6 The power pursuant to Section 36(6) of the 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.</p>	
50316	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.1 Subject to Section 37AA of the Act, the duty pursuant to Section 37(1)(a) and (b) of the Act where an assessment is required of an application for the consent or approval of a proposed development of a prescribed class to:</p> <p>14.1.1 refer the application, together with a copy of any relevant information provided by the applicant to a body prescribed by the Regulations and including the Development Assessment Commission, and</p> <p>14.1.2 not make a decision until a response has been received from the prescribed body in relation to the matter or matters for which the referral was made or the presumption is made that the body does not desire to make a response or concur (as the case requires).</p>	
50317	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.2 The duty pursuant to Section 37(5)(a) of the Act where an application has been refused or conditions imposed in respect of a development authorisation by direction of a prescribed body, to notify the applicant that the application was refused, or the conditions imposed, by direction under Section 37 of the Act.</p>	
50318	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.3 If a relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the Act, the power, pursuant to Section 37(6) of the Act to make application for the relevant authority to be joined as a party to the proceedings.</p>	
50319	<p>15. Preliminary Advice and Agreement</p> <p>15.1 The power pursuant to and in accordance with Section 37AA(2)(e) of the Act to be satisfied that an application accords with an agreement indicated by a prescribed body in accordance with Section 37AA(2)(c) of the Act.</p>	
50320	<p>15. Preliminary Advice and Agreement</p> <p>15.2 The power pursuant to and in accordance with Section 37AA(4) of the Act to determine that an agreement under Section 37AA of the Act is no longer appropriate due to the operation of Section 53 of the Act.</p>	
50321	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.1 The duty pursuant to Section 37A(1) of the Act where 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').</p>	
50322	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.2 The power pursuant to Section 37A(2)(b) of the Act to receive the Commissioner's written determination under Section 37A(2)(a) of the Act.</p>	
50323	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.3 The duty pursuant to Section 37A(5) of the Act if the Commissioner</p>	

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	<p>determines that the proposed development involves the creation of fortifications to:</p> <p>16.3.1 if the proposed development consists only of the creation of fortifications - refuse the application; or</p> <p>16.3.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications.</p>	
50324	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.4 The duty pursuant to Section 37A(6) of the Act, if the Delegate acting on the basis of a determination of the Commissioner under subsection 37A(2) 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 37A of the Act.</p>	
50325	<p>17. Public Notice and Consultation</p> <p>17.1 The duty, pursuant to Section 38(3) of the Act, where a person applies for a consent in respect of the Development Plan for a Category 1 development, to not on the Delegate's own initiative seek the views of the owners or occupiers of adjacent or other land in relation to the granting or refusal of development plan consent.</p>	
50326	<p>17. Public Notice and Consultation</p> <p>17.2 Where a person applies for a consent in respect of the Development Plan for a Category 2A development, -</p> <p>17.2.1 the duty pursuant to Section 38(3a)(a) of the Act to:</p> <p>17.2.1.1 subject to any exclusion or qualification prescribed by the Regulations - give an owner or occupier of each piece of adjoining land; and</p> <p>17.2.1.2 give any other person of a prescribed class, notice of the application; and</p> <p>17.2.2 the duty pursuant to Section 38(3a)(b) of the Act, to:</p> <p>17.2.2.1 give consideration to any representations in writing made in accordance with the Regulations by a person who is entitled to be given notice under paragraph (a) of Section 38(3a) of the Act; and</p> <p>17.2.2.2 forward to the applicant a copy of any representations that the relevant authority must consider under subparagraph (i) of Section 38(3a)(b) of the Act and allow the applicant an opportunity to respond in writing, to those representations within the period prescribed by the Regulations; and</p> <p>17.2.3 if a representation is received under paragraph (b) of Section 38(3a) of the Act within the prescribed number of days, the power pursuant to Section 38(3a)(c) of the Act to, in the Delegate's absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.</p>	
50327	<p>17. Public Notice and Consultation</p> <p>17.3 The duty pursuant to Section 38(4) of the Act to give notice of a proposal for a Category 2 development.</p>	
50328	<p>17. Public Notice and Consultation</p> <p>17.4 The duty pursuant to Section 38(5) of the Act to give notice of a proposal for a Category 3 development.</p>	
50329	<p>17. Public Notice and Consultation</p> <p>17.5 The duty pursuant to Section 38(8) of the Act to forward to an applicant a copy of any representation made regarding the proposed development, and to allow the applicant to respond in writing to those representations.</p>	
50330	<p>17. Public Notice and Consultation</p> <p>17.6 The power pursuant to Section 38(10)(a) of the Act, in respect of a Category</p>	

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	2 development, to determine whether to allow a person who made a representation to appear personally or by representative before the Delegate.	
50331	17. Public Notice and Consultation 17.7 The duty pursuant to Section 38(10)(b) of the Act, in respect of a Category 3 development, to allow a person who made a representation and who as part of that representation indicated an interest in appearing before the Delegate, a reasonable opportunity to appear personally or by representative to be heard in support of the representation.	
50332	17. Public Notice and Consultation 17.8 The duty pursuant to Section 38(11) of the Act to allow an applicant to appear personally or by representative before the Delegate or the Council in order to respond to any relevant matter.	
50333	17. Public Notice and Consultation 17.9 The duty pursuant to Section 38(12) of the Act, where representations have been made under Section 38 of the Act, to give notice of the decision on the application to each person who made a representation and in respect of a Category 3 development of the person's appeal rights under the Act, and give notice to the Court.	
50334	17. Public Notice and Consultation 17.10 The power, pursuant to subsection 38(17) of the Act, where a relevant authority is acting under Section 38 of the Act in relation to a Category 2A or Category 2 development, to not take into account under Section 38 of the Act a representation made by a person who is not entitled to be given notice of the relevant application under Section 38 of the Act.	
50335	17. Public Notice and Consultation 17.11 The power, pursuant to subsection 38(18) of the Act, to not take into account under Section 38 of the Act, a representation that is not made in accordance with any requirement prescribed by the Regulations for the purposes of Section 38.	
50336	18. Application and Provision of Information 18.1 The power pursuant to Section 39(2) of the Act to request an applicant to: 18.1.1 provide such additional documents or information to enable assessment of the application; 18.1.2 remedy any defect or deficiency in any application or accompanying document or information required by or under the Act; 18.1.3 consult with an authority or body prescribed by the Regulations; 18.1.4 (where required by the Regulations) prepare a statement of effect in relation to non-complying development; and 18.1.5 comply with any other requirement prescribed by the Regulations.	
50337	18. Application and Provision of Information 18.2 If: 18.2.1 a development is of a kind that is complying development; and 18.2.2 the development falls within a class of development prescribed by the Regulations for the purpose of Section 39(2a)(b) of the Act; and 18.2.3 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d), the duty, pursuant to Section 39(2a) of the Act, to, in making an assessment as to development plan consent, assess the application without requesting the applicant to provide additional documents or information.	
50338	18. Application and Provision of Information 18.3 If:	

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	<p>18.3.1 a development falls within a class of development prescribed by the Regulations for the purposes of Section 39(2b)(b) of the Act; and</p> <p>18.3.2 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d) of the Act, the power and duty pursuant to Section 39(2b)(c) of the Act, to;</p> <p>18.3.3 in making an assessment as to development plan consent, request the applicant to provide additional documents or information in relation to the application on 1 occasion only; and the duty pursuant to Section 39(2b)(d) of the Act, to;</p> <p>18.3.4 make that request within a period prescribed by the Regulations.</p>	
50339	<p>18. Application and Provision of Information</p> <p>18.4 Pursuant to Section 39(3)(b) of the Act, where a request is made under Section 39(2) of the Act and the request is not complied with within the time specified by the Regulations, the power pursuant to Section 39(3)(b) of the Act to:</p> <p>18.4.1 subject to Section 39(3)(b)(ii) of the Act, refuse the application; and</p> <p>18.4.2 refuse the application in prescribed circumstances (including, if the Regulations so provide, in a case involving development that is complying development).</p>	
50340	<p>18. Application and Provision of Information</p> <p>18.5 The duty, pursuant to Section 39(3a) of the Act, in dealing with an application that relates to a regulated tree, to seek to make any assessment as to whether the tree is a significant tree without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.</p>	
50341	<p>18. Application and Provision of Information</p> <p>18.6 The duty, pursuant to Section 39(3b) of the Act, in dealing with an application that relates to a regulated tree that is not a significant tree, to seek to assess the application without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.</p>	
50342	<p>18. Application and Provision of Information</p> <p>18.7 The power pursuant to Section 39(4)(a) and Section 39(5) of the Act to permit an applicant to vary an application or vary any plans, drawings, specifications or other documents that accompanied an application.</p>	
50343	<p>18. Application and Provision of Information</p> <p>18.8 The power pursuant to Section 39(4)(b) and Section 39(5) of the Act to permit an applicant to lodge an application without the provision of any information or document required by the Regulations.</p>	
50344	<p>18. Application and Provision of Information</p> <p>18.9 The power pursuant to Section 39(4)(c) and Section 39(5) of the Act to waive payment of whole or part of the application fee or refund an application fee (to the extent that such fees are payable to the Council).</p>	
50345	<p>18. Application and Provision of Information</p> <p>18.10 The power pursuant to Section 39(4)(d) of the Act and Regulation 17(3)(a) of the regulations to refuse an application that relates to a development of the kind that is described as a non-complying development under the Development Plan without proceeding to make an assessment of the application.</p>	
50346	<p>18. Application and Provision of Information</p> <p>18.11 The power pursuant to Section 39(4)(e) of the Act, if there is an inconsistency between any documents lodged with the Council for the purposes of Division 1 of Part 4 of the Act, or between any such document and a development authorisation that has already been given that is relevant in the circumstances, to return or forward any document to the applicant or to any other person and to determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</p>	

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50347	18. Application and Provision of Information 18.12 The power pursuant to Section 39(7) of the Act to approve an application for variation of the conditions of the development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.	
50348	18. Application and Provision of Information 18.13 The power, pursuant to section 39(7)(c) to determine whether representations relate to any aspect of the development under consideration on account of an application for variation, and to determine whether, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development.	
50349	18. Application and Provision of Information 18.14 The power, pursuant to section 39(7)(d) of the Act, to approve the seeking of a variation to extend the period for which the relevant authorisation remains operative.	
50350	18. Application and Provision of Information 18.15 Where granting an application for variation of a development authorisation pursuant to section 39(6), the power, pursuant to section 39(7a), to make specific provision for the variation of a condition imposed with respect to the original authorisation in its decision on the application for variation.	
50351	18. Application and Provision of Information 18.16 The power pursuant to Section 39(8) of the Act to issue a consent which provides for the undertaking of development in stages.	
50352	18. Application and Provision of Information 18.17 The power pursuant to Section 39(9) of the Act to determine that the applicant is entitled to a refund of the application fee in the event that an application is withdrawn.	
50353	19. Determination of Application 19.1 The duty pursuant to Section 40(1) of the Act to give notice of a decision in accordance with the Regulations (and in the case of a refusal, the duty to include the reasons for the refusal and any appeal rights that exist under the Act.)	
50354	19. Determination of Application 19.2 The power pursuant to Section 40(3) of the Act to extend the period of time within which a development authorisation remains operative.	
50355	20. Time Within Which Decision Must be Made 20.1 The duty, pursuant to Section 41(1) of the Act to deal with an application as expeditiously as possible and within the time prescribed by the Regulations.	
50356	20. Time Within Which Decision Must be Made 20.2 If: 20.2.1 the relevant authority does not decide an application that relates to development that is a complying development within the time prescribed under Section 41(1) of the Act; and 20.2.2 the applicant gives the relevant authority a notice in accordance with the Regulations on the basis that the decision on the application has not been made, the duty pursuant to Section 41(5)(d) of the Act, subject to any exclusion or qualification prescribed by the Regulations, to refund the fee received by the relevant authority under Section 39(1)(d) in relation to the application.	
50357	21. Conditions 21.1 The power pursuant to Sections 42(1) and (3) of the Act to attach such conditions as the Delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.	
50358	21. Conditions 21.2 The duty, pursuant to Section 42(4) of the Act, in accordance with Section 42(5) of the Act and subject to Sections 42(6) and (8) of the Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by	

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	the Delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).	
50359	21. Conditions 21.3 The power, pursuant to Section 42(6) of the Act, on the application of the applicant, to determine that a payment of an amount calculated in accordance with the Regulations be made into the relevant fund in lieu of planting one or more replacement trees under Section 42(4) of the Act.	
50360	21. Conditions 21.4 The power, pursuant to Section 42(8)(b) of the Act, after taking into account any criteria prescribed by the Regulations and if the Minister concurs, to determine that it is appropriate to grant an exemption under Section 42 of the Act in a particular case.	
50361	22. Cancellation by a Relevant Authority 22.1 The power pursuant to Section 43 of the Act to cancel a development authorisation previously given by the Council or the Delegate.	
50362	23. Investigation of Development Assessment Performance 23.1 The power pursuant to Section 45A(2) of the Act to explain the Council's actions and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action) to the Minister within a period (being at least 28 days) specified by the Minister.	
50363	23. Investigation of Development Assessment Performance 23.2 The duty pursuant to Section 45A(14) of the Act to comply with a direction under Section 45A(11) or (13) of the Act.	
50364	23. Investigation of Development Assessment Performance 23.3 The power pursuant to Section 45A(12) of the Act to make submissions to the Minister on the report on which the action under Section 45A(11) of the Act is based within a period (being at least 28 days) specified by the Minister.	
50365	24. Crown Development and Public Infrastructure 24.1 The power pursuant to Section 49(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.	
50366	24. Crown Development and Public Infrastructure 24.2 The power pursuant to Section 49(5) of the Act to report to the Development Assessment Commission on any matters contained in a notice from the Development Assessment Commission under Section 49(4a) of the Act.	
50367	24. Crown Development and Public Infrastructure 24.3 The power pursuant to Section 49(9) of the Act to withdraw opposition to a State agency proposed development.	
50368	25. Electricity Infrastructure Development 25.1 The power pursuant to Section 49A(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.	
50369	25. Electricity Infrastructure Development 25.2 The power pursuant to Section 49A(5) of the Act, where notice of a proposal to undertake development for the purposes of the provision of electricity infrastructure has been given to the Council pursuant to Section 49A(4a) of the Act, to report to the Development Assessment Commission on any matters contained in the said notice.	
50370	25. Electricity Infrastructure Development 25.3 The power pursuant to Section 49A(9) of the Act, in circumstances where the Council's report to the Development Assessment Commission under Section 49A(5) of the Act expressed opposition to the proposed development, to withdraw that opposition.	
50371	26. Open Space Contribution System 26.1 The power pursuant to Section 50(1) of the Act, with respect to an application for the division of land into more than 20 allotments where one or more allotments	

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	<p>is less than one hectare in area, to require:</p> <p>26.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</p> <p>26.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of by Section 50 of the Act; or</p> <p>26.1.3 that the land be vested in the Council and that the applicant make a contribution determined in accordance with Section 50(7) of the Act, according to the determination and specification of the Council or Delegate.</p>	
50372	<p>26. Open Space Contribution System</p> <p>26.2 The power pursuant to Section 50(1) of the Act, when proposing to take any action that is at variance with the Council's Development Plan to seek the concurrence of the Development Assessment Commission.</p>	
50373	<p>26. Open Space Contribution System</p> <p>26.3 The power pursuant to Section 50(3) and 50(2)(d) of the Act to enter into an agreement on behalf of the Council with the Development Assessment Commission and the applicant under which certain land described by the relevant plan of division will be vested in the Council.</p>	
50374	<p>26. Open Space Contribution System</p> <p>26.4 The power pursuant to Section 50(3a) of the Act to concur on behalf of the Council to the vesting of land in the Council pursuant to a requirement of the Development Assessment Commission that an area of the site of the development be kept as open space or in some other form that allows for active or passive recreation under Section 50(3a)(a) of the Act.</p>	
50375	<p>26. Open Space Contribution System</p> <p>26.5 The power pursuant to Section 50(10) of the Act to receive payment of monies from an applicant under Section 50(1) of the Act and the duty to immediately pay that money into a special fund established for the purposes of Section 50 and to apply that money for the purpose of acquiring or developing land as open space.</p>	
50376	<p>26. Open Space Contribution System</p> <p>26.6 The power pursuant to Section 50(11) of the Act to determine that the division of land is being undertaken in stages such that Section 50 of the Act does not apply to an application for development authorisation to the extent that an earlier application in respect of the same development has addressed the requirements of Section 50 of the Act in respect of the area of land as a whole.</p>	
50378	<p>27. Carparking Fund</p> <p>27.2 The duty pursuant to Section 50A(1) of the Act to publish a notice in the Gazette in accordance with Section 50A(2) of the Act where the approval of the Minister has been obtained.</p>	
50379	<p>27. Carparking Fund</p> <p>27.3 The power pursuant to Section 50A(5)(c) of the Act to determine that a proposal does not provide for sufficient spaces for the parking of cars at the site of a development.</p>	
50380	<p>27. Carparking Fund</p> <p>27.4 The power pursuant to Section 50A(5)(d) of the Act to agree with an applicant that a contribution calculated in accordance with a determination of the Council or the Delegate can be made by the applicant to a car parking fund in lieu of providing a certain number of spaces for the parking of cars at the site of a development.</p>	
50381	<p>27. Carparking Fund</p> <p>27.5 The power pursuant to Section 50A(5) of the Act to make a determination for the purpose of calculating amounts to be paid into a carparking fund.</p>	
50382	<p>27. Carparking Fund</p> <p>27.6 The duty pursuant to and in accordance with Section 50A(6) of the Act to publish a determination for the purpose of calculating amounts to be paid into a carparking fund and any variations from time to time in the Gazette.</p>	

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50383	27. Carparking Fund 27.7 The power pursuant to and in accordance with Section 50A(7) of the Act to invest any money in a carparking fund and to pay any resultant income into the fund.	
50384	27. Carparking Fund 27.8 The power pursuant to and in accordance with Section 50A(8) of the Act to apply money standing to the credit of the car parking fund.	
50385	28. Urban Trees Fund 28.1 The power, pursuant to Section 50B(1) of the Act, with the approval of the Minister, to establish an urban trees fund for an area designated by the Delegate (a designated area).	
50386	28. Urban Trees Fund 28.2 The duty, pursuant to Section 50B(2) of the Act, to effect establishment of the fund by notice in the Gazette.	
50387	28. Urban Trees Fund 28.3 The duty, pursuant to Section 50B(3) of the Act, to define a designated area by reference to an area established by the relevant Development Plan.	
50388	28. Urban Trees Fund 28.4 The power, pursuant to Section 50B(5) of the Act, to invest any money in an urban trees fund that is not for the time being required for the purpose of the fund and the duty to pay any resultant income into the fund.	
50389	28. Urban Trees Fund 28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to: 28.5.1 maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act; or	
50627	28. Urban Trees Fund 28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to: 28.5.2 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 Act.	
50390	28. Urban Trees Fund 28.6 The duty, pursuant to Section 50B(7) of the Act, if the Council subsequently sells land purchased under Section 50B(6)(b) of the Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 50B of the Act subject to the following qualifications as prescribed by Sections 50B(7)(a) and (b) of the Act: 28.6.1 if an urban trees fund is no longer maintained by the Council, the proceeds must be applied for a purpose or purpose consistent with Section 50B(6)(a) or (b) of the Act; 28.6.2 if money from an urban trees fund only constituted a proportion of the purchase price of the land (the designated proportion), the money that is subject to these requirements is the designated proportion of the proceeds of sale.	
50391	29. Certificate in Respect of the Division of Land 29.1 The duty pursuant to Section 51(2) of the Act to provide appropriate information to the Development Assessment Commission (upon request by the Development Assessment Commission) before it issues a certificate in respect of the division of land.	
50392	30. Saving Provisions 30.1 The power pursuant to Section 52(4) of the Act to extend the limitation period referred to in Section 52(2) of the Act in order to avoid or reduce hardship.	
50393	31. Avoidance of Duplication of Procedures Etc 31.1 The power pursuant to Section 52A(2)(a) of the Act to accept a document under the Commonwealth Environment Protection and Biodiversity Conservation Act, 1999 (and defined in Section 52A(9) of the Act, as a 'Commonwealth Act	

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	document') as an application, notice or other document for the purposes of the Act, if (subject to the provisions of Section 52A(7)) the document complies with the requirements of the Act.	
50394	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.2 The power pursuant to Section 52A(2)(b) of the Act where a document has been accepted for the purposes of the Act, to direct that a procedure taken under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 in relation to the said document will be taken to have fulfilled the requirements for a procedure in relation to the relevant document under the Act, if the requirements of the Act in relation to the procedure have been complied with under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.</p>	
50395	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.3 The power pursuant to Section 52A(2)(c) of the Act to adopt or accept the whole or part of a document (whether a plan, report, statement, assessment or other document of the same kind or not) used or to be used for the purposes of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 as the document required under the Act, if (subject to the provisions of Section 52A(7) of the Act) the document has been prepared in compliance with the Act, and complies with the requirements of the Act.</p>	
50396	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.4 The power pursuant to Section 52A(5) of the Act where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity or includes an activity for which a development authorisation is required under the Act to, when considering an application for a development authorisation or for the variation of a development authorisation, for the activity, use information and other material provided to the Commonwealth Minister under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 for the purposes of the Commonwealth Minister deciding to give approval to the controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.</p>	
50397	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.5 Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act:</p> <p>31.5.1 in circumstances where:</p> <p>31.5.1.1 the Commonwealth Minister has given his or her approval to the controlled action; and</p> <p>31.5.1.2 the applicant for the development authorisation or the Commonwealth Minister has informed the relevant authority of that fact;</p> <p>the duty pursuant to Section 52A(6)(a) of the Act to consider whether the conditions (if any) to be attached to the development authorisation should be consistent with the conditions (if any) attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; and</p>	
76340	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.5 Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act:</p> <p>31.5.2 the power pursuant to Section 52A(6)(b) of the Act to attach a condition to the development authorisation that requires compliance with all or some of the conditions attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.</p>	

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50398	32. Requirement to Upgrade Building in Certain Cases 32.1 Where an application is made for building rules consent for building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of subsection 53A(1) of the Act, the power pursuant to Section 53A(1) of the Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition and therefore require as a condition of consent 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.	For prescribed date, refer to Regulation 80.
50399	32. Requirement to Upgrade Building in Certain Cases 32.2 Where an application is made for building rules consent for building work in the nature of an alteration of a kind prescribed by the Regulations to a building constructed before 1 January 1980 the power pursuant to Section 53A(2) to form the opinion that the facilities for access to or within the building for people with disabilities are inadequate and therefore require as a condition of consent that building work or other measures be carried out to the extent reasonably necessary to ensure that the facilities for such access will be adequate.	Note: Wording inconsistent with LGA template, council documents, and legislation. Date should be 1 January 2002. Will notify Advent to update.
50400	33. Urgent Building Work 33.1 The power pursuant to Section 54(2)(d) of the Act to issue any directions and specify a period of time with respect to building work performed as a matter of urgency.	
50401	34. Action if Development Not Substantially Completed 34.1 The power pursuant to Section 55(1) of the Act to apply to the Court for an order under Section 55(3) of the Act where the development to which an approval relates has been commenced but not substantially completed within the period prescribed by the Regulations for the lapse of the approval.	
50402	34. Action if Development Not Substantially Completed 34.2 The power pursuant to Section 55(5) of the Act where the Court makes an order under Section 55(3)(a), (b) or (ca) of the 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 cost of that work as a debt from the person.	
50403	34. Action if Development Not Substantially Completed 34.3 The power pursuant to Section 55(6) of the Act where an amount is recoverable from a person under Section 55(5) of the Act, 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.	
50404	35. Completion of Work 35.1 The power pursuant to Section 56(1) of the Act to issue a notice in writing requiring an owner of land to complete a development on the land within a period specified in the notice.	
50405	35. Completion of Work 35.2 The power pursuant to the Section 56(2) of the Act to cause the necessary work to be carried out where an owner has failed to carry out work as required by a notice under Section 56(1) of the Act.	
50406	35. Completion of Work 35.3 The power pursuant to Section 56(3) of the Act to recover the reasonable costs and expenses incurred by the Council or any person acting on behalf of the Council under Section 56 of the Act as a debt due from the owner.	
50407	35. Completion of Work 35.4 The power pursuant to Section 56(4) of the 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 where an amount is recoverable from the person under Section 56(3) of the Act.	
50414	36. Council to Establish Development Assessment Panels 36.7 The duty pursuant to and in accordance with Section 56A(5) of the Act to give notice of an appointment.	
50415	36. Council to Establish Development Assessment Panels 36.8 The duty pursuant to Section 56A(15)(b) of the Act and in accordance with	

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	Section 56A(17) of the Act to make minutes of meetings of a council development assessment available for reasonable access by members of the public.	
50416	36. Council to Establish Development Assessment Panels 36.9 The duty pursuant to and in accordance with Section 56A(20) of the Act to provide information to the Minister where requested by the Minister.	
50417	36. Council to Establish Development Assessment Panels 36.10 The duty pursuant to Section 56A(22) of the Act to appoint a public officer (who must not be a member of the council development assessment panel).	
50418	36. Council to Establish Development Assessment Panels 36.11 The duty pursuant to Section 56A(23) of the Act to ensure that notice of the appointment of a public officer (including the public officer's name and contact details) is published in the Gazette.	
50421	37. Building Rules Assessment Audits 37.1 The duty pursuant to Section 56B(2) to have its building assessment auditor audit the Council's activities in relation to the undertaking of assessments of proposed developments against the provisions of the Building Rules in accordance with the requirements of Section 56B.	
50422	37. Building Rules Assessment Audits 37.2 The duty pursuant to Section 56B(5) to ensure that after the expiration of the periods prescribed in Section 56B(4) an audit under Section 56B is completed at least once in every prescribed period.	
50423	37. Building Rules Assessment Audits 37.3 The power pursuant to Section 56B(10) to respond to a report prepared by a building assessment auditor prepared in relation to the Council under Section 56B.	
50424	37. Building Rules Assessment Audits 37.4 The power pursuant to Section 56B(14) to make submissions to the Minister in relation to a matter concerning the possible exercise of the Minister's powers under Section 56B(12).	
50425	37. Building Rules Assessment Audits 37.5 The duty pursuant to Section 56B(16) to comply with a direction given to the Council under Sections 56B(12) or 56B(15).	
50631	37A. Development Plan Assessment Audits 37A.2 The power pursuant to Section 56C(10) of the Act to provide a response to an auditor with a view to correcting any error or fact.	
50634	37A. Development Plan Assessment Audits 37A.4 The power pursuant to Section 56C(15) of the Act to, if 37A.4.2 the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, consult with the Minister.	
50426	38. Land Management Agreements 38.1 The power pursuant to Sections 57(2) and 57(2a) of the Act to enter into an agreement relating to the development, management, preservation or conservation of land within the area of the Council with the owner of the land.	
50427	38. Land Management Agreements 38.2 The duty pursuant to and in accordance with Section 57(2c) of the Act and Regulation 98A of the Regulations to establish and keep a register available for public inspection (without charge).	
50428	38. Land Management Agreements 38.3 The duty pursuant to Section 57(2e) of the Act, in relation to the granting of development plan consent with respect to a Category 2A, Category 2 or Category 3 development, to note the existence of the agreement (or the proposal to enter the agreement), and the availability of copies of the agreement for public inspection on the notice of the relevant authority's decision.	
50429	38. Land Management Agreements 38.4 The power pursuant to Section 57(3) of the Act to carry out on private land any work for which provision is made by agreement under Section 57 of the Act.	

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50430	38. Land Management Agreements 38.5 The power pursuant to Section 57(5) of the 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.	
50431	38. Land Management Agreements 38.6 The power pursuant to Section 57(8) of the Act to apply to the Registrar-General where an agreement in relation to which a note has been made under Section 57 of the Act has been rescinded or amended, to enter a note of the rescission or amendment made against the instrument of title or against the land.	
50432	38. Land Management Agreements 38.7 The power pursuant to Section 57(11) of the Act to consent to the remission of rates payable to the Council provided for in an agreement entered into by the Minister.	
50433	39. Land Management Agreements - Development Applications 39.1 The power pursuant to and subject to Section 57A(1) of the Act to enter into an agreement under Section 57A of the Act with a person who is applying for a development authorisation under the Act.	
50434	39. Land Management Agreements - Development Applications 39.2 The duty pursuant to Section 57A(3) of the Act to have regard to: 39.2.1 the provisions of the appropriate Development Plan. 39.2.2 the principle that the entering into of an agreement under Section 57A by the Council should not be used as a substitute to proceeding with an amendment to a Development Plan under the Act.	
50435	39. Land Management Agreements - Development Applications 39.3 The duty pursuant to Section 57A(5) of the Act to register agreements entered into under Section 57A in accordance with the Regulations.	
50436	39. Land Management Agreements - Development Applications 39.4 The duty pursuant to Section 57A(6) of the Act to keep a register available for public inspection (without charge) in accordance with the Regulations.	
50437	39. Land Management Agreements - Development Applications 39.5 The power pursuant to Section 57A(7) of the Act to provide a person, on payment of the prescribed fee, a copy of an agreement registered under Section 57A(5) of the Act.	
50438	39. Land Management Agreements - Development Applications 39.6 The duty, pursuant to Section 57A(8) of the Act, where an agreement is entered into under Section 57A of the Act, in connection with an application for a development authorisation with respect to a Category 2A, Category 2 or Category 3 development, to include a note of the existence of the agreement on the notice of the relevant authority's decision under the Act.	
50439	39. Land Management Agreements - Development Applications 39.7 The power pursuant to Section 57A(14) of the 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.	
50440	39. Land Management Agreements - Development Applications 39.8 The power pursuant to Section 57A(16) of the Act to apply to the Registrar-General where an agreement under Section 57A has been rescinded or amended to enter a note of the rescission or amendment against the instrument of title, or against the land.	
50441	39. Land Management Agreements - Development Applications 39.9 The power pursuant to Section 57A (18) of the Act where an agreement under Section 57A does not have effect under Section 57A within the prescribed period, to, by notice given in accordance with the regulations, lapse the relevant development approval (and the agreement will then be rescinded by force of Section 57A(18) of the Act).	

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50442	40. Notification During Building 40.1 The power pursuant to Section 59(3) of the Act to direct that building work stop when a mandatory notification stage has been reached.	
50443	41. Classification of Buildings 41.1 The power pursuant to Section 66(2) of the Act to assign to any building a classification that conforms with the Regulations and the duty pursuant to Section 66(4) of the Act to give notice in writing to the owner of the building to which the classification has been assigned.	
50444	42. Certificates of Occupancy 42.1 The duty pursuant to and in accordance with the requirements of Sections 67(2), (3), (4), (5) and (6) of the Act to give a certificate of occupancy.	
50445	42. Certificates of Occupancy 42.2 The power pursuant to Section 67(3)(a) of the Act to require information from an applicant for a certificate of occupancy.	
50446	42. Certificates of Occupancy 42.3 The duty pursuant to Section 67(10) of the Act to give written notice to an applicant of the refusal of the certificate of occupancy.	
50447	42. Certificates of Occupancy 42.4 The power pursuant to Section 67(13) of the Act to revoke a certificate of occupancy in prescribed circumstances.	
50448	43. Temporary Occupation 43.1 The power pursuant to Sections 68(1) and (2) of the Act to approve the occupation of a building on a temporary basis without a certificate of occupancy and subject to such conditions as the Delegate thinks fit to impose.	
50449	43. Temporary Occupation 43.2 The duty pursuant to and in accordance with Section 68(3) of the Act to give written notice to an applicant of the refusal of approval for temporary occupation of a building.	
50450	44. Emergency Orders 44.1 Where an owner of land fails to comply with the requirements of an emergency order issued under Section 69(1) of the Act: 44.1.1 the power pursuant to Section 69(4) of the Act to cause the required work to be carried out; and 44.1.2 the power pursuant to and in accordance with Sections 69(5) and 69(6) of the Act to recover the reasonable costs and expense of that work from the owner as a debt.	Manager Finance & Procurement has sub-delegation under paragraph 44.1.2, sections 69(5) & 69(6) only.
50451	44A Fire Safety 44A.1 The power pursuant to Sections 71(18) and (19) of the Act to establish and designate a body as an appropriate authority.	
50452	44A Fire Safety 44A.2 The power pursuant to Section 71(19)(a)(i) of the Act to appoint a person who holds prescribed qualifications in building surveying to the appropriate authority.	
50453	44A Fire Safety 44A.3 The power pursuant to Section 71(19)(a)(ii) of the Act to determine if a person is to be nominated to the appropriate authority by the Chief Officer of the South Australian Metropolitan Fire Service or the Chief Officer of the South Australian Country Fire Service (after taking into account the nature of the Council or Council's area(s)).	
50454	44A Fire Safety 44A.4 The power pursuant to Section 71(19)(a)(iii) of the Act to appoint a person with expertise in the area of fire safety to the appropriate authority.	
50455	44A Fire Safety 44A.5 The power pursuant to Section 71(19)(a)(iv) of the Act to determine and select a person to be appointed to the appropriate authority.	

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50456	44A Fire Safety 44A.6 The power pursuant to Section 71(19)(b) of the Act to determine the term of the office not exceeding three years of a member of the appropriate authority.	
50457	44A Fire Safety 44A.7 The power pursuant to Section 71(19)(d) of the Act to appoint deputy members to the appropriate authority.	
50458	44A Fire Safety 44A.8 The power pursuant to Section 71(19)(e) of the Act to determine the procedures of an appropriate authority.	
50459	45. Building Inspection Policies 45.1 The duty pursuant to and in accordance with Section 71A of the Act to prepare and from time to time alter a building inspection policy.	
50460	46. Advertisements 46.1 The power pursuant to and in accordance with Section 74(1) of the Act to: 46.1.1 form the opinion that an advertisement or advertising hoarding disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality or is contrary to a character desired for a locality under the relevant Development Plan; and 46.1.2 serve notice in writing requiring the removal or obliteration of the advertisement or the removal of the advertising hoarding (or both).	
50461	46. Advertisements 46.2 The power pursuant to Section 74(3) of the Act where a person has failed to comply with a notice under Section 74(1) of the Act, to enter on land, carry out the terms of the notice and recover the costs of doing so as a debt from the person on whom the notice was served.	
50462	47. Enforcement Notices 47.1 The power pursuant to and in accordance with Section 84(2) of the Act to issue an enforcement notice where the Delegate has reason to believe on reasonable grounds that a person has breached the Act or a repealed Act.	
50463	47. Enforcement Notices 47.2 The power pursuant to Section 84(3) of the Act to determine that a direction under Section 84(2) of the Act is urgently required and can be orally given by an authorised officer.	
50464	47. Enforcement Notices 47.3 Where a person has failed to comply with a direction contained in a notice issued pursuant to Section 84(2)(b) of the Act: 47.3.1 the power pursuant to Section 84(6) of the Act to cause the necessary action to be undertaken; and 47.3.2 pursuant to and in accordance with Sections 84(7) and 84(8) of the Act to recover the costs of doing so as a debt from the person whose failure gave rise to the action.	Paragraph 47.3.2; Sections 84(7) & 84(8) given to CEO, GM CS, Mgr D&RS, Mgr F&P, TL Plan only.
50465	48. Applications to Court 48.1 The power pursuant to Section 85(1) of the Act to apply to the Court for an order to remedy or restrain a breach of the Act, or a repealed Act.	
50466	48. Applications to Court 48.2 Where the Court has made an order under Section 85(6)(d) of the Act and a person has failed to comply with the order, the power pursuant to and in accordance with Section 85(12) and Section 85(13) of the Act, to cause any work contemplated by the order to be carried out and to recover the costs of doing so as a debt from the person.	
50467	49. General Right to Apply to Court 49.1 Where the Council is a party to a dispute referred to in Section 86(1)(e) of the Act, the power pursuant to Section 86(1)(e) of the Act to apply to the Court for determination of the dispute.	

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50468	50. Authority to be Advised of Certain Matters 50.1 The power pursuant to Section 93(1)(b)(iii) of the Act to require from a private certifier who is making a decision of a prescribed kind in relation to any aspect of building work such other information or documentation as the Delegate or the Council may require.	
50469	51. Referrals 51.1 The power pursuant to and in accordance with Section 94 of the Act to consent to the referral by a private certifier to the Council or Delegate of any function under the Act.	
50470	52. Professional Advice to be Obtained in Relation to Certain Matters 52.1 The power pursuant to Section 101(1) of the Act, in the exercise of a prescribed function, to rely on a certificate of a person with prescribed qualifications.	
50471	52. Professional Advice to be Obtained in Relation to Certain Matters 52.2 The duty pursuant to Section 101(2) of the Act to seek and consider the advice of a person with prescribed qualifications or person approved by the Minister in relation to a matter prescribed by the Regulations.	
50472	53. Transitional Provisions 53.1 The power pursuant to and in accordance with Clause 5(1) of Schedule 1 to the Development (Development Plans) Amendment Act 2006 ('the DPA Act'), if the Council or the Delegate has, before the commencement of Clause 5 of Schedule 1 to the DPA Act reached an agreement with the Minister on a Statement of Intent with respect to an amendment to a Development Plan, or taken steps to prepare a Plan Amendment Report on the basis of such a Statement of Intent subject to Clause 5(2) of Schedule 1 to the DPA Act, to continue with the process as set out in Section 25 of the Act (as in force immediately before the commencement of Clause 5 of Schedule 1 to the DPA Act) as if the DPA Act had not been enacted until the relevant amendment is approved (with or without alteration) or otherwise dealt with by the Minister under Section 25(15) of the Act, subject to the qualification that the relevant Plan Amendment Report may be referred to as a Development Plan Amendment.	
50473	53. Transitional Provisions 53.2 The power pursuant to Clause 5(2) of Schedule 1 to the DPA Act to agree on a Statement of Intent that is to supersede a Statement of Intent agreed between the Council or the Delegate and the Minister before commencement of Clause 5 of Schedule 1 to the DPA Act.	
142427	53A. Complying Development – Development Plan Consent 53A.1 The power pursuant to Regulation 8A(1)(a) of the Development Regulations 2008 ('the Regulations'), for the purposes of Sections 33(1) and 35 of the Act (subject to Regulation 8A(2)) of the Regulations to: 53A.1.1 in the case of a proposed development lodged for assessment as residential code development – assess the development as being in a form described in Schedule 4 clause 1(2) or (3), 2A, 2B or 2C (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 clause 1(2) or (3), 2A, 2B or 2C); and 53A.1.2 in any other case – to assess the development as being in a form described in Schedule 4 Part 1 (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 Part 1).	
142428	53A. Complying Development – Development Plan Consent 53A.2 The power pursuant to Regulation 8A(1)(b) of the Regulations, for the purposes of Section 35(1b) of the Act, to: 53A.2.1 form the opinion that a variation from complying development (including complying development as declared under Regulation 8A(1)(a) of the Regulations) is minor; and 53A.2.2 determine that 2 or more minor variations, when taken together, constitute a 'minor variation from complying development'.	

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50474	<p>54. Infrastructure Planning</p> <p>54.1 The power pursuant to Regulation 9A(1) to, in preparing the DPA, to the extent (if any) required by the Statement of Intent, seek, in accordance with Regulation 9A(2), the advice of a Minister and any other government agency, specified by the Minister as part of the agreement on the Statement of Intent.</p>	
50475	<p>55. Consultation with Government Departments or Agencies</p> <p>55.1 The duty pursuant to Regulation 10A(1) of the Regulations if the Council is subject to a requirement under Section 25(7)(a) of the Act to ensure that a copy of any written report received from a Department or agency is furnished to the Minister for the purposes of considering the matter under Section 25(7)(b) of the Act.</p>	
50476	<p>56. Public Consultation - Section 25 & 26</p> <p>56.1 Subject to Regulations 11A(3) and 11A(6) of the Regulations, for the purposes of Sections 25 and 26 of the Act, the duty pursuant to Regulation 11A(1) of the Regulations to give public notice of a DPA by publication in the designated manner of a notice:</p> <p>56.1.1 advising the time and places at which the DPA is available for inspection (without charge) and purchase by the public; and</p> <p>56.1.2 inviting any interested person to make written submissions on the amendment to the council within the relevant period specified in the notice; and</p> <p>56.1.3 stating that the submissions will be available for inspection by any interested person at a place specified in the notice from the expiration of the period specified under Regulation 11A(1)(b) of the Regulations until the conclusion of any public meeting held for the purposes of Section 25(11)(b) or 26(5c)(b) of the Act (or, if no such meeting is to be held, until the decision is made not to hold the meeting); and</p> <p>56.1.4 providing information about when and where any public meeting is proposed to be held for the purposes of Sections 25(11)(b) or 26(5c)(b) of the Act (subject to a decision being made under the relevant section not to hold a meeting).</p>	
50477	<p>56. Public Consultation - Section 25 & 26</p> <p>56.2 If one or more written submissions are made in response to a notice published under Regulation 11A(1) of the Regulations, the duty pursuant to Regulation 11A(3) of the Regulations to make a copy of each submission available for inspection in accordance with the statement included under Regulation 11A(1)(c).</p>	
50478	<p>56. Public Consultation - Section 25 & 26</p> <p>56.3 For the purposes of Sections 25(9)(c) and 26(5b)(c) of the Act, the duty pursuant to Regulation 11A(4) of the Regulations to include in the written notice the same information as required for a notice under Regulation 11A(1) of the Regulations.</p>	
50479	<p>56. Public Consultation - Section 25 & 26</p> <p>56.4 The duty pursuant to Regulation 11A(5) of the Regulations, to ensure that a copy of any DPA released for public consultation under Section 25 of the Act is provided to the Minister within 2 business days after that release.</p>	
50480	<p>57. Public Meeting</p> <p>57.1 The duty pursuant to and in accordance with Regulation 12 of the Regulations to hold a public meeting if an amendment has been prepared by the Council or the Delegate.</p>	
50481	<p>57. Public Meeting</p> <p>57.2 The power pursuant to Regulation 12(4) of the Regulations to adjourn a public meeting from time to time, and place to place if necessary or appropriate.</p>	
50482	<p>58. Application to Relevant Authority</p> <p>58.1 The power pursuant to Regulation 15(1)(c) of the Regulations to require an additional or lesser number of copies of plans, drawings, specifications and other</p>	

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	documents and information relating to a proposed development than the number prescribed in Regulation 15(1)(c) of the Regulations.	
50483	<p>58. Application to Relevant Authority</p> <p>58.2 The duty pursuant to and in accordance with Regulation 15(4) of the Regulations, if an application is lodged with the Council but a regional development assessment panel is the relevant authority, to retain a copy of the application and other accompanying information and to forward the application on to the appropriate person acting on behalf of the regional development assessment panel.</p>	
50484	<p>58. Application to Relevant Authority</p> <p>58.3 The duty pursuant to and in accordance with Regulation 15(5) of the Regulations, when an application is lodged with the Council but the Development Assessment Commission is the relevant authority, to forward all but one copy of the application and the accompanying information, as well as a written acknowledgment that the appropriate fees have been paid, including details of each fee component paid, to the Development Assessment Commission.</p>	
50485	<p>58. Application to Relevant Authority</p> <p>58.4 The power pursuant to Regulation 15(7)(b) of the Regulations to indicate, in such manner as may be determined by the Development Assessment Commission, that the Delegate wishes to receive written documentation instead of electronic access to the relevant documents and information via the Internet.</p>	
50635	<p>58.4A The power pursuant to Regulation 15(7b) of the Regulations, to within 2 business days of receipt of a copy of an application under Regulation 15(7a) of the Regulations, furnish to the private certifier:</p> <p>58.4A.1 the Development Assessment number assigned to the development proposed under the application; and</p> <p>58.4A.2 if the private certifier, at the time of forwarding a copy of an application under Regulation 15(7a) of the Regulations, requests advice on the matters set out in subparagraphs (i) and (ii), and if such advice is relevant:</p> <p>58.4A.2.1 advice about any site contamination that is believed to exist at the site where the development would be undertaken; and</p> <p>58.4A.2.2 advice about the likely need for approval to alter a public road under section 221 of the Local Government Act 1999 in order to establish a new access point.</p> <p>58.4A.2.3 advice about whether the relevant development plan specifies any requirements relating to finished floor levels (expressed by reference to AHD or ARI) in relation to the site where the development would be undertaken.</p>	
50486	<p>58. Application to Relevant Authority</p> <p>58.5 The power pursuant to Regulation 15(8) of the Regulations to extend the period prescribed in Regulation 15(8) for the lodging of an application for the appropriate development authorisation as required by Section 54(2)(c).</p>	
50488	<p>58. Application to Relevant Authority</p> <p>58.7 The power pursuant to Regulation 15(11) of the Regulations, to modify the requirements of Schedule 5 in relation to a particular application, subject to the following qualifications:</p> <p>58.7.1 in the case of an application that is lodged with the Council for assessment as residential code development – the requirements of Schedule 5 may not be modified in any way by the delegate assessing the application (whether so as to require more or less information), except on authority of the Minister under Section 39(1)(a) of the Act;</p> <p>58.7.2 in any other case, the delegate must not, when requiring plans, drawings, specifications and other documents in relation to the application, require the applicant to provide more information than that specified under Schedule 5 (subject to Section 39 of the Act).</p>	

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50489	58. Application to Relevant Authority 58.8 The duty pursuant to Regulation 15(12) of the Regulations to, in exercising the discretion under Section 39(4)(b) of the Act, dispense with the requirements of Schedule 5 in relation to a particular application.	
50490	59. Nature of Development 59.1 The duty pursuant to Regulation 16(1) of the Regulations, where an application requires the assessment of a proposed development against the provisions of the Development Plan, to determine the nature of the development applied for.	
50491	59. Nature of Development 59.2 The power pursuant to Regulation 16(2) of the Regulations to form the opinion that a development is non-complying, and the duty if the Delegate is of the opinion that an application relates to a kind of development that is non-complying and the applicant has not identified the development as such, by notice in writing to inform the applicant of that fact.	
50492	59. Nature of Development 59.3 The power pursuant to Regulation 16(3) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated development, form the opinion that the development is residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact.	
50493	59. Nature of Development 59.4 The power pursuant to Regulation 16(4) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated development, form the opinion that the development is not residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact and the reasons for the Delegate's opinion.	
50494	60. Non-Complying Development 60.1 The power pursuant to Regulation 17(3) of the Regulations, after receipt of an application which relates to a kind of development that is described as non-complying development to: 60.1.1 refuse the application pursuant to Section 39(4)(d) of the Act and notify the applicant accordingly; or 60.1.2 resolve to proceed with an assessment of the application.	Power under paragraph 60.1.1, Regulation 39(4)(d), to refuse application; limited to CEO, GM CS, Mgr DS, DAP.
50495	60. Non-Complying Development 60.2 The duty pursuant to Regulation 17(4) of the Regulations, in situations where the Delegate has resolved to proceed with the assessment of an application for non-complying development, to require the applicant to provide a statement of effect.	
50496	60. Non-Complying Development 60.3 The power pursuant to Regulation 17(6) of the Regulations to determine that a proposed development is of a minor nature for the purposes of exemption from the requirements to provide a statement of effect.	
50497	61. Notification of Application for Tree-Damaging Activity to Owner of Land 61.1 Where the owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, the duty pursuant to and in accordance with Regulation 18 of the Regulations: 61.1.1 to give the owner of land notice of the application; and 61.1.2 to give due consideration, in the assessment of the application, to any submission made by the owner within a reasonable time after the giving of notice of the application.	
50498	62. Amended Applications 62.1 The power pursuant to Regulation 20(4) of the Regulations to form the opinion that variations to an application are not substantial and that repeating of	

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	the referral process under Part 5 of the Regulations, or the giving of notice under Part 6 of the Regulations is not required.	
50499	62. Amended Applications 62.2 The power pursuant to Regulation 20(5) of the Regulations, where a variation to an application changes the essential nature of a proposed development to (by agreement with the applicant) proceed with the variation on the basis that the application will be treated as a new application.	
50500	63. Withdrawing/Lapsing Application 63.1 The duty pursuant to Regulation 22(1) of the Regulations, where an applicant withdraws an application, to notify any agency to which an application was referred under Part 5 of the Regulations and any person who made a representation in relation to the application under Part 6 of the Regulations of the withdrawal.	
50501	63. Withdrawing/Lapsing Application 63.2 Where at least two years have passed since the date on which an application for development authorisation under Part 4 of the Act was lodged with the Council the power, pursuant to Regulation 22(2) of the Regulations to lapse the said application.	
50502	63. Withdrawing/Lapsing Application 63.3 Before taking action to lapse a development application under Regulation 22(2) of the Regulations the duty, pursuant to and in accordance with Regulation 22(3) of the Regulations to: 63.3.1 take reasonable steps to notify the applicant of the action under consideration; and 63.3.2 allow the applicant a reasonable opportunity to make submissions to the Council or the Delegate about the proposed course of action, and the power to determine the manner and form of those submissions.	
50503	64. Contravening Development 64.1 The power pursuant to Regulation 23(2) of the Regulations, by notice in writing to the applicant to decline to proceed with an application until proceedings under the Act have been concluded.	
50504	65. Referrals 65.1 The duty pursuant to Regulation 24(1) of the Regulations to refer an application of a prescribed kind together with a copy of any relevant information provided by the applicant to the relevant body prescribed by Schedule 8 of the Regulations and to not make a decision on the application until a response has been received from the referral body or the time period for receipt of a response has lapsed.	
50505	66. Procedure Where Concurrence Required 66.1 The duty pursuant to Regulation 25 of the Regulations, if concurrence must be sought from another body prior to issuing a consent or approval to forward to the other body whose concurrence must be sought that information required by Regulation 25(b) of the Regulations.	
50506	67. Additional Information or Amended Plans 67.1 The duty pursuant to Regulation 27(1) of the Regulations, where an application has been referred to a prescribed body under Part 5 of the Regulations and additional information is received which is materially relevant to the referral, to repeat the referral process where the Delegate is of the opinion that the additional information or amendment is significant and the power to repeat the referral process in all other instances.	
50507	68. Special Provisions - Referrals 68.1 The duty pursuant to and in accordance with Regulation 28(3) of the Regulations to refer an application for building rules consent to the relevant fire authority for comment and report where the Delegate considers that: 68.1.1 a proposed alternative solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or	

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	<p>68.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or</p> <p>68.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,</p> <p>and the duty pursuant to Regulation 28(5) of the Regulations to have regard to any report received from the fire authority under Regulation 28.</p>	
50508	<p>68. Special Provisions - Referrals</p> <p>68.2 The power pursuant to Regulation 28(4) of the Regulations, when a report from a fire authority pursuant to Regulation 28(3) is not received by the Council within 20 business days, to presume that the fire authority does not desire to make a report.</p>	
50509	<p>68. Special Provisions - Referrals</p> <p>68.3 If, in respect of an application referred to a fire authority under Regulation 28, the fire authority:</p> <p>68.3.1 recommends against the granting of building rules consent; or</p> <p>68.3.2 concurs in the granting of consent on conditions specified in its report, but the Delegate:</p> <p>68.3.3 proposes to grant building rules consent despite a recommendation referred to in Regulation 28(5a)(a) of the Regulations; or</p> <p>68.3.4 does not propose to impose the conditions referred to in Regulation 28(5a)(b) of the Regulations, or proposes to impose the conditions in varied form, on the grant of consent,</p> <p>the duty pursuant to Regulation 28(5a) of the Regulations to:</p> <p>68.3.5 refer the application to the Building Rules Assessment Commission; and</p> <p>68.3.6 not grant consent unless the Building Rules Assessment Commission concurs in the granting of consent.</p>	
50510	<p>68. Special Provisions - Referrals</p> <p>68.4 The duty pursuant to Regulation 28(6) of the Regulations to provide to the Building Rules Assessment Commission a copy of any report received from a fire authority under Regulation 28(1) that relates to an application referred to the Building Rules Assessment Commission under the Act.</p>	
50512	<p>69. Land Division Applications</p> <p>69.1 The duty pursuant to Regulation 29(1) of the Regulations, subject to the provisions in Regulation 29(2) of the Regulations, to withhold making a decision on an application which relates to a proposed development that involves the division of land until a report has been received from the Development Assessment Commission.</p>	
50513	<p>69. Land Division Applications</p> <p>69.2 The power pursuant to Regulation 29(2) of the Regulations, when a report from the Development Assessment Commission pursuant to Regulation 29(1) of the Regulations is not received by the Council within eight weeks or within such longer period as the Development Assessment Commission may require by notice in writing to the Council, to presume that the Development Assessment Commission does not desire to make a report.</p>	
50514	<p>70. Underground Mains Area</p> <p>70.1 The power pursuant to Regulation 30(1) of the Regulations to seek a report from the relevant electricity authority where the Delegate considers that an area should be declared an underground mains area.</p>	

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50515	70. Underground Mains Area 70.2 The power pursuant to Regulation 30(2) of the Regulations to declare an area as an underground mains area.	
50516	70. Underground Mains Area 70.3 The power pursuant to Regulation 30(4) of the Regulations, where a development includes the division of land within or partly within an underground mains area, to require, as a condition of the decision, that any electricity mains be placed underground.	
50517	71. Preliminary Advice and Agreement - Section 37AA 71.1 The power pursuant to Regulation 31A(6)(b) of the Regulations to determine that an application no longer accords with an agreement indicated by the prescribed body.	
50518	71. Preliminary Advice and Agreement - Section 37AA 71.2 The power pursuant to Regulation 31A(6) of the Regulations if: 71.2.1 a relevant authority permits an applicant to vary an application under Section 39(4) of the Act; and 71.2.2 the relevant authority determines that the application no longer accords with the agreement indicated by the prescribed body, to refer the application (unless withdrawn) to the prescribed body: 71.2.3 to obtain a variation to the agreement under Section 37AA of the Act; or 71.2.4 to obtain a response from the prescribed body for the purposes of Section 37 of the Act.	
50519	71. Preliminary Advice and Agreement - Section 37AA 71.3 The power pursuant to Regulation 31A(7) of the Regulations if: 71.3.1 an application is withdrawn by the Applicant; and 71.3.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the withdrawal of an application.	
50520	71. Preliminary Advice and Agreement - Section 37AA 71.4 The power pursuant to Regulation 31A(8) of the Regulations if: 71.4.1 an application is lapsed by a relevant authority under Regulation 22 of the Regulations; and 71.4.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the lapsing of an application.	
50521	71. Preliminary Advice and Agreement - Section 37AA 71.5 The power pursuant to Regulation 31A(9) of the Regulations if: 71.5.1 an application seeks to rely on an agreement under Section 37AA of the Act in connection with the application; and 71.5.2 a notice of decision is issued by the relevant authority under Regulation 42 of the Regulations, to send a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 42 of the Regulations.	
142426	71A. Public Notice Categories 71A.1 The power pursuant to Regulation 32(2)(5) of the Regulations to determine that a form of development comprises 2 or more elements.	
50522	72. Public Inspection of Certain Applications 72.1 The duty pursuant to and in accordance with Regulation 34(1) of the Regulations, subject to Regulation 34(4) of the Regulations to ensure that copies	

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	of documents referred to in Regulation 34(1) concerning an application are reasonably available for inspection by the public (without charge).	
50523	72. Public Inspection of Certain Applications 72.2 The duty pursuant to Regulation 34(2) of the Regulations, subject to Regulation 34(4) of the Regulations, where a request is made within the time period that applies under Regulation 34(1) of the Regulations and on payment of a fee fixed by Council to provide to a member of the public a copy of any document of information available for inspection under Regulation 34(1) of the Regulations.	
50524	72. Public Inspection of Certain Applications 72.3 The power pursuant to Regulation 34(3) of the Regulations to require that a person who has made a request under Regulation 34(2) of the Regulations verify his or her name, address and contact details in such manner as the Delegate thinks fit.	
50525	72. Public Inspection of Certain Applications 72.4 The power pursuant to Regulation 34(4) of the Regulations to form the opinion that the present or future security of a building would be jeopardised if plans, drawings, specifications or other documents or information relating to the assessment of a proposed development against the Building Rules were to be made available for inspection.	
50526	73. Response by Applicant 73.1 The power pursuant to Regulation 36 of the Regulations to extend the time within which an applicant may respond to any representation	
50527	74. Determination of Commission as Relevant Authority 74.1 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act: 74.1.1 in a case where the Minister has made a declaration under Section 34(1)(b)(iii) or 34(1)(b)(vi) of the Act, the duty pursuant to and in accordance with Regulation 38(2)(a)(i) of the Regulations to forward to the Development Assessment Commission any application received by the Council under the Act and the Regulations in relation to the matter together with accompanying documentation or information and, as appropriate, fees; and	
50628	74. Determination of Commission as Relevant Authority 74.1 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act: 74.1.2 in any case, the power pursuant to and in accordance with Regulation 38(2)(b) to provide a report on matters under Section 33(1) (as relevant).	
50528	74. Determination of Commission as Relevant Authority 74.2 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b)(iv) of the Act and the proposed development is to be undertaken within one kilometre of a boundary with the Council, the power, pursuant to Regulation 38(4) of the Regulations, to provide the Development Assessment Commission with comments on the proposed development.	
50529	75. Assessment in Respect of Building Rules Referred to the Council 75.1 The duty pursuant to and in accordance with Regulation 39 of the Regulations, where the Council is the relevant authority pursuant to Section 34(2) of the Act, not to give any decision in respect of the assessment against the Building Rules until the Development Assessment Commission or the regional development assessment panel (as the case may be) has made its decision.	
50530	76. Notification of Decision to Applicant (Including Conditions) 76.1 The duty pursuant to and in accordance with Regulation 42 of the Regulations to give notice of a decision on an application under Division 1 of Part 4 of the Act including, but not limited to, the power to endorse approved plans and documentation under Regulation 42(4).	
50531	77. Notification of Decision to a Prescribed Body 77.1 The duty pursuant to and in accordance with Regulation 43 of the Development Regulations, to send a copy of the notice of decision issued under	

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	Regulation 42 of the Regulations to any prescribed body to which the application had been referred.	
50532	77. Notification of Decision to a Prescribed Body 77.2 The duty pursuant to and in accordance with Regulation 43(3) of the Regulations to send a copy of a notice of a decision on an application, if or when a development authorisation is issued in relation to a proposed division of land, to the Development Assessment Commission.	
50533	78. Notification of Decision to Owner of Land 78.1 The duty pursuant to and in accordance with Regulation 44 of the Regulations to send a copy of any notice issued under Regulation 42 of the Regulations to the owner of land to which a decision on the application relates where the owner is not a party to the application.	
50534	79. Scheme Description - Community Titles 79.1 The duty pursuant to Regulation 45(2) of the Regulations to endorse a scheme description under Section 3 of the Community Titles Act 1996 in the following terms: 79.1.1 All the consents or approvals required under the Development Act 1993 in relation to the division of the land (and a change in the use of the land (if any)) in accordance with the scheme description and the relevant plan of community division under the Community Titles Act 1996 have been granted. OR No consent or approval is required under the Development Act 1993 in relation to the division of land (or a change in the use of the land) in accordance with this scheme description. This endorsement does not limit a relevant authority's right to refuse, or to place conditions on, development authorisation under the Development Act 1993 in relation to any other development envisaged by this scheme description. Signed: Dated:	
50535	79. Scheme Description - Community Titles 79.2 The power pursuant to Regulation 45(2) of the Regulations to include in an endorsement of a scheme description under Section 3 of the Community Titles Act 1996, notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future and to sign and date the endorsement.	
50536	80. Special Provisions Relating to Staged Consents 80.1 The duty pursuant to and in accordance with Regulation 46(1) of the Regulations, and in a case where the development is within the ambit of Schedule 1A, subject to, in accordance with Regulations 46(4) and (5) of the Regulations, any step that the Delegate, as the relevant authority considers it needs to take under Section 42 of the Act, to issue a Notice of Approval in the circumstances prescribed by Regulation 46 of the Regulations.	
50537	81. Endorsed Plans 81.1 The duty pursuant to Regulation 47 of the Regulations to return to a successful applicant, a copy of the plans, drawings, specifications and other documents and information lodged by the applicant duly endorsed with the building rules consent.	
50640	81A. Minor Variation of Development Authorisation 81A.1 The power pursuant to Regulation 47A(1) of the Regulations, 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 that the variation is minor in nature and, if the delegate is satisfied that the variation is minor in nature, to approve the variation.	
50538	82. Lapse of Consent or Approval 82.1 The power pursuant to Regulation 48(2) of the Regulations to extend the time when any consent or approval under Part 4 of the Act will lapse.	
50539	83. Width of Roads and Thoroughfares 83.1 The power pursuant to Regulation 51(4) of the Regulations to dispense with	

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	the requirements of Regulation 51(1) and (3) dealing with the width of any proposed road or thoroughfare where the Delegate is of the opinion that the prescribed width is not necessary for the safe and convenient movement of vehicles or pedestrians or for underground services.	
50540	83. Width of Roads and Thoroughfares 83.2 The power pursuant to Regulation 51(6) of the Regulations to dispense with the requirements of Regulation 51(5) dealing with the width of a road at the head of every cul-de-sac where it appears that the cul-de-sac is likely to become a through road.	
50541	84. Road Widening 84.1 The power pursuant to Regulation 52(1) of the Regulations to require a road widening if land to be divided abuts an existing road.	
50542	85. Requirement as to Forming of Roads 85.1 The power pursuant to Regulation 53(1) and (2) of the Regulations to specify the width of roads.	
50543	85. Requirement as to Forming of Roads 85.2 The power pursuant to Regulation 53(4) of the Regulations to dispense with the requirements of Regulation 53(3) of the Regulations that adequate provision be made for the turning of vehicles at the head of a cul-de-sac where the Delegate is of the opinion that the cul-de-sac is likely to become a through road.	
50544	85. Requirement as to Forming of Roads 85.3 The power pursuant to Regulation 53(6) of the Regulations to dispense with the requirements of Regulation 53(5) dealing with the forming of footpaths, water-tables, kerbing, culverts and drains on proposed roads.	
50545	86. Construction of Roads, Bridges, Drains and Services 86.1 The power pursuant to Regulation 54(1) of the Regulations to require the paving and sealing of the roadway of proposed roads.	
50546	87. Supplementary Provisions 87.1 The duty pursuant to Regulation 55(1) of the Regulations to consider and if appropriate approve a road location and grading plan for the forming of any proposed road, including every footpath, water-table, kerbing, culvert and drain.	
50547	87. Supplementary Provisions 87.2 The duty pursuant to Regulation 55(2) of the Regulations to consider, and if appropriate approve, detailed construction plans and specifications signed by a professional engineer or licensed surveyor for all work referred to in Regulations 53 and 54 of the Regulations.	
50548	87. Supplementary Provisions 87.3 The duty pursuant to Regulation 55(4) of the Regulations to consider, and if appropriate accept, that all connections for water supply and sewerage services to any allotment delineated on a plan of division have been laid under the surface of a proposed road before the roadway is sealed.	
50549	88. General Land Division 88.1 The power pursuant to and in accordance with Regulation 58(1) of the Regulations to enter into a binding arrangement with an applicant for land division for the satisfaction of outstanding requirements.	
50550	88. General Land Division 88.2 The power pursuant to and in accordance with Regulation 58(2) of the Regulations to advise the Development Assessment Commission that an applicant has entered into appropriate binding arrangements pursuant to Section 51(1) of the Act.	
50551	89. Division of Land by Strata Title 89.1 The power pursuant to Regulation 59(1) of the Regulations to advise the Development Assessment Commission that an applicant has entered into a binding arrangement with the Council for the satisfaction of the requirements of Section 33(1)(d) of the Act and that the arrangement is supported by adequate security.	
50552	90. General Provisions 90.1 The power pursuant to and in accordance with Regulation 60(1) of the	

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	Regulations to enter into a form of arrangement with an applicant to the satisfaction of the Development Assessment Commission for the purposes of Section 51(1) of the Act.	
50553	90. General Provisions 90.2 The power pursuant to Regulation 60(7) of the Regulations, for the purposes of Section 51(4) of the Act, to request (in such a manner as may be determined by the Development Assessment Commission) that a copy of a certificate or plan (or certificates and plans) referred to in Regulation 60(4) of the Regulations be furnished to the Council by sending a written copy to the Council.	
50554	90. General Provisions 90.3 The power pursuant to Regulation 60(9) of the Regulations to consult with the Development Assessment Commission before it grants an extension of the period prescribed by Regulation 60(8) of the Regulations.	
50555	91. Declaration by The Minister - Section 46 91.1 The duty pursuant to and in accordance with Regulation 61(2) of the Regulations, to transmit to the Minister any relevant documentation (including the application and any accompanying documentation or information lodged by the proponent with the Council under Division 1 of Part 4 of the Act) within 10 business days after the receipt of a copy of a notice required by Regulation 61(1) of the Regulations.	
50556	91. Declaration by The Minister - Section 46 91.2 At the same time that documents are transmitted to the Minister under Regulation 61(2) of the Regulations, the duty pursuant to Regulation 61(3) of the Regulations to also transmit to the Minister any fees that have been paid by the proponent under Schedule 6 (less any amount that the Minister determines should be retained by the Council).	
50557	91. Declaration by The Minister - Section 46 91.3 Where an application lodged with the Minister under Section 46 of the Act requires an assessment against the Building Rules and the assessment against the Building Rules is to be referred to the Council, the power pursuant to Regulation 61(5)(d) of the Regulations, to require from the applicant additional copies of the plans, drawings, specifications and other documents and information required by Regulation 61(4) of the Regulations.	
50558	92. Referral of Assessment of Building Work 92.1 Where a development application which is subject to the operation of Section 48 of the Act is referred to the Council for assessment in respect of the Building Rules the duty pursuant to and in accordance with Regulation 64(2) of the Regulations, to ensure that the assessment is consistent with any development plan consent previously given under Section 48 of the Act.	
50559	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.1 provide the certification in the form set out in Schedule 12A; and 92.2.2 to the extent that may be relevant and appropriate: 92.2.2.1 issue a schedule of essential safety provisions under Division 4 of Part 12 of the Act; and 92.2.2.2 assign a classification to the building under the Regulations; and 92.2.2.3 ensure that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993.	
50560	92. Referral of Assessment of Building Work 92.3 Where the Council issues a certificate in the form set out in Schedule 12A of the Regulations as required by Regulation 64(3)(a) of the Regulations, the duty	

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	pursuant to Regulation 64(4) of the Regulations to furnish to the Minister a copy of the certificate together with a copy of any schedule of essential safety provisions.	
50561	93. Notifications During Building Work 93.1 The power pursuant to Regulation 74(1)(b) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.	
50562	93. Notifications During Building Work 93.2 The power pursuant to Regulation 74(1)(c) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.	
50563	93. Notifications During Building Work 93.3 The duty pursuant to Regulation 74(4) of the Regulations to make a note on the relevant building file of any notice given in accordance with Regulation 74(3)(d) by a person by telephone.	
50564	94. Essential Safety Provisions 94.1 The duty pursuant to Regulation 76(4) of the Regulations, on either the granting of a building rules consent or on application by the owner of a building, to issue a schedule in the form set out in Schedule 16 specifying the essential safety provisions for buildings and the standards and requirements for maintenance and testing in respect of those provisions.	
50565	94. Essential Safety Provisions 94.2 The power pursuant to Regulation 76(10) of the Regulations to require compliance with Regulation 76(7) despite Regulation 76(9) of the Regulations if the essential safety provisions were installed under a modification of the Building Rules under Section 36(2) of the Act or the building has been the subject of a notice under Section 71 of the Act.	
50567	96. Construction Industry Training Fund 96.1 The duty pursuant to Regulation 79(2) of the Regulations to withhold issuing a building rules consent until satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or that no such levy is payable.	
50568	96. Construction Industry Training Fund 96.2 The power pursuant to Regulation 79(4) of the Regulations to form an opinion whether the appropriate levy under the Construction Industry Training Fund Act 1993 has or has not been paid, or is or is not payable, and notify the applicant that a building rules consent cannot be issued until the Delegate is satisfied that the levy has been paid or is not payable.	
50569	96. Construction Industry Training Fund 96.3 The power pursuant to and in accordance with Regulation 79(5)(b) of the Regulations to determine that the application has lapsed.	
182706	96A Requirement to Up-grade Building in Certain Cases 96A.1 The power pursuant to Regulation 80(1a) of the Regulations, if an application for a building rules consent relates to building work in the nature of an alteration to a class 2 to class 9 building constructed before 1 January 2002, to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition, and to require, as a condition of consent: 96A.1.1 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; or 96A.1.2 that the building work comply with Minister's Specification SA: Upgrading health and safety in existing buildings (to the extent reasonably applicable to the building and its condition).	
50570	97. Classification of Buildings 97.1 The power pursuant to Regulation 82(3)(b)(i) of the Regulations to require	

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	such details, particulars, plans, drawings, specifications, certificates and other documents as may reasonably be required to determine a building's classification upon application by an owner of a building under Regulation 82(1) or (2) of the Regulations.	
50571	<p>97. Classification of Buildings</p> <p>97.2 The power pursuant to Regulation 82(4) of the Regulations and subject to Regulation 82(4a) of the Regulations, to assign the appropriate classification under the Building Code to a building upon being satisfied on the basis of the owner's application and accompanying documents that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.</p>	
182707	<p>97. Classification of Buildings</p> <p>97.2A The power pursuant to Regulation 82(4a) of the Regulations, if an application under Regulation 82 of the Regulations is made in respect of an existing class 2 to class 9 building, to require the applicant to satisfy the delegate that Minister's Specification SA: 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).</p>	
63445	<p>97. Classification of Buildings</p> <p>97.3 The power pursuant to Regulation 82(5) of the 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 66(4) of the Act –</p> <p>97.3.1 the maximum number of persons who may occupy the building (or part of the building); and</p> <p>97.3.2 If the building has more than one classification – the part or parts of the building to which each classification relates and the classification currently assigned to the other parts of the building.</p>	
50572	<p>98. Certificates of Occupancy</p> <p>98.1 The power pursuant to Regulation 83(2)(c) of the Regulations to require from an applicant for a certificate of occupancy reasonable evidence that conditions attached to a development approval have been satisfied.</p>	
50573	<p>98. Certificates of Occupancy</p> <p>98.2 The power pursuant to Regulation 83(2)(d) of the Regulations where an 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, to require from an applicant for a certificate of occupancy reasonable evidence that in the case of a building of more than 1 storey, the requirements of Minister's Specification SA 83 have been complied with, or in any other case the building is suitable for occupation.</p>	
50574	<p>98. Certificates of Occupancy</p> <p>98.3 The power pursuant to Regulation 83(3) of the 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 the commencement of the Development (Building Cladding) Variation Regulations 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 83(2)(a) if the Delegate is satisfied that a person required to complete 1 or both parts of the Statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification(s) and it appears to the Delegate that the relevant building is suitable for occupation.</p>	
50575	<p>98. Certificates of Occupancy</p> <p>98.4 Where:</p> <p>98.4.1 a building is required by the Building Rules:</p> <p>98.4.1.1 to be equipped with a booster assembly for use by a fire authority; or</p>	

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	<p>98.4.1.2 to have installed a fire alarm that transmits a signal to a fire station; and</p> <p>98.4.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, the duty pursuant to Regulation 83(4) of the Regulations to not grant a certificate of occupancy unless or until a report has been sought from the fire authority as to whether those facilities have been installed and operate satisfactorily.</p>	
50576	<p>98. Certificates of Occupancy</p> <p>98.5 The power pursuant to Regulation 83(5) of the Regulations, when a report from the fire authority pursuant to Regulation 83(4) is not received within 15 business days, to presume that the fire authority does not desire to make a report.</p>	
50577	<p>98. Certificates of Occupancy</p> <p>98.6 The duty pursuant to Regulation 83(6) of the Regulations to have regard to any report received from a fire authority under Regulation 83(4) before issuing a certificate of occupancy.</p>	
50578	<p>98. Certificates of Occupancy</p> <p>98.7 The power pursuant to Regulation 83(9) of the Regulations to revoke a certificate of occupancy.</p>	
50579	<p>99. Certificate of Independent Technical Expert in Certain Case</p> <p>99.1 The power pursuant to Regulation 88(3) of the Regulations, in circumstances where Regulation 88 of the Regulations applies, to rely on the certificate of an independent technical expert.</p>	
50580	<p>100. Fees</p> <p>100.1 The power pursuant to Regulation 95(2) of the Regulations to require an applicant to provide such information as the Delegate may reasonably require to calculate any fee payable under Schedule 6 and the power to make any other determination for the purposes of Schedule 6.</p>	
50581	<p>100. Fees</p> <p>100.2 The power pursuant to the provisions of Regulation 95(3) of the Regulations to calculate any fee on the basis of estimates made by the Delegate where the Delegate believes that any information provided by an applicant is incomplete or inaccurate.</p>	
50582	<p>100. Fees</p> <p>100.3 The power pursuant to Regulation 95(4) of the Regulations to, at any time, and despite any earlier acceptance of an amount in respect of the fee, reassess a fee payable under the Regulations.</p>	
50583	<p>100. Fees</p> <p>100.4 The duty pursuant to Regulation 95(5) of the Regulations, on a reassessment under Regulation 95(4) of the Regulations:</p> <p>100.4.1 if it appears that an overpayment has occurred, to refund any amount due in accordance with the reassessment; and</p> <p>100.4.2 if it appears that an underpayment has occurred, to charge any further amount payable in accordance with the reassessment.</p>	
50584	<p>101. Register Of Applications</p> <p>101.1 The duty pursuant to Regulation 98 of the Regulations to keep available for public inspection a register of applications for consent, approval, or the assignment of building classifications under the Act.</p>	
50585	<p>101. Register Of Applications</p> <p>101.2 The power pursuant to Regulation 98(3) to fix a fee and upon payment of that fee, make available to a member of the public a copy of any part of a register or document kept for the purposes of Regulation 98(1).</p>	
50586	<p>102. Registration of Land Management Agreements</p> <p>102.1 The duty pursuant to and in accordance with Regulation 99(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57(2) of the Act.</p>	

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50587	102. Registration of Land Management Agreements 102.2 The power pursuant to Regulation 99(3) of the Regulations to determine what other information may be contained in the Register.	
50588	103. Land Management Agreements - Development Applications 103.1 The duty pursuant to Regulation 100(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57A of the Act.	
50589	103. Land Management Agreements - Development Applications 103.2 The duty pursuant to Regulation 100(3) of the Regulations to include in the register a copy of each agreement entered into by the Council under Section 57A of the Act and other information the Delegate considers appropriate.	
50590	103. Land Management Agreements - Development Applications 103.3 The duty pursuant to Regulation 100(5) of the Regulations to keep the register at the principal office of the Council.	
50591	103. Land Management Agreements - Development Applications 103.4 The duty pursuant to Regulation 100(6) of the Regulations to keep the register available for public inspection during normal office hours for the office where the register is situated.	
50592	103. Land Management Agreements - Development Applications 103.5 The duty pursuant to Regulation 100(9) to give a copy of a notice under Regulation 100(8) to any owner of the land who is not a party to the agreement.	
50636	104. Documents to be Preserved by a Council 104.0 The power and duty pursuant to Regulation 101(a1) of the Regulations to retain a copy of each document provided to the Council by a private certifier in relation to any application for a development plan consent assessed by the private certifier.	Refer to wording in Development Regulations 2008, State Records Act 1997 and General Disposal Schedule. This is a "must" for all staff.
50593	104. Documents to be Preserved by a Council 104.1 The duty pursuant to Regulation 101(1) of the Regulations to retain a copy of the documents listed in Regulation 101 of the Regulations in relation to any building work approved under the Act.	
50637	104. Documents to be Preserved by a Council 104.1A The power and duty pursuant to Regulation 101(1a) of the Regulations to preserve any document referred to in Regulation 101(a1) for a period of at least 10 years.	Refer to wording in Development Regulations 2008, State Records Act 1997 and General Disposal Schedule. This is a "must" for all staff.
50594	104. Documents to be Preserved by a Council 104.2 The duty pursuant to Regulation 101(2) of the Regulations to preserve any document referred to in Regulation 101(1) of the Regulations until the building to which the document relates is demolished or removed.	
50595	104. Documents to be Preserved by a Council 104.3 The power pursuant to and in accordance with Regulation 101(3) of the Regulations to offer to give plans and specifications in the Council's possession to a building owner and if the building owner declines the offer, the power to destroy the documents.	
50596	104. Documents to be Preserved by a Council 104.4 The power pursuant to and in accordance with Regulation 101(4) of the Regulations to make available for inspection at the offices of the Council during normal office hours any document retained by the Council under Regulation 101(a1) or (1) of the Regulations (without charge) and to fix a reasonable fee for a copy of any document retained by the Council under Regulation 101(a1) or (1) of the Regulations.	
50597	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.1 for inspection under Regulation 101(4)(a) if to do so would:	

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	<p>104.5.1.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or</p> <p>104.5.1.2 constitute a breach of any other law; or</p> <p>104.5.2 for copying under Regulation 101(4)(b) if to do so would:</p> <p>104.5.2.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or</p> <p>104.5.2.2 involve an infringement of copyright in matter contained in a document; or</p> <p>104.5.2.3 constitute a breach of any other law.</p>	
50638	<p>104A Documents to be Provided by Private Certifier</p> <p>104A.1 The power pursuant to Regulation 102(2) of the Regulations to request a private certifier to produce to the Council within a reasonable period, a copy of any document that has been submitted to the private certifier for the purposes of an application for development plan consent (and that it is not already held by the Council under the Regulations) so that the Council can respond to a request from a member of the public for access to such document.</p>	
50598	<p>105. Transfer of Development Potential</p> <p>105.1 The duty pursuant to Regulation 104 of the Regulations, wherever the provisions of the Development Plan provide for the transfer of development potential, to maintain a register of development rights containing the information prescribed in Regulation 104(1) and to make the said register available for public inspection on payment of the appropriate fee.</p>	
50599	<p>106. System Indicators</p> <p>106.1 The duty pursuant to Section 115(1)(a) of the Regulations to keep and collate the information specified in the system indicators document on a quarterly basis.</p>	
50600	<p>106. System Indicators</p> <p>106.2 The duty pursuant to Section 115(1)(b) of the Regulations to provide the information for each quarter to the Minister in a manner and form determined by the Minister, within 21 days after the end of the quarter.</p>	
50601	<p>106. System Indicators</p> <p>106.3 The power pursuant to Regulation 115(2) of the Regulations to apply to the Minister to exempt the Council from a requirement in the system indicators document.</p>	
50602	<p>107. Schedule 1A - Demolition</p> <p>107.1 The power, pursuant to Clause 12(3) of Schedule 1A of the Regulations, to make an application to the Minister for an area to be declared by the Minister to be a designated area.</p>	
50603	<p>107. Schedule 1A - Demolition</p> <p>107.2 The power pursuant to Clause 12(9) of Schedule 1A of the Regulations, before the Minister takes action to vary or revoke a declaration under Clause 12(3) of Schedule 1A of the Regulations or a condition under Clause 12(7) of Schedule 1A of the Regulations, to in response to a notice in writing from the Minister, show, within the specified time, why the proposed course of action should not be taken.</p>	
50604	<p>108. Schedule 4 - New Dwellings</p> <p>108.1 The power pursuant to Clause 2B(4)(b) of Schedule 4 of the Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land other than a previous use or activity for residential purposes.</p>	
50605	<p>109. Schedule 6 - Fees</p> <p>109.1 The power pursuant to Clause 1(7) of Schedule 6 to the Regulations to determine the amount of the fee to be charged to an applicant to cover the</p>	

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	Council's reasonable costs in giving public notice of the application under Section 38(5) of the Act.	
50607	<p>111. Schedule 8 - Development Adjacent To Main Roads</p> <p>111.1 The power pursuant to Item 3 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is likely to:</p> <p>111.1.1 alter an existing access; or</p> <p>111.1.2 change the nature of movement through an existing access; or</p> <p>111.1.3 create a new access; or</p> <p>111.1.4 encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan Act 1972, in relation to an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road, or within 25 metres of a junction with an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road (as delineated in the relevant Development Plan).</p>	
50608	<p>112. Schedule 8 - State Heritage Places</p> <p>112.1 The power pursuant to Item 5(1) of Clause 2 of Schedule 8 of the Regulations to form the opinion that a development materially affects the context within which a State Heritage place is situated</p>	
50609	<p>113. Schedule 8 - Mining - General</p> <p>113.1 The power pursuant to and in accordance with Item 7 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is of a minor nature only.</p>	
50610	<p>114. Schedule 8 - Activity of Environmental Significance</p> <p>114.1 The power pursuant to Item 10(b) of Clause 2 of Schedule 8 of the Regulations, where development involves, or is for the purposes of an activity specified in Schedule 21 of the Regulations (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than development which comprises the alteration of, or addition to, an existing building, to form the opinion that the development does not change the use of the building, and is of a minor nature only, and does not have any adverse effect on the environment.</p>	
50611	<p>115. Schedule 8 - Aquaculture Development</p> <p>115.1 The power pursuant to and in accordance with Item 15 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development involves a minor alteration to an existing or approved development.</p>	
50614	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.1 The power pursuant to Clause 1 of Part 1 to Schedule 9 of the Regulations in circumstances where a development would be a complying development under the Regulations or the relevant Development Plan but for the fact that it fails to meet the conditions associated with the classification, to form the opinion that the failure to meet those conditions is of a minor nature only.</p>	
50615	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.2 The power pursuant to Clause 2(1)(g) of Part 1 to Schedule 9 of the Regulations to form the opinion that a development is of a kind which is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>	
50616	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.3 The power pursuant to the following designated sub-paragraphs of Clause 3 of Part 1 to Schedule 9 of the Regulations, where a development is classified as non complying under the relevant Development Plan, to form the opinion that:</p>	

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	<p>118.3.1 the alteration of, or addition to, a building is of a minor nature only, pursuant to sub-paragraph (a);</p> <p>118.3.2 the construction of a building to be used as ancillary to or in association with an existing building and which will facilitate the better enjoyment of the purpose for which the existing building is being used constitutes development of a minor nature only pursuant to sub-paragraph (b).</p>	
50617	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:</p> <p>118.4.1 that the division of land (including for the construction of a road or thoroughfare) is for a proposed use which is consistent with the objective of the zone or area under the Development Plan; and</p>	Paragraph 118.4.2 given to CEO and DAP only.
76619	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:</p> <p>118.4.2 whether the division will change the nature or function of an existing road.</p>	
50618	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.5 The power pursuant to Clause 11 of Part 1 to Schedule 9 of the Regulations, in circumstances where development comprises a special event and the special event will not be held over more than 3 consecutive days, to form the opinion that an event of a similar or greater size or of a similar or greater impact on surrounding areas, has not been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.</p>	
50619	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.1 the duty to not take into account what is included within Schedule 3 of the Regulations; and</p>	
76620	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.2 the power to take into account the size of the site of the development, the location of the development within that site, and the manner in which the development relates to the locality of the site; and</p>	
76621	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.3 the power to conclude, if relevant, that the development is of a minor nature only despite the fact that it satisfies some, but not all, of the criteria set out in item 2(d) of Part 1 of Schedule 9 to the Regulations.</p>	
50620	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p>	

#	Item Delegated	Conditions and Limitations
	<p>118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non-complying development under the relevant Development Plan, to form the opinion:</p> <p>118.7.1 that in respect of a proposed division of land that the applicant's proposed use of the land, is for a purpose which is consistent with the zone or area under the Development Plan; and</p>	
76622	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non-complying development under the relevant Development Plan, to form the opinion:</p> <p>118.7.2 whether the proposed division will change the nature or function of an existing road.</p>	

PROVISIONS UNDER DEVELOPMENT ACT 1993- COUNCIL ASSESSMENT PANEL

Dated: 28 May 2018

Instrument of Delegation to CAP under the *Development Act 1993, Development (Development Plans) Amendment Act 2006*, and *Development Regulations 2008*

#	Item Delegated	Conditions and Limitations
50242	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p>1.1.1 to form the opinion that the revival of that use would be inconsistent with the Development Plan and have an adverse effect on the locality in which the land is situated; and</p>	
71662	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p>1.1.2 to serve written notice on the owner and occupier of the land declaring that a revival of the use will be treated for the purposes of the Act as a change in the use of land.</p>	
50296	<p>10. Matters Against Which Development Must be Assessed</p> <p>10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):</p> <p>10.1.1 the provisions of the appropriate Development Plan;</p>	See Limitations; ECM Doc Set I.D. 1903673
50623	<p>10. Matters Against Which Development Must be Assessed</p> <p>10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):</p> <p>10.1.3 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in Section 33(1)(c) of the Act;</p>	
50624	<p>10. Matters Against Which Development Must be Assessed</p> <p>10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):</p> <p>10.1.4 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;</p>	
50625	<p>10. Matters Against Which Development Must be Assessed</p> <p>10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):</p>	

#	Item Delegated	Conditions and Limitations
	10.1.5 the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and	
50626	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.6 such other matters as may be prescribed.	
50297	10. Matters Against Which Development Must be Assessed 10.2 The power pursuant to Section 33(3) of the Act, when granting a development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.	
50299	11. Determination of Relevant Authority 11.1 The power pursuant to Section 34(1)(b)(iii) of the Act to request the Minister to declare the Development Assessment Commission to be the relevant authority for a proposed development.	
50300	11. Determination of Relevant Authority 11.2 The power pursuant to Section 34(1a) of the Act, where the Minister has made a declaration under Section 34(1)(b)(vi) of the Act, to provide the Development Assessment Commission with a report, relating to the application for development authorisation, within the time prescribed by the Regulations.	
50301	11. Determination of Relevant Authority 11.3 The power pursuant to Section 34(8a) of the Act to, in conjunction with the Councils for the areas in relation to which a regional development assessment panel has been constituted, remove a member from the panel for a failure to comply with the requirements of Section 34(6a) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.	
50302	11. Determination of Relevant Authority 11.4 The power in accordance with Section 34(21) of the Act to withdraw from a regional development assessment panel	
50305	12. Special Provisions Relating to Assessment Against Development Plans 12.1 The duty pursuant to Section 35(1) of the Act to grant a development plan consent if the Regulations or the relevant Development Plan describes any proposed development as a complying development (subject to such conditions or exceptions as may be prescribed by the Regulations or the relevant Development Plan and subject to any other provision made by the Act or applying under the Regulations).	
50306	12. Special Provisions Relating to Assessment Against Development Plans 12.2 The power pursuant to Section 35(1b) of the Act to determine a development that is assessed by a relevant authority as being a minor variation from complying development to be complying development.	
50307	12. Special Provisions Relating to Assessment Against Development Plans 12.3 Subject to Sections 35 (1d) and (1e) of the Act, if a proposed development meets all but 1 criteria necessary for the development to be complying development, the duty, pursuant to Section 35(1c) of the Act to regard the aspect or aspects of the development that are consistent with the development being complying development accordingly and to assess the balance of the development as merit development.	
50308	12. Special Provisions Relating to Assessment Against Development Plans 12.4 The power pursuant to Section 35(2) of the Act to assess whether or not a development is seriously at variance with the relevant Development Plan.	
50309	12. Special Provisions Relating to Assessment Against Development Plans 12.5 The power pursuant to Section 35(3)(a) of the Act in appropriate cases, to concur in the granting of consent to a development described as a non-complying development.	
50316	14. Consultation With Other Authorities or Agencies 14.1 Subject to Section 37AA of the Act, the duty pursuant to Section 37(1)(a) and (b) of the Act where an assessment is required of an application for the consent or approval of a proposed development of a prescribed class to:	

#	Item Delegated	Conditions and Limitations
	<p>14.1.1 refer the application, together with a copy of any relevant information provided by the applicant to a body prescribed by the Regulations and including the Development Assessment Commission, and</p> <p>14.1.2 not make a decision until a response has been received from the prescribed body in relation to the matter or matters for which the referral was made or the presumption is made that the body does not desire to make a response or concur (as the case requires).</p>	
50317	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.2 The duty pursuant to Section 37(5)(a) of the Act where an application has been refused or conditions imposed in respect of a development authorisation by direction of a prescribed body, to notify the applicant that the application was refused, or the conditions imposed, by direction under Section 37 of the Act.</p>	
50321	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.1 The duty pursuant to Section 37A(1) of the Act where 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').</p>	
50322	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.2 The power pursuant to Section 37A(2)(b) of the Act to receive the Commissioner's written determination under Section 37A(2)(a) of the Act.</p>	
50323	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.3 The duty pursuant to Section 37A(5) of the Act if the Commissioner determines that the proposed development involves the creation of fortifications to:</p> <p>16.3.1 if the proposed development consists only of the creation of fortifications - refuse the application; or</p> <p>16.3.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications.</p>	
50324	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.4 The duty pursuant to Section 37A(6) of the Act, if the Delegate acting on the basis of a determination of the Commissioner under subsection 37A(2) 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 37A of the Act.</p>	
50325	<p>17. Public Notice and Consultation</p> <p>17.1 The duty, pursuant to Section 38(3) of the Act, where a person applies for a consent in respect of the Development Plan for a Category 1 development, to not on the Delegate's own initiative seek the views of the owners or occupiers of adjacent or other land in relation to the granting or refusal of development plan consent.</p>	
50326	<p>17. Public Notice and Consultation</p> <p>17.2 Where a person applies for a consent in respect of the Development Plan for a Category 2A development, -</p> <p>17.2.1 the duty pursuant to Section 38(3a)(a) of the Act to:</p> <p>17.2.1.1 subject to any exclusion or qualification prescribed by the Regulations - give an owner or occupier of each piece of adjoining land; and</p> <p>17.2.1.2 give any other person of a prescribed class, notice of the application; and</p> <p>17.2.2 the duty pursuant to Section 38(3a)(b) of the Act, to:</p> <p>17.2.2.1 give consideration to any representations in writing made in</p>	

#	Item Delegated	Conditions and Limitations
	<p>accordance with the Regulations by a person who is entitled to be given notice under paragraph (a) of Section 38(3a) of the Act; and</p> <p>17.2.2.2 forward to the applicant a copy of any representations that the relevant authority must consider under subparagraph (i) of Section 38(3a)(b) of the Act and allow the applicant an opportunity to respond in writing, to those representations within the period prescribed by the Regulations; and</p> <p>17.2.3 if a representation is received under paragraph (b) of Section 38(3a) of the Act within the prescribed number of days, the power pursuant to Section 38(3a)(c) of the Act to, in the Delegate's absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.</p>	
50327	<p>17. Public Notice and Consultation</p> <p>17.3 The duty pursuant to Section 38(4) of the Act to give notice of a proposal for a Category 2 development.</p>	
50328	<p>17. Public Notice and Consultation</p> <p>17.4 The duty pursuant to Section 38(5) of the Act to give notice of a proposal for a Category 3 development.</p>	
50329	<p>17. Public Notice and Consultation</p> <p>17.5 The duty pursuant to Section 38(8) of the Act to forward to an applicant a copy of any representation made regarding the proposed development, and to allow the applicant to respond in writing to those representations.</p>	
50330	<p>17. Public Notice and Consultation</p> <p>17.6 The power pursuant to Section 38(10)(a) of the Act, in respect of a Category 2 development, to determine whether to allow a person who made a representation to appear personally or by representative before the Delegate.</p>	
50331	<p>17. Public Notice and Consultation</p> <p>17.7 The duty pursuant to Section 38(10)(b) of the Act, in respect of a Category 3 development, to allow a person who made a representation and who as part of that representation indicated an interest in appearing before the Delegate, a reasonable opportunity to appear personally or by representative to be heard in support of the representation.</p>	
50332	<p>17. Public Notice and Consultation</p> <p>17.8 The duty pursuant to Section 38(11) of the Act to allow an applicant to appear personally or by representative before the Delegate or the Council in order to respond to any relevant matter.</p>	
50334	<p>17. Public Notice and Consultation</p> <p>17.10 The power, pursuant to subsection 38(17) of the Act, where a relevant authority is acting under Section 38 of the Act in relation to a Category 2A or Category 2 development, to not take into account under Section 38 of the Act a representation made by a person who is not entitled to be given notice of the relevant application under Section 38 of the Act.</p>	
50335	<p>17. Public Notice and Consultation</p> <p>17.11 The power, pursuant to subsection 38(18) of the Act, to not take into account under Section 38 of the Act, a representation that is not made in accordance with any requirement prescribed by the Regulations for the purposes of Section 38.</p>	
50336	<p>18. Application and Provision of Information</p> <p>18.1 The power pursuant to Section 39(2) of the Act to request an applicant to:</p> <p>18.1.1 provide such additional documents or information to enable assessment of the application;</p> <p>18.1.2 remedy any defect or deficiency in any application or accompanying document or information required by or under the Act;</p> <p>18.1.3 consult with an authority or body prescribed by the Regulations;</p> <p>18.1.4 (where required by the Regulations) prepare a statement of effect in relation to non-complying development; and</p>	

#	Item Delegated	Conditions and Limitations
	18.1.5 comply with any other requirement prescribed by the Regulations.	
50337	<p>18. Application and Provision of Information</p> <p>18.2 If:</p> <p>18.2.1 a development is of a kind that is complying development; and</p> <p>18.2.2 the development falls within a class of development prescribed by the Regulations for the purpose of Section 39(2a)(b) of the Act; and</p> <p>18.2.3 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d), the duty, pursuant to Section 39(2a) of the Act, to, in making an assessment as to development plan consent, assess the application without requesting the applicant to provide additional documents or information.</p>	
50338	<p>18. Application and Provision of Information</p> <p>18.3 If:</p> <p>18.3.1 a development falls within a class of development prescribed by the Regulations for the purposes of Section 39(2b)(b) of the Act; and</p> <p>18.3.2 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d) of the Act, the power and duty pursuant to Section 39(2b)(c) of the Act, to;</p> <p>18.3.3 in making an assessment as to development plan consent, request the applicant to provide additional documents or information in relation to the application on 1 occasion only; and the duty pursuant to Section 39(2b)(d) of the Act, to;</p> <p>18.3.4 make that request within a period prescribed by the Regulations.</p>	
50339	<p>18. Application and Provision of Information</p> <p>18.4 Pursuant to Section 39(3)(b) of the Act, where a request is made under Section 39(2) of the Act and the request is not complied with within the time specified by the Regulations, the power pursuant to Section 39(3)(b) of the Act to:</p> <p>18.4.1 subject to Section 39(3)(b)(ii) of the Act, refuse the application; and</p> <p>18.4.2 refuse the application in prescribed circumstances (including, if the Regulations so provide, in a case involving development that is complying development).</p>	
50340	<p>18. Application and Provision of Information</p> <p>18.5 The duty, pursuant to Section 39(3a) of the Act, in dealing with an application that relates to a regulated tree, to seek to make any assessment as to whether the tree is a significant tree without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.</p>	
50341	<p>18. Application and Provision of Information</p> <p>18.6 The duty, pursuant to Section 39(3b) of the Act, in dealing with an application that relates to a regulated tree that is not a significant tree, to seek to assess the application without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.</p>	
50342	<p>18. Application and Provision of Information</p> <p>18.7 The power pursuant to Section 39(4)(a) and Section 39(5) of the Act to permit an applicant to vary an application or vary any plans, drawings, specifications or other documents that accompanied an application.</p>	
50343	<p>18. Application and Provision of Information</p> <p>18.8 The power pursuant to Section 39(4)(b) and Section 39(5) of the Act to</p>	

#	Item Delegated	Conditions and Limitations
	permit an applicant to lodge an application without the provision of any information or document required by the Regulations.	
50344	18. Application and Provision of Information 18.9 The power pursuant to Section 39(4)(c) and Section 39(5) of the Act to waive payment of whole or part of the application fee or refund an application fee (to the extent that such fees are payable to the Council).	
50345	18. Application and Provision of Information 18.10 The power pursuant to Section 39(4)(d) of the Act and Regulation 17(3)(a) of the regulations to refuse an application that relates to a development of the kind that is described as a non-complying development under the Development Plan without proceeding to make an assessment of the application.	
50346	18. Application and Provision of Information 18.11 The power pursuant to Section 39(4)(e) of the Act, if there is an inconsistency between any documents lodged with the Council for the purposes of Division 1 of Part 4 of the Act, or between any such document and a development authorisation that has already been given that is relevant in the circumstances, to return or forward any document to the applicant or to any other person and to determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	
50347	18. Application and Provision of Information 18.12 The power pursuant to Section 39(7) of the Act to approve an application for variation of the conditions of the development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.	
50348	18. Application and Provision of Information 18.13 The power, pursuant to section 39(7)(c) to determine whether representations relate to any aspect of the development under consideration on account of an application for variation, and to determine whether, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development.	
50349	18. Application and Provision of Information 18.14 The power, pursuant to section 39(7)(d) of the Act, to approve the seeking of a variation to extend the period for which the relevant authorisation remains operative.	
50350	18. Application and Provision of Information 18.15 Where granting an application for variation of a development authorisation pursuant to section 39(6), the power, pursuant to section 39(7a), to make specific provision for the variation of a condition imposed with respect to the original authorisation in its decision on the application for variation.	
50351	18. Application and Provision of Information 18.16 The power pursuant to Section 39(8) of the Act to issue a consent which provides for the undertaking of development in stages.	
50352	18. Application and Provision of Information 18.17 The power pursuant to Section 39(9) of the Act to determine that the applicant is entitled to a refund of the application fee in the event that an application is withdrawn.	
50353	19. Determination of Application 19.1 The duty pursuant to Section 40(1) of the Act to give notice of a decision in accordance with the Regulations (and in the case of a refusal, the duty to include the reasons for the refusal and any appeal rights that exist under the Act.)	
50354	19. Determination of Application 19.2 The power pursuant to Section 40(3) of the Act to extend the period of time within which a development authorisation remains operative.	
50355	20. Time Within Which Decision Must be Made 20.1 The duty, pursuant to Section 41(1) of the Act to deal with an application as expeditiously as possible and within the time prescribed by the Regulations.	

#	Item Delegated	Conditions and Limitations
50356	<p>20. Time Within Which Decision Must be Made</p> <p>20.2 If:</p> <p>20.2.1 the relevant authority does not decide an application that relates to development that is a complying development within the time prescribed under Section 41(1) of the Act; and</p> <p>20.2.2 the applicant gives the relevant authority a notice in accordance with the Regulations on the basis that the decision on the application has not been made,</p> <p>the duty pursuant to Section 41(5)(d) of the Act, subject to any exclusion or qualification prescribed by the Regulations, to refund the fee received by the relevant authority under Section 39(1)(d) in relation to the application.</p>	
50357	<p>21. Conditions</p> <p>21.1 The power pursuant to Sections 42(1) and (3) of the Act to attach such conditions as the Delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.</p>	
50358	<p>21. Conditions</p> <p>21.2 The duty, pursuant to Section 42(4) of the Act, in accordance with Section 42(5) of the Act and subject to Sections 42(6) and (8) of the Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the Delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).</p>	
50359	<p>21. Conditions</p> <p>21.3 The power, pursuant to Section 42(6) of the Act, on the application of the applicant, to determine that a payment of an amount calculated in accordance with the Regulations be made into the relevant fund in lieu of planting one or more replacement trees under Section 42(4) of the Act.</p>	
50360	<p>21. Conditions</p> <p>21.4 The power, pursuant to Section 42(8)(b) of the Act, after taking into account any criteria prescribed by the Regulations and if the Minister concurs, to determine that it is appropriate to grant an exemption under Section 42 of the Act in a particular case.</p>	
50361	<p>22. Cancellation by a Relevant Authority</p> <p>22.1 The power pursuant to Section 43 of the Act to cancel a development authorisation previously given by the Council or the Delegate.</p>	
50362	<p>23. Investigation of Development Assessment Performance</p> <p>23.1 The power pursuant to Section 45A(2) of the Act to explain the Council's actions and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action) to the Minister within a period (being at least 28 days) specified by the Minister.</p>	
50363	<p>23. Investigation of Development Assessment Performance</p> <p>23.2 The duty pursuant to Section 45A(14) of the Act to comply with a direction under Section 45A(11) or (13) of the Act.</p>	
50364	<p>23. Investigation of Development Assessment Performance</p> <p>23.3 The power pursuant to Section 45A(12) of the Act to make submissions to the Minister on the report on which the action under Section 45A(11) of the Act is based within a period (being at least 28 days) specified by the Minister.</p>	
50365	<p>24. Crown Development and Public Infrastructure</p> <p>24.1 The power pursuant to Section 49(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.</p>	
50366	<p>24. Crown Development and Public Infrastructure</p> <p>24.2 The power pursuant to Section 49(5) of the Act to report to the Development Assessment Commission on any matters contained in a notice</p>	

#	Item Delegated	Conditions and Limitations
	from the Development Assessment Commission under Section 49(4a) of the Act.	
50367	24. Crown Development and Public Infrastructure 24.3 The power pursuant to Section 49(9) of the Act to withdraw opposition to a State agency proposed development.	
50368	25. Electricity Infrastructure Development 25.1 The power pursuant to Section 49A(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.	
50369	25. Electricity Infrastructure Development 25.2 The power pursuant to Section 49A(5) of the Act, where notice of a proposal to undertake development for the purposes of the provision of electricity infrastructure has been given to the Council pursuant to Section 49A(4a) of the Act, to report to the Development Assessment Commission on any matters contained in the said notice.	
50370	25. Electricity Infrastructure Development 25.3 The power pursuant to Section 49A(9) of the Act, in circumstances where the Council's report to the Development Assessment Commission under Section 49A(5) of the Act expressed opposition to the proposed development, to withdraw that opposition.	
50371	26. Open Space Contribution System 26.1 The power pursuant to Section 50(1) of the Act, with respect to an application for the division of land into more than 20 allotments where one or more allotments is less than one hectare in area, to require: 26.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or 26.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of by Section 50 of the Act; or 26.1.3 that the land be vested in the Council and that the applicant make a contribution determined in accordance with Section 50(7) of the Act, according to the determination and specification of the Council or Delegate.	
50372	26. Open Space Contribution System 26.2 The power pursuant to Section 50(1) of the Act, when proposing to take any action that is at variance with the Council's Development Plan to seek the concurrence of the Development Assessment Commission.	
50373	26. Open Space Contribution System 26.3 The power pursuant to Section 50(3) and 50(2)(d) of the Act to enter into an agreement on behalf of the Council with the Development Assessment Commission and the applicant under which certain land described by the relevant plan of division will be vested in the Council.	
50374	26. Open Space Contribution System 26.4 The power pursuant to Section 50(3a) of the Act to concur on behalf of the Council to the vesting of land in the Council pursuant to a requirement of the Development Assessment Commission that an area of the site of the development be kept as open space or in some other form that allows for active or passive recreation under Section 50(3a)(a) of the Act.	
50375	26. Open Space Contribution System 26.5 The power pursuant to Section 50(10) of the Act to receive payment of monies from an applicant under Section 50(1) of the Act and the duty to immediately pay that money into a special fund established for the purposes of Section 50 and to apply that money for the purpose of acquiring or developing land as open space.	
50376	26. Open Space Contribution System 26.6 The power pursuant to Section 50(11) of the Act to determine that the division of land is being undertaken in stages such that Section 50 of the Act does not apply to an application for development authorisation to the extent that an earlier application in respect of the same development has addressed	

#	Item Delegated	Conditions and Limitations
	the requirements of Section 50 of the Act in respect of the area of land as a whole.	
50378	27. Carparking Fund 27.2 The duty pursuant to Section 50A(1) of the Act to publish a notice in the Gazette in accordance with Section 50A(2) of the Act where the approval of the Minister has been obtained.	
50379	27. Carparking Fund 27.3 The power pursuant to Section 50A(5)(c) of the Act to determine that a proposal does not provide for sufficient spaces for the parking of cars at the site of a development.	
50380	27. Carparking Fund 27.4 The power pursuant to Section 50A(5)(d) of the Act to agree with an applicant that a contribution calculated in accordance with a determination of the Council or the Delegate can be made by the applicant to a car parking fund in lieu of providing a certain number of spaces for the parking of cars at the site of a development.	
50381	27. Carparking Fund 27.5 The power pursuant to Section 50A(5) of the Act to make a determination for the purpose of calculating amounts to be paid into a carparking fund.	
50382	27. Carparking Fund 27.6 The duty pursuant to and in accordance with Section 50A(6) of the Act to publish a determination for the purpose of calculating amounts to be paid into a carparking fund and any variations from time to time in the Gazette.	
50383	27. Carparking Fund 27.7 The power pursuant to and in accordance with Section 50A(7) of the Act to invest any money in a carparking fund and to pay any resultant income into the fund.	
50384	27. Carparking Fund 27.8 The power pursuant to and in accordance with Section 50A(8) of the Act to apply money standing to the credit of the car parking fund.	
50385	28. Urban Trees Fund 28.1 The power, pursuant to Section 50B(1) of the Act, with the approval of the Minister, to establish an urban trees fund for an area designated by the Delegate (a designated area).	
50386	28. Urban Trees Fund 28.2 The duty, pursuant to Section 50B(2) of the Act, to effect establishment of the fund by notice in the Gazette.	
50387	28. Urban Trees Fund 28.3 The duty, pursuant to Section 50B(3) of the Act, to define a designated area by reference to an area established by the relevant Development Plan.	
50388	28. Urban Trees Fund 28.4 The power, pursuant to Section 50B(5) of the Act, to invest any money in an urban trees fund that is not for the time being required for the purpose of the fund and the duty to pay any resultant income into the fund.	
50389	28. Urban Trees Fund 28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to: 28.5.1 maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act; or	
50627	28. Urban Trees Fund 28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to: 28.5.2 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 Act.	
50390	28. Urban Trees Fund 28.6 The duty, pursuant to Section 50B(7) of the Act, if the Council	

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	<p>subsequently sells land purchased under Section 50B(6)(b) of the Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 50B of the Act subject to the following qualifications as prescribed by Sections 50B(7)(a) and (b) of the Act:</p> <p>28.6.1 if an urban trees fund is no longer maintained by the Council, the proceeds must be applied for a purpose or purpose consistent with Section 50B(6)(a) or (b) of the Act;</p> <p>28.6.2 if money from an urban trees fund only constituted a proportion of the purchase price of the land (the designated proportion), the money that is subject to these requirements is the designated proportion of the proceeds of sale.</p>	
50391	<p>29. Certificate in Respect of the Division of Land</p> <p>29.1 The duty pursuant to Section 51(2) of the Act to provide appropriate information to the Development Assessment Commission (upon request by the Development Assessment Commission) before it issues a certificate in respect of the division of land.</p>	
50392	<p>30. Saving Provisions</p> <p>30.1 The power pursuant to Section 52(4) of the Act to extend the limitation period referred to in Section 52(2) of the Act in order to avoid or reduce hardship.</p>	
50393	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.1 The power pursuant to Section 52A(2)(a) of the Act to accept a document under the Commonwealth Environment Protection and Biodiversity Conservation Act, 1999 (and defined in Section 52A(9) of the Act, as a 'Commonwealth Act document') as an application, notice or other document for the purposes of the Act, if (subject to the provisions of Section 52A(7)) the document complies with the requirements of the Act.</p>	
50394	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.2 The power pursuant to Section 52A(2)(b) of the Act where a document has been accepted for the purposes of the Act, to direct that a procedure taken under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 in relation to the said document will be taken to have fulfilled the requirements for a procedure in relation to the relevant document under the Act, if the requirements of the Act in relation to the procedure have been complied with under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.</p>	
50395	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.3 The power pursuant to Section 52A(2)(c) of the Act to adopt or accept the whole or part of a document (whether a plan, report, statement, assessment or other document of the same kind or not) used or to be used for the purposes of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 as the document required under the Act, if (subject to the provisions of Section 52A(7) of the Act) the document has been prepared in compliance with the Act, and complies with the requirements of the Act.</p>	
50396	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.4 The power pursuant to Section 52A(5) of the Act where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity or includes an activity for which a development authorisation is required under the Act to, when considering an application for a development authorisation or for the variation of a development authorisation, for the activity, use information and other material provided to the Commonwealth Minister under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 for the purposes of the Commonwealth Minister deciding to give approval to the controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.</p>	
50397	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.5 Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an</p>	

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	<p>activity, or includes an activity, for which a development authorisation is required under the Act:</p> <p>31.5.1 in circumstances where:</p> <p>31.5.1.1 the Commonwealth Minister has given his or her approval to the controlled action; and</p> <p>31.5.1.2 the applicant for the development authorisation or the Commonwealth Minister has informed the relevant authority of that fact;</p> <p>the duty pursuant to Section 52A(6)(a) of the Act to consider whether the conditions (if any) to be attached to the development authorisation should be consistent with the conditions (if any) attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; and</p>	
76340	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.5 Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act:</p> <p>31.5.2 the power pursuant to Section 52A(6)(b) of the Act to attach a condition to the development authorisation that requires compliance with all or some of the conditions attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.</p>	
50407	<p>35. Completion of Work</p> <p>35.4 The power pursuant to Section 56(4) of the 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 where an amount is recoverable from the person under Section 56(3) of the Act.</p>	
50470	<p>52. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>52.1 The power pursuant to Section 101(1) of the Act, in the exercise of a prescribed function, to rely on a certificate of a person with prescribed qualifications.</p>	
50471	<p>52. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>52.2 The duty pursuant to Section 101(2) of the Act to seek and consider the advice of a person with prescribed qualifications or person approved by the Minister in relation to a matter prescribed by the Regulations.</p>	
50489	<p>58. Application to Relevant Authority</p> <p>58.8 The duty pursuant to Regulation 15(12) of the Regulations to, in exercising the discretion under Section 39(4)(b) of the Act, dispense with the requirements of Schedule 5 in relation to a particular application.</p>	
50494	<p>60. Non-Complying Development</p> <p>60.1 The power pursuant to Regulation 17(3) of the Regulations, after receipt of an application which relates to a kind of development that is described as non-complying development to:</p> <p>60.1.1 refuse the application pursuant to Section 39(4)(d) of the Act and notify the applicant accordingly; or</p> <p>60.1.2 resolve to proceed with an assessment of the application.</p>	Power under paragraph 60.1.1, Regulation 39(4)(d), to refuse application; limited to CEO, GM CS, Mgr DS, DAP.
50495	<p>60. Non-Complying Development</p> <p>60.2 The duty pursuant to Regulation 17(4) of the Regulations, in situations where the Delegate has resolved to proceed with the assessment of an application for non-complying development, to require the applicant to provide a statement of effect.</p>	
50496	<p>60. Non-Complying Development</p> <p>60.3 The power pursuant to Regulation 17(6) of the Regulations to determine</p>	

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	that a proposed development is of a minor nature for the purposes of exemption from the requirements to provide a statement of effect.	
50497	<p>61. Notification of Application for Tree-Damaging Activity to Owner of Land</p> <p>61.1 Where the owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, the duty pursuant to and in accordance with Regulation 18 of the Regulations:</p> <p>61.1.1 to give the owner of land notice of the application; and</p> <p>61.1.2 to give due consideration, in the assessment of the application, to any submission made by the owner within a reasonable time after the giving of notice of the application.</p>	
50498	<p>62. Amended Applications</p> <p>62.1 The power pursuant to Regulation 20(4) of the Regulations to form the opinion that variations to an application are not substantial and that repeating of the referral process under Part 5 of the Regulations, or the giving of notice under Part 6 of the Regulations is not required.</p>	
50499	<p>62. Amended Applications</p> <p>62.2 The power pursuant to Regulation 20(5) of the Regulations, where a variation to an application changes the essential nature of a proposed development to (by agreement with the applicant) proceed with the variation on the basis that the application will be treated as a new application.</p>	
50503	<p>64. Contravening Development</p> <p>64.1 The power pursuant to Regulation 23(2) of the Regulations, by notice in writing to the applicant to decline to proceed with an application until proceedings under the Act have been concluded.</p>	
50512	<p>69. Land Division Applications</p> <p>69.1 The duty pursuant to Regulation 29(1) of the Regulations, subject to the provisions in Regulation 29(2) of the Regulations, to withhold making a decision on an application which relates to a proposed development that involves the division of land until a report has been received from the Development Assessment Commission.</p>	
50513	<p>69. Land Division Applications</p> <p>69.2 The power pursuant to Regulation 29(2) of the Regulations, when a report from the Development Assessment Commission pursuant to Regulation 29(1) of the Regulations is not received by the Council within eight weeks or within such longer period as the Development Assessment Commission may require by notice in writing to the Council, to presume that the Development Assessment Commission does not desire to make a report.</p>	
50517	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.1 The power pursuant to Regulation 31A(6)(b) of the Regulations to determine that an application no longer accords with an agreement indicated by the prescribed body.</p>	
50518	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.2 The power pursuant to Regulation 31A(6) of the Regulations if:</p> <p>71.2.1 a relevant authority permits an applicant to vary an application under Section 39(4) of the Act; and</p> <p>71.2.2 the relevant authority determines that the application no longer accords with the agreement indicated by the prescribed body, to refer the application (unless withdrawn) to the prescribed body;</p> <p>71.2.3 to obtain a variation to the agreement under Section 37AA of the Act; or</p> <p>71.2.4 to obtain a response from the prescribed body for the purposes of Section 37 of the Act.</p>	
50519	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.3 The power pursuant to Regulation 31A(7) of the Regulations if:</p> <p>71.3.1 an application is withdrawn by the Applicant; and</p>	

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	71.3.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the withdrawal of an application.	
50520	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.4 The power pursuant to Regulation 31A(8) of the Regulations if:</p> <p>71.4.1 an application is lapsed by a relevant authority under Regulation 22 of the Regulations; and</p> <p>71.4.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the lapsing of an application.</p>	
50521	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.5 The power pursuant to Regulation 31A(9) of the Regulations if:</p> <p>71.5.1 an application seeks to rely on an agreement under Section 37AA of the Act in connection with the application; and</p> <p>71.5.2 a notice of decision is issued by the relevant authority under Regulation 42 of the Regulations, to send a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 42 of the Regulations.</p>	
50526	<p>73. Response by Applicant</p> <p>73.1 The power pursuant to Regulation 36 of the Regulations to extend the time within which an applicant may respond to any representation</p>	
50527	<p>74. Determination of Commission as Relevant Authority</p> <p>74.1 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act:</p> <p>74.1.1 in a case where the Minister has made a declaration under Section 34(1)(b)(iii) or 34(1)(b)(vi) of the Act, the duty pursuant to and in accordance with Regulation 38(2)(a)(i) of the Regulations to forward to the Development Assessment Commission any application received by the Council under the Act and the Regulations in relation to the matter together with accompanying documentation or information and, as appropriate, fees; and</p>	
50628	<p>74. Determination of Commission as Relevant Authority</p> <p>74.1 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act:</p> <p>74.1.2 in any case, the power pursuant to and in accordance with Regulation 38(2)(b) to provide a report on matters under Section 33(1) (as relevant).</p>	
50528	<p>74. Determination of Commission as Relevant Authority</p> <p>74.2 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b)(iv) of the Act and the proposed development is to be undertaken within one kilometre of a boundary with the Council, the power, pursuant to Regulation 38(4) of the Regulations, to provide the Development Assessment Commission with comments on the proposed development.</p>	
50539	<p>83. Width of Roads and Thoroughfares</p> <p>83.1 The power pursuant to Regulation 51(4) of the Regulations to dispense with the requirements of Regulation 51(1) and (3) dealing with the width of any proposed road or thoroughfare where the Delegate is of the opinion that the prescribed width is not necessary for the safe and convenient movement of vehicles or pedestrians or for underground services.</p>	
50540	<p>83. Width of Roads and Thoroughfares</p> <p>83.2 The power pursuant to Regulation 51(6) of the Regulations to dispense with the requirements of Regulation 51(5) dealing with the width of a road at the head of every cul-de-sac where it appears that the cul-de-sac is likely to become a through road.</p>	

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50541	84. Road Widening 84.1 The power pursuant to Regulation 52(1) of the Regulations to require a road widening if land to be divided abuts an existing road.	
50542	85. Requirement as to Forming of Roads 85.1 The power pursuant to Regulation 53(1) and (2) of the Regulations to specify the width of roads.	
50543	85. Requirement as to Forming of Roads 85.2 The power pursuant to Regulation 53(4) of the Regulations to dispense with the requirements of Regulation 53(3) of the Regulations that adequate provision be made for the turning of vehicles at the head of a cul-de-sac where the Delegate is of the opinion that the cul-de-sac is likely to become a through road.	
50544	85. Requirement as to Forming of Roads 85.3 The power pursuant to Regulation 53(6) of the Regulations to dispense with the requirements of Regulation 53(5) dealing with the forming of footpaths, water-tables, kerbing, culverts and drains on proposed roads.	
50545	86. Construction of Roads, Bridges, Drains and Services 86.1 The power pursuant to Regulation 54(1) of the Regulations to require the paving and sealing of the roadway of proposed roads.	
50546	87. Supplementary Provisions 87.1 The duty pursuant to Regulation 55(1) of the Regulations to consider and if appropriate approve a road location and grading plan for the forming of any proposed road, including every footpath, water-table, kerbing, culvert and drain.	
50547	87. Supplementary Provisions 87.2 The duty pursuant to Regulation 55(2) of the Regulations to consider, and if appropriate approve, detailed construction plans and specifications signed by a professional engineer or licensed surveyor for all work referred to in Regulations 53 and 54 of the Regulations.	
50548	87. Supplementary Provisions 87.3 The duty pursuant to Regulation 55(4) of the Regulations to consider, and if appropriate accept, that all connections for water supply and sewerage services to any allotment delineated on a plan of division have been laid under the surface of a proposed road before the roadway is sealed.	
50552	90. General Provisions 90.1 The power pursuant to and in accordance with Regulation 60(1) of the Regulations to enter into a form of arrangement with an applicant to the satisfaction of the Development Assessment Commission for the purposes of Section 51(1) of the Act.	
50553	90. General Provisions 90.2 The power pursuant to Regulation 60(7) of the Regulations, for the purposes of Section 51(4) of the Act, to request (in such a manner as may be determined by the Development Assessment Commission) that a copy of a certificate or plan (or certificates and plans) referred to in Regulation 60(4) of the Regulations be furnished to the Council by sending a written copy to the Council.	
50554	90. General Provisions 90.3 The power pursuant to Regulation 60(9) of the Regulations to consult with the Development Assessment Commission before it grants an extension of the period prescribed by Regulation 60(8) of the Regulations.	
50604	108. Schedule 4 - New Dwellings 108.1 The power pursuant to Clause 2B(4)(b) of Schedule 4 of the Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land other than a previous use or activity for residential purposes.	
50607	111. Schedule 8 - Development Adjacent To Main Roads 111.1 The power pursuant to Item 3 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is likely to:	

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	<p>111.1.1 alter an existing access; or</p> <p>111.1.2 change the nature of movement through an existing access; or</p> <p>111.1.3 create a new access; or</p> <p>111.1.4 encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan Act 1972, in relation to an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road, or within 25 metres of a junction with an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road (as delineated in the relevant Development Plan).</p>	
50608	<p>112. Schedule 8 - State Heritage Places</p> <p>112.1 The power pursuant to Item 5(1) of Clause 2 of Schedule 8 of the Regulations to form the opinion that a development materially affects the context within which a State Heritage place is situated</p>	
50609	<p>113. Schedule 8 - Mining - General</p> <p>113.1 The power pursuant to and in accordance with Item 7 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is of a minor nature only.</p>	
50610	<p>114. Schedule 8 - Activity of Environmental Significance</p> <p>114.1 The power pursuant to Item 10(b) of Clause 2 of Schedule 8 of the Regulations, where development involves, or is for the purposes of an activity specified in Schedule 21 of the Regulations (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than development which comprises the alteration of, or addition to, an existing building, to form the opinion that the development does not change the use of the building, and is of a minor nature only, and does not have any adverse effect on the environment.</p>	
50611	<p>115. Schedule 8 - Aquaculture Development</p> <p>115.1 The power pursuant to and in accordance with Item 15 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development involves a minor alteration to an existing or approved development.</p>	
50614	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.1 The power pursuant to Clause 1 of Part 1 to Schedule 9 of the Regulations in circumstances where a development would be a complying development under the Regulations or the relevant Development Plan but for the fact that it fails to meet the conditions associated with the classification, to form the opinion that the failure to meet those conditions is of a minor nature only.</p>	
50615	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.2 The power pursuant to Clause 2(1)(g) of Part 1 to Schedule 9 of the Regulations to form the opinion that a development is of a kind which is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>	
50616	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.3 The power pursuant to the following designated sub-paragraphs of Clause 3 of Part 1 to Schedule 9 of the Regulations, where a development is classified as non complying under the relevant Development Plan, to form the opinion that:</p> <p>118.3.1 the alteration of, or addition to, a building is of a minor nature only, pursuant to sub-paragraph (a);</p> <p>118.3.2 the construction of a building to be used as ancillary to or in</p>	

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	association with an existing building and which will facilitate the better enjoyment of the purpose for which the existing building is being used constitutes development of a minor nature only pursuant to sub-paragraph (b).	
50617	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:</p> <p>118.4.1 that the division of land (including for the construction of a road or thoroughfare) is for a proposed use which is consistent with the objective of the zone or area under the Development Plan; and</p>	Paragraph 118.4.2 given to CEO and DAP only.
76619	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:</p> <p>118.4.2 whether the division will change the nature or function of an existing road.</p>	
50618	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.5 The power pursuant to Clause 11 of Part 1 to Schedule 9 of the Regulations, in circumstances where development comprises a special event and the special event will not be held over more than 3 consecutive days, to form the opinion that an event of a similar or greater size or of a similar or greater impact on surrounding areas, has not been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.</p>	
50619	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.1 the duty to not take into account what is included within Schedule 3 of the Regulations; and</p>	
76620	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.2 the power to take into account the size of the site of the development, the location of the development within that site, and the manner in which the development relates to the locality of the site; and</p>	
76621	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.3 the power to conclude, if relevant, that the development is of a minor nature only despite the fact that it satisfies some, but not all, of the criteria set out in item 2(d) of Part 1 of Schedule 9 to the Regulations.</p>	
50620	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion:</p> <p>118.7.1 that in respect of a proposed division of land that the applicant's</p>	

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	proposed use of the land, is for a purpose which is consistent with the zone or area under the Development Plan; and	
76622	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion:</p> <p>118.7.2 whether the proposed division will change the nature or function of an existing road.</p>	

FOOD ACT 2001

Instrument of Delegation under the *Food Act 2001*

#	Item Delegated	Conditions and Limitations
50682	<p>1. Seizure</p> <p>1.1 The power pursuant to Section 42(2) of the Food Act 2001 ("the Act") to approve the removal or interference with the thing to which a seizure order under Part 4 of the Act relates before an order is made under Section 42(3)(b) or the order is discharged under Section 42(3)(c) of the Act.</p>	EHO1, Adam Bowden, when required on temporary or contract basis
50683	<p>1. Seizure</p> <p>1.2 The power pursuant to Section 42(3)(a) of the Act to authorise -</p> <p>1.2.1 upon application, the release of anything seized under Part 4 of the Act to the person from whom it was seized or to any person who had a right to possession of it at the time of its seizure, subject to such conditions as the Delegate thinks fit, including conditions as to the giving of security for satisfaction of an order under Section 42(3)(b)(i)(B) of the Act; or</p> <p>1.2.2 in the case of food or any other perishable thing, order that it be forfeited to the Council.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50684	<p>1. Seizure</p> <p>1.3 The duty pursuant to Section 42(3)(d) of the Act where any food or other perishable thing is seized under Part 4 of the Act in relation to an expiable offence and the offence is expiated -</p> <p>1.3.1 if the food or other perishable thing has not already been forfeited by order of the Delegate under Section 42(3)(a)(ii) of the Act, to deal with it in accordance with any determination of the Minister; and</p> <p>1.3.2 not make payment of any compensation in respect of the food or other perishable thing.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50685	<p>1. Seizure</p> <p>1.4 The power pursuant to Section 42(3)(e) of the Act to dispose of anything seized under Part 4 of the Act and forfeited under Section 42 of the Act, by sale, destruction or otherwise as the Delegate directs.</p>	
50686	<p>2. Review of Decision to Refuse Certificate of Clearance</p> <p>2.1 The power pursuant to Section 51(1) of the Act where a person aggrieved by a decision to refuse to give a certificate of clearance under Part 5 of the Act makes application to the Tribunal under Section 34 of the South Australian Civil and Administrative Tribunal Act 2013 for a review of the decision, to respond to the review body on behalf of the Council.</p>	
50687	<p>3. Review of Order</p> <p>3.1 The duty pursuant to Section 52(2) of the Act where there were no grounds for the making of a prohibition order, to pay such compensation to the applicant for compensation as is just and reasonable.</p>	
50688	<p>3. Review of Order</p> <p>3.2 The duty pursuant to Section 52(3) of the Act to send written notification of the determination as to the payment of compensation under Section 52 of the Act, to each applicant for the payment of such compensation.</p>	
50689	<p>3. Review of Order</p> <p>3.3 The power pursuant to Section 52(4) of the Act where an applicant for the payment of compensation under Section 52 of the Act is dissatisfied with a determination under Section 52(3) of the Act, as to the refusal to pay compensation or the amount of compensation and has applied to the Tribunal under Section 34 of the South Australian Civil and Administrative Tribunal Act 2013 for a review of the determination, to respond to that review body on behalf of the Council.</p>	

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50690	<p>4. Auditing and Reporting</p> <p>4.1 The duty pursuant to Section 79(1) of the Act to determine:</p> <p>4.1.1 the priority classification of individual food businesses for the purposes of the application of any requirements of the Regulations relating to food safety programs; and</p> <p>4.1.2 the frequency of auditing of any food safety programs required to be prepared by the Regulations in relation to the food business</p> <p>In accordance with Section 79(2) of the Act.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50691	<p>4. Auditing and Reporting</p> <p>4.2 The duty pursuant to Section 79(3) of the Act to provide written notification to the proprietor of a food business of -</p> <p>4.2.1 the priority classification it has determined for the food business; and</p> <p>4.2.2 the frequency of auditing of any food safety programs required to be prepared by the Regulations in relation to the food business; and</p> <p>4.2.3 the date by which the food business must have implemented any food safety program required to be prepared by the Regulations in relation to the food business.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50692	<p>4. Auditing and Reporting</p> <p>4.3 The power pursuant to Section 79(4) of the Act to change the priority classification of an individual food business if the Delegate believes that the classification is inappropriate for any reason, including as a result of changes made to the conduct of a food business.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50693	<p>4. Auditing and Reporting</p> <p>4.4 The duty pursuant to Section 79(5) of the Act to provide written notification to the proprietor of food business of any change in priority classification of the food business under Section 79(4) of the Act.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50694	<p>5. Reporting Requirements</p> <p>5.1 The duty pursuant to Section 81(1) of the Act to receive a report from a food safety auditor in relation to an order or assessment carried out by the food safety auditor for the purposes of this Act.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50695	<p>5. Reporting Requirements</p> <p>5.2 The duty pursuant to Section 81(7) of the Act to provide a copy of a report in relation to an audit or assessment to the proprietor of the food business concerned.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50696	<p>6. Notification of Food Businesses</p> <p>6.1 The duty pursuant to Section 86(1) of the Act to receive written notice, in the approved form, from the proprietor of a food business of the information specified in the Food Safety Standards that the proprietor is required to notify to the Council before the business is conducted.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50697	<p>6. Notification of Food Businesses</p> <p>6.2 The duty pursuant to Section 86(2) of the Act to receive written notice, in the approved form, from the proprietor of a food business that is being conducted when the notification requirements of the Food Safety Standards commence, of the information specified in the Food Safety Standard that is to be notified to the Council.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50698	<p>6. Notification of Food Businesses</p> <p>6.3 The duty pursuant to Section 86(3) of the Act where a food business is transferred to another person or where there is a change in the name or address of a food business to receive written notice, in the approved form, from the proprietor of the food business (being, in the case where a food business is transferred to another person, the new proprietor) of the transfer or change (as the case may be)</p>	EHO1, Adam Bowden, when required on temporary or contract basis.

#	Item Delegated	Conditions and Limitations
	that would be required to be given to the Council if the notification were an initial notification under Section 86(1) or (2) of the Act.	
50699	<p>7. Appointment of Authorised Officers</p> <p>7.1 The power pursuant to Section 94(1) of the Act to appoint a person to be an authorised officer for the purposes of the Act, subject to the duty upon the Delegate to be satisfied that the person has appropriate qualifications or experience to exercise the functions of an authorised officer.</p>	
50700	<p>7. Appointment of Authorised Officers</p> <p>7.2 The duty pursuant to Section 94(2) of the Act to prepare and maintain a list of authorised officers appointed for the purposes of Section 94(1) of the Act.</p>	
50701	<p>7. Appointment of Authorised Officers</p> <p>7.3 The duty pursuant to Section 95(1) of the Act to provide each authorised officer with a certificate of authority as an authorised officer.</p>	
50702	<p>7. Appointment of Authorised Officers</p> <p>7.4 The power pursuant to Section 95(2) of the Act to limit the powers of an authorised officer through the certificate of authority which is provided pursuant to Section 95(1) of the Act.</p>	
50703	<p>8. Offences</p> <p>8.1 The power pursuant to Section 29(2) of the Act where the Delegate forms the opinion that an offence has been committed under the Act to take proceedings by way of prosecution (or, at the discretion of the Delegate, by the issuing of an expiation notice or notices where the offence is expiable) in respect of the following offences -</p> <p>Section Offence</p> <p>Section 13(1)</p> <p>Handling food intended for sale in a manner that the person knows will render, or is likely to render, the food unsafe.</p> <p>Section 13(2) Handling food intended for sale in a manner that the person ought reasonably to know is likely to render the food unsafe.</p> <p>Section 14(1) Selling food that the person knows is unsafe.</p> <p>Section 14(2) Selling food that the person ought reasonably to know is unsafe</p> <p>Section 16(1) Handling food intended for sale in a manner that will render, or is likely to render, the food unsafe.</p> <p>Section 16(2) Selling food that is unsafe.</p> <p>Section 17(1) Handling food intended for sale in a manner that will render or is likely to render the food unsuitable.</p> <p>Section 17(2) Selling food that is unsuitable.</p> <p>Section 21(1) Failing to comply with any requirement imposed by a provision of the Foods Standards Code in relation to the conduct of a food business or to food intended for sale or food for sale.</p> <p>Section 21(2) Selling food that does not comply with any requirement of the Food Standards Code that relates to the food.</p> <p>Section 39 Failure, without reasonable excuse, to comply with a requirement of an authorised officer.</p> <p>Section 40 Providing information or producing any document that the person knows is false or misleading in a material particular.</p> <p>Section 41(1) Resisting, obstructing, or attempting to obstruct, without reasonable excuse, an authorised officer in the exercise of his/her functions under the Act.</p>	<p>EHO1, Adam Bowden, when required on temporary or contract basis.</p>

#	Item Delegated	Conditions and Limitations
	<p>Section 41(2) Impersonating an authorised officer.</p> <p>Section 42(2) Removing or interfering with a thing seized under Part 4 of the Food Act 2001 without the approval of the Council.</p> <p>Section 50 Contravening or failing, without reasonable excuse, to comply with an improvement notice or a prohibition order.</p> <p>Section 86(1) Failure to notify of a food business before the business is conducted.</p> <p>Section 86(2) Failure to notify of a food business that is being conducted.</p> <p>Section 86(3) Failure to notify of a food business that is transferred or which has changed its name or address.</p>	
50704	<p>8. Offences</p> <p>8.2 The power to elect to charge a person who is alleged to have committed an offence against Division 2, Part 2 of the Act, with a summary offence.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.
50705	<p>8. Offences</p> <p>8.3 The duty pursuant to Section 29(4) of the Act where a person who is alleged to have committed an offence against Division 2, Part 2 of the Act has been given an expiation notice in respect of the offence and does not expiate the offence, to bring proceedings for prosecution of the offence as a summary offence.</p>	EHO1, Adam Bowden, when required on temporary or contract basis.

SUPPORTED RESIDENTIAL FACILITIES ACT 1992

Instrument of Delegation under the *Supported Residential Facilities Act 1992*

#	Item Delegated	Conditions and Limitations
50890	1. Appointment of Authorised Officers 1.1 The power pursuant to Section 21(1) of the Supported Residential Facilities Act 1992 ("the Act") to appoint a person to be an authorised officer under the Act;	
50891	1. Appointment of Authorised Officers 1.2 The duty pursuant to Section 21(2) of the Act to issue to an authorised officer an identity card; and	
50892	1. Appointment of Authorised Officers 1.3 The power pursuant to Section 21(4) of the Act by notice in writing served on an authorised officer, to revoke the appointment as an authorised officer.	
50893	2. Application for a Licence 2.1 The power pursuant to Section 24(3) of the Act by notice in writing not later than two months after a licence application has been made, to require the applicant to furnish specified information;	
50894	2. Application for a Licence 2.2 The power pursuant to Section 24(5) of the Act to require any information included in an application or required by a notice to be verified by statutory declaration;	
50895	2. Application for a Licence 2.3 The power pursuant to Section 24(9) of the Act subject to such conditions as the Delegate thinks fit, to conditionally approve the issue of a licence in respect of proposed premises and the duty where satisfied that the premises have been established in substantial compliance with those conditions (and within such a period, if any as the Delegate may have determined), to grant a licence; and	
50896	2. Application for a Licence 2.4 Where an application for a licence is refused, the duty pursuant to Section 24(10) of the Act notify the applicant in writing of the refusal, the reasons for the refusal, and any appeal rights that the applicant has under the Act.	
50897	2. Application for a Licence 2.5 The duty, pursuant to Section 25(1) of the Act in considering an application for a licence in respect of the use of premises as a supported residential facility, to take into account those matters specified in this Section and such other matters as the Delegate thinks fit;	EHO1, Adam Bowden, when required on a temporary or contract basis.
50898	2. Application for a Licence 2.6 The duty pursuant to Section 25(2) of the Act in determining whether or not an applicant is suitable to be granted a licence, to have regard to those matters specified in this Section and to such other matters as the Delegate thinks fit;	EHO1, Adam Bowden, when required on a temporary or contract basis.
50899	2. Application for a Licence 2.7 The duty pursuant to Section 25(3) of the Act in determining whether or not premises are suitable to be used as a supported residential facility, to have regard to those matters specified in Section 25(3) of the Act and to such other matters as the Delegate thinks fit;	EHO1, Adam Bowden, when required on a temporary or contract basis.
50900	2. Application for a Licence 2.8 The duty pursuant to Section 25(4) of the Act not to grant a licence where it appears that the facility would not be administered in accordance with the principles prescribed in Part 2 of the Act.	
50901	3. Renewal of Licence 3.1 The power pursuant to Section 27(3) of the Act at the Delegate's discretion, to determine a late application for renewal provided that the applicant pays the prescribed late application fee;	
50902	3. Renewal of Licence 3.2 The duty pursuant to Section 27(4) of the Act by notice in writing served on the	

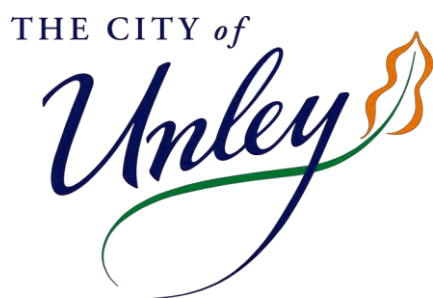
#	Item Delegated	Conditions and Limitations
	applicant, to give a decision on an application for the renewal of a licence before the date of expiry of the licence and where the Delegate decides to refuse an application for renewal of a licence, the duty to state in the notice of refusal the reasons for the refusal and the appeal rights that the applicant may have under the Act.	
50903	3. Renewal of Licence 3.3 The power pursuant to Section 28 of the Act to refuse to renew a licence on any ground on which a licence may be cancelled.	
50904	4. Licence Conditions 4.1 The power pursuant to Section 29(2) of the Act to impose licence conditions with respect to such matters as are contemplated by the Act or as the Delegate considers necessary or expedient for the purposes of the Act;	
50905	4. Licence Conditions 4.2 Pursuant to Section 29(3) of the Act where conditions are imposed by the Delegate: 4.2.1 if imposed at the time of grant or renewal of the licence - the duty to include them in the licence itself; 4.2.2 if imposed during the currency of the licence - the duty to impose them by notice in writing served on the holder of the licence; 4.2.3 the power to vary or revoke conditions at any time by notice in writing served on the holder of the licence;	
50907	5. Transfer of Licence 5.1 The duty pursuant to Section 30(4) of the Act, upon due application under Section 30 of the Act and payment of the prescribed fee, to transfer the licence to the proposed transferee if satisfied that the proposed transferee would be a suitable person to be granted a licence under the Act.	
50908	6. Cancellation of Licence 6.1 The power pursuant to Section 31(1) of the Act, to cancel a licence, on reasonable grounds, where satisfied that any of the matters specified in this Section are applicable;	
50909	6. Cancellation of Licence 6.2 The duty pursuant to Section 31(2) of the Act before acting under this Section, to notify the holder of the licence in writing of the proposed cancellation of the licence and allow the holder of the licence at least 28 days within which to make submissions in relation to the proposed action;	
50910	6. Cancellation of Licence 6.3 The power pursuant to Section 31(3) of the Act pending the cancellation (or possible cancellation) of a licence under this Section, to impose conditions to protect the interests of the residents of the facility; and	
50911	6. Cancellation of Licence 6.4 The power pursuant to Section 31(4) of the Act, to appoint an administrator of the facility and to take such other steps as may be reasonable to secure the proper care of the residents of the facility.	
50912	7. Appeals 7.1 The power pursuant to Section 32(5) of the Act where the Delegate is satisfied that an applicant for renewal of a licence has instituted or intends to institute an appeal, to order that the licence remain in force until the determination of the appeal; and to impose such conditions as the Delegate thinks fit.	
50913	7. Appeals 7.2 The power pursuant to Section 32(7) of the Act if a person contravenes, or fails to comply with, a condition imposed under Section 32(5) of the Act to revoke any order to which the condition relates.	
50914	7. Appeals 7.3 The duty pursuant to Section 33(1) of the Act, and subject to Section 33(2), where application is made for a licence in respect of a facility that was in operation during the period of three (3) months immediately preceding the commencement of	

#	Item Delegated	Conditions and Limitations
	the Section, to upon payment of the prescribed fee, grant a licence in accordance with the Act for a term of one year.	
50915	8. Appointment of Manager 8.1 The power pursuant to Section 34(1) of the Act where the proprietor of a facility is not directly involved in the management of the facility or the proprietor of a facility is a body corporate, to approve a natural person for the purpose of managing the facility under that person's personal supervision.	
50916	8. Appointment of Manager 8.2 The power pursuant to Section 34(2) of the Act to extend the period of management without supervision.	
50917	9. Death of Licensee 9.1 The power pursuant to Section 35 of the Act, where the holder of a licence dies, to approve the personal representative or some other person to be taken to be the holder of the licence (on the same conditions as applicable to the former holder of the licence) as from the date of death until the expiration of six months from that date or until such later date as may be fixed by the Delegate.	
50918	10. Recision of Resident Contract by Proprietor 10.1 The power pursuant to Section 39(2)(b) of the Act to approve the method of providing a termination notice subject to this Section.	
50919	11. Disputes 11.1 The power pursuant to Section 43(2) of the Act on an application made in relation to any of the matters specified in Section 43(1) of the Act, to explore any possible avenue of achieving conciliation between the parties and for these purposes, the Delegate, may as he/she thinks fit, take any action in accordance with Section 43(3) of the Act;	
50920	11. Disputes 11.2 The power pursuant to Section 43(6) of the Act, to require an applicant, to furnish such further information in relation to the subject matter of the application as the Delegate thinks necessary, and to verify any information by statutory declaration;	
50921	11. Disputes 11.3 The duty pursuant to Section 43(7) of the Act to give the applicant and the respondent reasonable notice of the time and place of any hearing of the application;	
50922	11. Disputes 11.4 The power pursuant to Section 43(9) of the Act where satisfied that an interim order is justified by the urgent circumstances of the case, to make an interim order pending final resolution of the matter.	
50923	11. Disputes 11.5 The power pursuant to Section 43(11) of the Act to vary or revoke an order made under Section 43 of the Act;	
50924	11. Disputes 11.6 The power, pursuant to Section 43(12) of the Act - 11.6.1 to decline to proceed with an application under this Section until satisfied that reasonable steps have been taken to resolve the dispute pursuant to other procedures specified by the Delegate; 11.6.2 to decline to proceed with an application under this Section if the Delegate considers that it would be more appropriate for proceedings to be taken in a court or tribunal constituted by law; or 11.6.3 to decline to proceed (or further proceed) with an application under this Section if proceedings related to the subject matter of the application have been commenced in a court or tribunal constituted by law; and	
50925	11. Disputes 11.7 The duty pursuant to Section 43(13) of the Act in determining any application under this Section, to act with as much expedition as is reasonably practicable in the circumstances.	

#	Item Delegated	Conditions and Limitations
50926	12. Attendance by Health Service Providers etc. 12.1 The power pursuant to Section 47(1) of the Act to approve a health service provider, social worker, or any person, for the purposes of Section 47.	
50927	13. Complaints 13.1 The power pursuant to Section 49(1) of the Act to receive a complaint about the management of a supported residential facility or any residential-only premises or about the conduct of a resident of a supported residential facility or any residential-only premises.	
50928	13. Complaints 13.2 The power pursuant to Section 49(2) of the Act to require a complaint to be reduced to writing.	
50929	13. Complaints 13.3 The power pursuant to Section 49(3) of the Act to take such action as the Delegate thinks fit in view of the complaint.	
50930	13. Complaints 13.4 The power pursuant to Section 49(4) of the Act to appoint an authorised officer to carry out an investigation into the circumstances surrounding the complaint and to attempt to resolve the matter as expeditiously as possible.	
50931	14. Regulations 14.1 Pursuant to Sections 57(5) and (6) of the Act where the proprietor of a facility who holds a licence under the Act applies to the Council for an exemption from a regulation that applies to the facility and the Delegate is satisfied - 14.1.1 that the Delegate can grant the exemption without seriously affecting the interests of a resident of the facility; and 14.1.2 that it is appropriate for the Delegate to grant the exemption in the circumstances of the particular case, the power to, by notice in writing to the proprietor, exempt the proprietor from the regulation to which the application relates, on such conditions as the Delegate thinks fit.	
67955	14. Regulations 14.2 The power pursuant to Section 57(7) of the Act, to, at any time, by further notice to the proprietor: 14.2.1 revoke an exemption under Section 57(5); 14.2.2 vary or revoke a condition under Section 57(6).	
50932	15. The duty pursuant to Regulation 4(1) of the Supported Residential Facilities Regulations 2009 ("the Regulations") to decide an application for a licence under Section 24 of the Act within eight weeks of the application being made.	
50933	16. The duty pursuant to Regulation 4(2) of the Regulations, in considering an application for a licence in respect of the use of premises (or proposed premises) as a supported residential facility, to take into account the extent to which the premises (or proposed premises) accord with the standards prescribed by or under the Building Code of Australia.	
50934	17. The power pursuant to Regulation 5(2) of the Regulations to receive a copy of a prospectus, or a copy of an alteration to a prospectus, and a copy of the written statement required to accompany the prospectus or alteration to the prospectus pursuant to Regulation 5(2)(b) of the Regulations.	
50935	18. The power pursuant to Regulation 14(1)(b) of the Regulations to receive information of any untoward medical event that occurs in relation to a resident of a facility.	
50936	19. The power pursuant to Regulation 17(2) of the Regulations to approve an acting manager for the purpose of appointment to or otherwise assuming the duties of the office of manager of a facility if, for a period exceeding seven days, a	

#	Item Delegated	Conditions and Limitations
	manager is absent from the duties of office, or the position of manager is temporarily vacant and a resident of the facility is in need of personal care services.	
50937	20. The power pursuant to Regulation 18(1) of the Regulations to approve a registered nurse as being a person who has appropriate qualifications, skills and experience to oversee the provision of nursing care at a facility.	
50938	21. The power pursuant to Regulation 18(2) of the Regulations, if there is a change in the type or level of services provided at a nursing home, to revoke, by notice in writing to the proprietor, an approval under Regulation 18(1) of the Regulations and require that a new appointment be made to ensure that the person who oversees the provision of nursing care at the facility has the qualifications, skills and experience appropriate to the facility.	
50939	22. The power pursuant to Regulation 21(1)(b) of the Regulations to approve a kitchen at a facility otherwise than in accordance with the requirements of Regulation 21(1)(b) of the Regulations.	
50940	23. The power pursuant to Regulation 21(3)(e) of the Regulations to require the fitting of handrails, ramps and, for a multi-storey building, lifts.	
50941	24. The power pursuant to Regulation 24(1) of the Regulations to direct the proprietor of a facility to install a communication system at the facility.	
50942	25. The duty pursuant to Regulation 26(2) of the Regulations to remit amounts payable to the indemnity fund under Section 56(4) of the Act to the fund manager within 28 days after the end of the financial year in which they are received by the Council.	

*INSTRUMENT OF GENERAL APPROVAL AND DELEGATION TO
COUNCIL - USE OF TRAFFIC CONTROL DEVICES, ROAD CLOSURE
AND GRANTING OF EXEMPTIONS FOR EVENTS FROM THE
MINISTER FOR TRANSPORT AND INFRASTRUCTURE*



Provisions under the Instrument of General Approval & Delegation to Council - Use of Traffic Control Devices, Road Closure & Granting of Exemptions for Events from the Minister For Transport And Infrastructure

Dated: 28 May 2018

ROAD TRAFFIC ACT 1961

Authorisations under the *Road Traffic Act 1961* Approved by the Chief Executive Officer of the Council in Accordance With the Instrument of General Approval and Delegation to Council

Authorisations under <i>Road Traffic Act 1961</i> Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport			
#	Item Delegated	Conditions and Limitations	Delegate
50074	AUTHORISATIONS 2. TRAFFIC CONTROL DEVICES 2.1 Pursuant to Clause A of the Instrument the Minister granted the Council approval, for the purposes of Sections 17(1) and (2) of the Act, to install, maintain, alter, operate, or remove, or cause to be installed, maintained, altered, operated or removed, any traffic control device, on, above or near a road which is under the Council's care, control and management subject to the conditions specified in the Instrument, other than those specified in Clause A.8 of the Instrument, or those dealt with in other Clauses of the Instrument.	Power is sub-delegated in Clause 2.3	CEO
50075	AUTHORISATIONS 2. TRAFFIC CONTROL DEVICES 2.2 Pursuant to Clause A.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause A of the Instrument, provided that such authorisation is made by instrument in writing and approved by the Chief Executive Officer of the Council.		CEO

Authorisations under *Road Traffic Act 1961* Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport

#	Item Delegated	Conditions and Limitations	Delegate
50076	<p>AUTHORISATIONS</p> <p>2. TRAFFIC CONTROL DEVICES</p> <p>2.3 In accordance with Clause A.1 of the Instrument, I, as Chief Executive Officer of the Council approve on behalf of the Council, the following Officers to be AUTHORISED to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause A of the Instrument, subject to the conditions specified in the Instrument in relation to Clause A of the Instrument:</p>		<ul style="list-style-type: none"> • Chief Executive Officer • General Manager City Development • Manager Operational Services • Coordinator Civil Works & Response • Coordinator Open Space & Trades • Manager Strategic Assets • Manager Urban Planning, Design & Traffic • Transportation & Traffic Lead • Transport & Traffic Technical Officer • Parking & Traffic Advisor • Traffic Administration Officer
	<p>In accordance with Clause A.7 of the Minister's Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement</p>		<ul style="list-style-type: none"> • Peter Tsokas, Chief Executive Officer • John Devine, General Manager City Development • Satyen Gandhi, Transportation & Traffic Lead
50077	<p>AUTHORISATIONS</p> <p>3. SPEED LIMITS AT WORKS ON ROADS</p> <p>3.1 Pursuant to Clause B of the Instrument, the Minister granted the Council approval, for the purposes of Section 20(2) of the Act, to place signs for the purpose of indicating the maximum speed to be observed by drivers while driving by or towards a work area or a worksite where workers are engaged or works are in progress at the direction of the Council subject to the conditions specified in the Instrument.</p>	Power is sub-delegated in clause 3.3.	CEO
50078	<p>AUTHORISATIONS</p> <p>3. SPEED LIMITS AT WORKS ON ROADS</p> <p>3.2 Pursuant to Clause B.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause B of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.</p>		CEO
50079	<p>AUTHORISATIONS</p> <p>3. SPEED LIMITS AT WORKS ON ROADS</p> <p>3.3 In accordance with Clause B.1 of the Instrument, I, as Chief Executive Officer of the Council approve on behalf of the Council the following Officer(s) to be AUTHORISED to exercise for and on behalf of the Council the powers conferred on the Council pursuant to Clause B of the Instrument, subject to the conditions specified in the</p>		<ul style="list-style-type: none"> • Chief Executive Officer • General Manager City Development • Manager Operational Services • Coordinator Civil Works & Response

Authorisations under *Road Traffic Act 1961* Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport

#	Item Delegated	Conditions and Limitations	Delegate
	Instrument in relation to Clause B of the Instrument: [insert name of Council employee(s)].		<ul style="list-style-type: none"> Coordinator Open Space & Trades Manager Strategic Assets Manager Urban Planning, Design & Traffic Transportation & Traffic Lead Transport & Traffic Technical Officer Parking & Traffic Advisor Traffic Administration Officer
50080	<p>AUTHORISATIONS</p> <p>4. TRAFFIC CONTROL DEVICES SIGNS AT WORKS ON ROADS</p> <p>4.1 Pursuant to Clause C of the Instrument, the Minister granted the Council approval for the purposes of Section 17(3) of the Act, to install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the Act or any other Act, subject to the conditions specified in the Instrument.</p>	Power is sub-delegated in clause 4.3.	CEO
50081	<p>AUTHORISATIONS</p> <p>4. TRAFFIC CONTROL DEVICES SIGNS AT WORKS ON ROADS</p> <p>4.2 Pursuant to Clause C.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause C of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.</p>		CEO
50082	<p>AUTHORISATIONS</p> <p>4. TRAFFIC CONTROL DEVICES SIGNS AT WORKS ON ROADS</p> <p>4.3 In accordance with Clause C.1 of the Instrument, I, as Chief Executive Officer of the Council approve on behalf of the Council the following Officer(s) to be AUTHORISED to exercise for and on behalf of the Council the powers conferred on the Council pursuant to Clause C of the Instrument, subject to the conditions specified in the Instrument in relation to Clause C of the Instrument: [insert name of Council employee(s)].</p>		<ul style="list-style-type: none"> Chief Executive Officer General Manager City Development Manager Operational Services Coordinator Civil Works & Response Coordinator Open Space & Trades Manager Strategic Assets Manager Urban Planning, Design & Traffic Transportation & Traffic Lead Transport & Traffic Technical Officer Parking & Traffic Advisor

Authorisations under *Road Traffic Act 1961* Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport

#	Item Delegated	Conditions and Limitations	Delegate
			<ul style="list-style-type: none"> Traffic Administration Officer
50083	<p>AUTHORISATIONS</p> <p>5. TEMPORARY PARKING CONTROLS</p> <p>5.1 Pursuant to Clause D of the Instrument the Minister granted the Council approval for the purposes of Section 17(3) of the Act, to install, display, alter, operate or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road or road which is under the Council's care, control or management subject to the conditions specified in the Instrument.</p>	Power is sub-delegated in clause 5.3.	CEO
50084	<p>AUTHORISATIONS</p> <p>5. TEMPORARY PARKING CONTROLS</p> <p>5.2 Pursuant to Clause D.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council in Clause D of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.</p>		CEO
50085	<p>AUTHORISATIONS</p> <p>5. TEMPORARY PARKING CONTROLS</p> <p>5.3 In accordance with Clause D.1 of the Instrument, I, as Chief Executive Officer of the Council approve, on behalf of the Council the following Officers to be AUTHORISED to exercise for and on behalf of the Council the powers conferred on the Council pursuant to Clause D of the Instrument, subject to the conditions specified in the Instrument in relation to Clause D of the Instrument: [insert name of Council employee(s)].</p>		<ul style="list-style-type: none"> Chief Executive Officer General Manager City Development Manager Operational Services Coordinator Civil Works & Response Coordinator Open Space & Trades Manager Strategic Assets Manager Urban Planning, Design & Traffic Transportation & Traffic Lead Transport & Traffic Technical Officer Parking & Traffic Advisor Traffic Administration Officer

Authorisations under *Road Traffic Act 1961* Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport

#	Item Delegated	Conditions and Limitations	Delegate
	In accordance with Clause E.2 of the Minister's Instrument, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans		<ul style="list-style-type: none"> • Peter Tsokas, CEO • John Devine, General Manager City Development • Mark Clarke, Manager Operational Services • Anthony Starr, Coordinator Civil Works & Response • Ben Parkinson, Coordinator Open Space & Trades • Aaron Wood, Manager Strategic Assets • Ben Willsmore, Manager Urban Planning, Design & Traffic • Satyen Gandhi, Transportation & Traffic Lead • Hayden Scharnberg, Transport & Traffic Technical Officer • Vasilis Zissopoulos, Parking & Traffic Advisor • Michelle Proctor, Traffic Administration Officer
50086	<p>AUTHORISATIONS</p> <p>6. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY</p> <p>6.1 Pursuant to Clause F of the Instrument the Minister delegated to the Council the power conferred on the Minister pursuant to Section 17 of the Act to specifically approve the installation, maintenance, alteration, operation, or removal of a traffic control device in the municipality or district of the Council by a road authority, on, above, or near a road under the care control or management of the Council, subject to the conditions specified in the Instrument.</p>	Power is sub-delegated in clause 6.3.	CEO
50087	<p>AUTHORISATIONS</p> <p>6. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY</p> <p>6.2 Pursuant to Clause F.1 of the Instrument, the Council may authorise any Officer(s) to exercise, for and behalf of the Council, the powers conferred on the Council in Clause F of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.</p>		CEO
50088	<p>AUTHORISATIONS</p> <p>6. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY</p> <p>6.3 In accordance with Clause F.1 of the Instrument, I, as</p>		<ul style="list-style-type: none"> • Chief Executive Officer

Authorisations under *Road Traffic Act 1961* Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport

#	Item Delegated	Conditions and Limitations	Delegate
	Chief Executive Officer of the Council, approve on behalf of the Council, the following Officer(s) to be AUTHORISED to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause F of the Instrument, subject to the conditions specified in the Instrument in relation to Clause F of the Instrument: [insert name of Council employee(s)].		<ul style="list-style-type: none"> • General Manager City Development • Manager Operational Services • Coordinator Civil Works & Response • Coordinator Open Space & Trades • Manager Strategic Assets • Manager Urban Planning, Design & Traffic • Transportation & Traffic Lead • Transport & Traffic Technical Officer • Parking & Traffic Advisor • Traffic Administration Officer

HEAVY VEHICLE NATIONAL LAW (SOUTH AUSTRALIA) ACT 2013

Instrument of Delegation Under the *Heavy Vehicle National Law (South Australia) Act 2013*

#	Item Delegated	Conditions and Limitations
51812	11. Amendment or Cancellation on Request by Relevant Road Manager 11.2 The power pursuant to Section 174(2) of the Act to ask the Regulator to: 11.2.1 amend the mass or dimension authority by: 11.2.1.1 amending the category of vehicle to which the authority applies; or 11.2.1.2 amending the type of load that may be carried by vehicles to which the authority applies; or 11.2.1.3 amending the areas or routes to which the authority applies; or 11.2.1.4 amending the days or hours to which the authority applies; or 11.2.1.5 imposing or amending road conditions or travel conditions; or 11.2.2 cancel the authority.	

Provisions for 00 NOT TO BE DELEGATED

Dated:

00 NOT TO BE SUBDELEGATED

Instrument of Delegation under the Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008

#	Item Delegated	Conditions and Limitations
50248	4. Council or Minister May Amend a Development Plan 4.1 Where an amendment relates to the area, or part of the area, of a council, the power pursuant to Section 24(1)(a)(i) of the Act to prepare an amendment to a Development Plan.	
50249	4. Council or Minister May Amend a Development Plan 4.2 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(i) to consult with the Minister.	
50250	4. Council or Minister May Amend a Development Plan 4.3 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(ii) of the Act to prepare an amendment to a Development Plan at the request or with the approval of the Minister.	
50251	4. Council or Minister May Amend a Development Plan 4.4 The power pursuant to Section 24(1a) of the Act and in accordance with subdivision 2 of Division 2 Part 3 of the Act to act jointly with one or more councils in preparing amendments to 1 or more Development Plans under sub Section (1)(a)(i) or (1)(b)(ii) of the Act.	
50252	4. Council or Minister May Amend a Development Plan 4.5 The power pursuant to section 24(1)(a)(iva) of the Act, where the Council or the Delegate has, after commencing the processes associated with making an amendment as set out in Section 25 of the Act, to subsequently decide not to proceed with the amendment after all.	
50255	5. Amendments by a Council 5.1 The power pursuant to Section 25(1) of the Act to prepare a 'Statement of Intent' in accordance with the Regulations.	
50256	5. Amendments by a Council 5.2 The power pursuant to Section 25(1) of the Act to reach agreement with the Minister on a 'Statement of Intent' prepared by the Council.	
50290	8. Strategic Directions Reports 8.9 The power pursuant to Section 30(9) of the Act to request the Minister to exempt the Council: 8.9.1 from a requirement to prepare a particular report under Section 30 of the Act; or 8.9.2 from a particular requirement with respect to a report under Section 30 of the Act.	
50293	8. Strategic Directions Reports 8.12 The power pursuant to Section 30(14) of the Act, to request in accordance with the regulations a Minister identified by the regulations for the purposes of this provision to furnish to the Council within the prescribed period a statement of the nature and extent of any infrastructure that, according to the Minister's	

	assessment, should be taken into account in connection with the preparation of a report under Section 30 of the Act.	
50294	8. Strategic Directions Reports 8.13 The power pursuant to Section 30(15) of the Act to act jointly with two or more councils under Section 30 of the Act and to act on behalf of, and with the agreement of, the other council or councils in undertaking any process or procedure under Section 30 of the Act.	
50377	27. Carparking Fund 27.1 The power pursuant to Section 50A(1) of the Act to establish a car parking fund.	
50408	36. Council to Establish Development Assessment Panels 36.1 The duty pursuant to Section 56A(3) of the Act to appoint a presiding member to the council development assessment panel in accordance with the requirements set out in Section 56A(3)(b) of the Act.	This power should stay with Council. See Development Act 1993, Section 56A.
50409	36. Council to Establish Development Assessment Panels 36.2 The duty pursuant to Section 56A(3) of the Act to appoint the remaining members of the council development assessment panel in accordance with the requirements set out in Section 56A(3)(c) of the Act.	This power should stay with Council. See Development Act 1993, Section 56A.
50410	36. Council to Establish Development Assessment Panels 36.3 The duty pursuant to section 56A(3)(d) of the Act to ensure that, unless granted an exemption by the Minister, at least 1 member of the panel is a woman and at least 1 is a man and to ensure that insofar as is reasonably practicable, the panel consists of equal numbers of men and women.	This power should stay with Council. See Development Act 1993, Section 56A.
50411	36. Council to Establish Development Assessment Panels 36.4 The duty pursuant to Section 56A(3)(e) to determine the term of office for a member of the council development assessment panel, which period cannot exceed 2 years.	This power should stay with Council. See Development Act 1993, Section 56A.
50412	36. Council to Establish Development Assessment Panels 36.5 The duty pursuant to Section 56A(3)(f) of the Act to determine any other conditions of appointment of the members of the council development assessment panel.	This power should stay with Council. See Development Act 1993, Section 56A.
50413	36. Council to Establish Development Assessment Panels 36.6 The power pursuant to Section 56A(3)(g) of the Act to remove a member of the council development assessment panel from office for: 36.6.1 breach of, or failure to comply with, the conditions of appointment; or 36.6.2 misconduct; or 36.6.3 neglect of duty; or 36.6.4 incapacity to carry out satisfactorily the duty of his or her office; or 36.6.5 failure to carry out satisfactorily the duty of his or her office; or 36.6.6 failure to comply with a requirement under Section 34(6) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.	This power should stay with Council. See Development Act 1993, Section 56A.

Instrument of Delegation to the *Chief Executive Officer under the Fire and Emergency Services Act 2005* and the *Fire and Emergency Services Regulations 2005*

#	Item Delegated	Conditions and Limitations
50102	1. Areas of Urban Bushfire Risk 1.1 The power pursuant to Section 4A(3) of the Fire and Emergency Services Act	

	<p>2005 ('the Act'), to consult with and make submissions to the Commission before the Commission publishes a notice in the Gazette designating pursuant to Section 4A(1) of the Act an area within a fire district as an area of urban bushfire risk, varies an area designated under Section 4A(1) of the Act or revokes the designation of an area under Section 4A(1) of the Act.</p> <p>(Note: only applies to Councils with areas within a 'fire district')</p>	
50105	<p>4. Bushfire Management Area Plans</p> <p>4.1 The power pursuant to Section 73A(7) of the Act, in relation to a proposal of a bushfire management committee to create or amend a Bushfire Management Area Plan for its area, to consult with and make submissions to the bushfire management committee where the Council's area is wholly or partly within the relevant bushfire management area.</p> <p>(Note: only relevant where Council's area is wholly or partly within a 'bushfire management area')</p>	
50111	<p>9. Fire Prevention Officers</p> <p>9.1 The power and duty pursuant to Section 105B(1) of the Act and subject to Sections 105B(2) and 105B(3) of the Act, to appoint at least one person as a fire prevention officer for the Council's area.</p>	
50112	<p>9. Fire Prevention Officers</p> <p>9.2 The duty pursuant to Section 105B(3) of the Act to -</p> <p>9.2.1 in determining the number of fire prevention officers to appoint under Section 105B(1) of the Act; and</p> <p>take into account any policy developed by SACFS for the purposes of Section 105B of the Act.</p>	
50113	<p>9.3 The power pursuant to Section 105B(3) of the Act to apply to the Chief Officer of the SACFS for an exemption for the Council from the requirement to appoint a fire prevention officer under Section 105B of the Act.</p> <p>(Note: paragraphs 9.1 - 9.3 only relevant to 'rural councils' or councils that have a 'designated urban bushfire risk area' within their area)</p>	
50114	<p>10. Reports</p> <p>10.1 The duty pursuant to Section 105E of the Act to, where required by written notice from the Commission, the State Bushfire Safety Coordination Committee or a bushfire management committee in whose bushfire management area the Council's area is wholly or partly located, provide to the Commission, the State Bushfire Coordination Committee or the bushfire management committee (within a period stated in the notice or at stated intervals) any report, or reports relating to the performance, exercise or discharge of the functions, powers or responsibilities of the fire prevention officer or officers (if any) for the Council's area, as the Commission, the State Bushfire Coordination Committee or the bushfire management committee (as the case may be) thinks fit.</p>	
50133	<p>15 SACFS Group Committee</p> <p>15.1 The power pursuant to Regulation 19(2)(e)(i) of the Fire and Emergency Services Regulations 2005 ('the Regulations') to nominate a representative from the Council to be a member of a SACFS group committee, where the Council's area lies wholly or partially within the area of the group.</p>	
50137	<p>18. Identity cards</p> <p>18.1 The duty pursuant to Regulation 52(2) of the Regulations issue to each fire prevention officer or assistant fire prevention officer appointed by the Council a certificate of identity in a form approved by the Chief Officer of the SACFS.</p>	
50138	<p>19. Roadside Fire Protection</p> <p>19.1 The power pursuant to Regulation 54(2) of the Regulations, where the Council has the care, control and management of a road in the country, or roadside vegetation in the country, for the purpose of providing fire protection on a road, or the verge of a road, to -</p> <p>19.1.1 light a fire on the road, or on the verge of the road; and</p> <p>19.1.2 while the fire is burning, prohibit, direct or regulate the movement of</p>	

	persons, vehicles or animals along the road; subject to Regulation 54(3) of the Regulations.	
50139	19. Roadside Fire Protection 19.2 The duty pursuant to Regulation 54(3) of the Regulations to obtain a permit to light and maintain a fire under Regulation 54 of the Regulations during the fire danger season. (Note: only relevant to Councils with roads in the 'country').	

Instrument of Delegation under the *Local Government Act 1999*

#	Item Delegated	Conditions and Limitations
51029	1. Composition and Wards 1.1 The power pursuant to Section 12(1) of the Local Government Act 1999 ('the Act') to, by notice in the Gazette, after complying with the requirements of Section 12 of the Act, 1.1.1 alter the composition of the Council; 1.1.2 divide, or redivide, the area of the Council into wards, alter the division of the area of the Council into wards, or abolish the division of the area of the Council into wards.	
51030	1. Composition and Wards 1.2 The power pursuant to Section 12(2) of the Act, also by notice under Section 12 of the Act, to 1.2.1 change the Council from a municipal council to a district council, or change the Council from a district council to a municipal council; 1.2.2 alter the name of: 1.2.2.1 the Council; 1.2.2.2 the area of the Council; 1.2.3 give a name to, or alter the name of, a ward, (without the need to comply with Section 13 of the Act).	
51033	1. Composition and Wards 1.5 Deliberately left blank.	
51034	1. Composition and Wards 1.6 Deliberately left blank.	
51050	2. Status of a Council or Change of Various Names 2.1 The power pursuant to Section 13(1) of the Act, to, by notice in the Gazette, after complying with the requirements of Section 13 of the Act: 2.1.1 change the Council from a municipal council to a district council, or change the Council from a district council to a municipal council; 2.1.2 alter the name of: 2.1.2.1 the Council; 2.1.2.2 the area of the Council; 2.1.3 alter the name of a ward.	
51064	9. Committees 9.1 The power pursuant to Section 41(1) and (2) of the Act to establish committees.	
51065	9. Committees 9.2 The power pursuant to Section 41(3) of the Act to determine the membership of a committee.	

51066	9. Committees 9.3 The power pursuant to Section 41(4) of the Act to appoint a person as a presiding member of a committee, or to make provision for the appointment of a presiding member.	
51067	9. Committees 9.4 The power pursuant to Section 41(6) of the Act to appoint the principal member of the Council as an ex officio member of a committee.	
51068	9. Committees 9.5 The power and duty pursuant to Section 41(8) of the Act, to, when establishing a committee, determine the reporting and other accountability requirements that are to apply in relation to the committee.	
51081	14. Prudential Requirements for Certain Activities 14.2 Deliberately left blank.	
51083	15. Contracts and Tenders Policies 15.1 Without limiting Section 49(a1) of the Act, the power and duty pursuant to Section 49(1) of the Act to prepare and adopt policies on contracts and tenders including policies on the following: 15.1.1 the contracting out of services; and 15.1.2 competitive tendering and the use of other measures to ensure that services are delivered cost effectively; and 15.1.3 the use of local goods and services; and 15.1.4 the sale or disposal of land or other assets.	
51085	15. Contracts and Tenders Policies 15.3 The power pursuant to Section 49(3) of the Act to, at any time, alter a policy under Section 49 of the Act, or substitute a new policy or policies (but not so as to affect any process that has already commenced).	
51087	16. Public Consultation Policies 16.1 The power and duty pursuant to Section 50(1) and (2) of the Act to prepare and adopt a public consultation policy which sets out the steps the Council will follow: 16.1.1 in cases where the Act requires the Council to follow its public consultation policy; and 16.1.2 in other cases involving Council decision making, if relevant.	
51090	16. Public Consultation Policies 16.4 The power pursuant to Section 50(5) of the Act, to, from time to time, alter the Council's public consultation policy, or substitute a new policy.	
51094	17. Deliberately left blank 17.1 Deliberately left blank	
51095	17. Deliberately left blank 17.2 Deliberately left blank	
51096	17. Deliberately left blank 17.3 Deliberately left blank	
51097	17. Deliberately left blank 17.4 Deliberately left blank	
51098	17. Deliberately left blank 17.5 Deliberately left blank	
51104	22. Training and Development 22.1 The power and duty pursuant to Section 80A(1) of the Act to prepare and adopt a training and development policy in accordance with Section 80A(2) of the Act for the Council's members.	
51106	22. Training and Development 22.3 The power pursuant to Section 80A(3) of the Act to, from time to time, alter the Council's training and development policy or substitute a new policy.	

76572	24. Meetings To Be Held in Public Except in Special Circumstances 24.2 The power pursuant to Section 90(8a)(a) of the Act to adopt a policy on the holding of informal gatherings or discussions subject to Section 90(8b) of the Act.	
76573	24. Meetings To Be Held in Public Except in Special Circumstances 24.3 The power pursuant to Section 90(8c) of the Act, to, from time to time, alter the Council's policy or substitute a new policy.	
51115	26. Access to Meetings and Documents - Code of Practice 26.1 The power and duty pursuant to Section 92(1) of the Act, and subject to Section 92(4) of the Act, to prepare and adopt 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 of Chapter 6 of the Act.	
51116	26. Access to Meetings and Documents - Code of Practice 26.3 The power pursuant to Section 92(3) of the Act, to, at any time, alter the Council's code of practice or substitute a new code of practice.	
51127	31. Deliberately left blank 31.1 Deliberately left blank	Was S.110, Employee code of conduct.
51128	31. Deliberately left blank 31.2 Deliberately left blank	
51129	31. Deliberately left blank 31.3 Deliberately left blank	
51130	31. Deliberately left blank 31.4 Deliberately left blank	
51131	31. Deliberately left blank 31.5 Deliberately left blank	
51132	31. Deliberately left blank 31.6 Deliberately left blank	
51143	37. Audit Committee 37.1 The power and duty pursuant to Section 126(1) of the Act to appoint an audit committee in accordance with Section 126(2) of the Act.	
51144	37. Audit Committee 37.2 If an audit committee is appointed by the Delegate or the Council, the power to determine the membership of any audit committee in accordance with Section 126(2) of the Act.	
51156	42. Annual Report to be Prepared and Adopted 42.1 The duty pursuant to Section 131(1) of the Act and in accordance with Sections 131(2) and (3) of the Act, to prepare and adopt on or before 30 November each year, an annual report relating to the operations of the Council for the financial year ending on the preceding 30 June.	
51198	63. Discretionary Rebates of Rates 63.1 The duty pursuant to Section 166(1a) of the Act to take into account, in deciding an application for a rebate under Section 166(1)(d), (e), (f), (g), (h), (i) or (j): 63.1.1 the nature and extent of the Council's services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in its area; and 63.1.2 the community need that is being met by activities being carried out on the land for which the rebate is sought; and 63.1.3 the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons; 63.1.4 any other matter considered relevant by the Council or the Delegate.	
51199	63. Discretionary Rebates of Rates 63.2 The power pursuant to Section 166(1), (2) and (4) of the Act and taking into	

	<p>account Section 166(1a) of the Act and in accordance with Section 166(3b) of the Act to grant a rebate of rates or service charges on such conditions as the Delegate sees fit and such rebate may be up to and including 100% of the relevant rates or service charge, in the following cases:</p> <p>63.2.1 where the rebate is desirable for the purpose of securing the proper development of the area or part of the area;</p> <p>63.2.2 where the rebate is desirable for the purpose of assisting or supporting a business in the area;</p> <p>63.2.3 where the rebate will be conducive to the preservation of buildings or places of historic significance;</p> <p>63.2.4 where the land is being used for educational purposes;</p> <p>63.2.5 where the land is being used for agricultural, horticultural or floricultural exhibitions;</p> <p>63.2.6 where the land is being used for a hospital or health centre;</p> <p>63.2.7 where the land is being used to provide facilities or services for children or young persons;</p> <p>63.2.8 where the land is being used to provide accommodation for the aged or disabled;</p> <p>63.2.9 where the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Commonwealth) or a day therapy centre;</p> <p>63.2.10 where the land is being used by an organisation which, in the opinion of the Delegate, provides a benefit or a service to the local community;</p> <p>63.2.11 where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment;</p> <p>63.2.12 where the rebate is considered by the Delegate to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to:</p> <p>63.2.12.1 redistribution of the rates burden within the community arising from a change to the basis or structure of the Council's rates; or</p> <p>63.2.12.2 change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.</p> <p>63.2.13 where the rebate is considered by the Delegate to be appropriate to provide relief in order to avoid what would otherwise constitute:</p> <p>63.2.13.1 liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the Council in its annual business plan; or</p> <p>63.2.13.2 liability that is unfair or unreasonable;</p> <p>63.2.14 where the rebate is to give effect to a review of a decision of the Council under Chapter 13 Part 2; or</p> <p>63.2.15 where the rebate is contemplated under another provision of the Act.</p>	
51200	<p>63. Discretionary Rebates of Rates</p> <p>63.3 The power pursuant to Section 166(3) of the Act to grant a rebate of rates or charges for a period exceeding 1 year but not exceeding 10 years in the following cases:</p>	

	<p>63.3.1 where the rebate is desirable for the purpose of securing a proper development of the area or part of the area; or</p> <p>63.3.2 where the rebate is desirable for the purpose of assisting or supporting a business in the area; or</p> <p>63.3.3 where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment.</p>	
51201	<p>63. Discretionary Rebates of Rates</p> <p>63.4 The power pursuant to Section 166(3a) of the Act to grant a rebate of rates or charges under Section 166(1)(l) of the Act for a period exceeding 1 year but not exceeding 3 years.</p>	
51312	<p>107. Power to Assign a Name, or Change the Name, of a Road or Public Place</p> <p>107.1 The power pursuant to Section 219(1) of the Act to 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 of a public place.</p>	
51317	<p>107. Power to Assign a Name, or Change the Name, of a Road or Public Place</p> <p>107.6 The power pursuant to Section 219(5) of the Act to prepare and adopt a policy relating to the assigning of names under Section 219 of the Act.</p>	
51318	<p>107. Power to Assign a Name, or Change the Name, of a Road or Public Place</p> <p>107.7 The power pursuant to Section 219(6) of the Act to, at any time, alter a policy or substitute a new policy.</p>	
51386	<p>133. Councils to Develop Policies</p> <p>133.1 The power and duty pursuant to Section 259(1) of the Act to take reasonable steps to prepare and adopt policies concerning the operation of Part 2 of Chapter 12 of the Act.</p>	
51389	<p>133. Councils to Develop Policies</p> <p>133.4 The power pursuant to Section 259(4) of the Act to amend a policy at any time.</p>	
51397	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.00 The power and duty pursuant to Section 270(a1) of the Act and in accordance with Sections 270(a2) and (4a) of the Act, to develop and maintain policies, practices and procedures for dealing with:</p> <p>135.00.1 any reasonable request for the provision of a service by the Council or for the improvement of a service provided by the Council; and</p> <p>135.00.2 complaints about the actions of the Council, employees of the Council, or other persons acting on behalf of the Council.</p>	
51399	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.1 Without limiting Sections 270(a1) and (a2) of the Act, the power and duty pursuant to Section 270(1) of the Act and in accordance with Sections 270(2) and (4a) of the Act, to establish procedures for the review of decisions of:</p> <p>135.1.1 the Council;</p> <p>135.1.2 employees of the Council;</p> <p>135.1.3 other persons acting on behalf of the Council,</p>	
51413	<p>136D. Deliberately left blank</p> <p>136D.1 Deliberately left blank</p>	
87488	149. Deliberately left blank	
87490	150. Deliberately left blank	
87489	<p>151. Deliberately left blank</p> <p>151.1 Deliberately left blank</p>	
87496	<p>151. Deliberately left blank</p> <p>151.2 Deliberately left blank</p>	
87497	<p>151. Deliberately left blank</p> <p>151.3 Deliberately left blank</p>	

87491	152.1 Deliberately left blank	
87492	152. Deliberately left blank 152.2 Deliberately left blank	
87493	153.1 Deliberately left blank	
87494	153. Deliberately left blank 153.2 Deliberately left blank	
87495	153. Deliberately left blank 153.3 Deliberately left blank	

Instrument of Delegation under the Natural Resources Management Act 2004 the Natural Resources Mgt. (General) Regulations 2005 & the Natural Resources Mgt. (Transitional Provisions-Levies) Reg. 2005

	Item Delegated	Conditions and Limitations
50814	19. Deliberately left blank 19.1 Deliberately left blank	
50824	26. Deliberately left blank 26.1 Deliberately left blank 26.2 Deliberately left blank 26.3 Deliberately left blank 26.4 Deliberately left blank	
50839	35. Special Provisions relating to the repeal of the Water Resources Act 1997 35.2 Deliberately left blank	
50840	36. Special Provisions related to levies 36.1 Deliberately left blank 36.2 Deliberately left blank 36.3 Deliberately left blank	
50842	38. Contributions by Councils 38.1 Deliberately left blank	

Instrument of Delegation under the Real Property Act 1886

#	Item Delegated	Conditions and Limitations
51665	38. Deliberately left blank.	

Instrument of Delegation under the Road Traffic Act 1961, the Road Traffic (Miscellaneous) Regulations 2014 and the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014

#	Item Delegated	Conditions and Limitations
87320	3A. Council May Determine That Ticket for Parking be Obtained Without Fee 3A.1 The power pursuant to Section 86 of the Act, if the Council has installed, or determined that it will install, permissive parking signs to apply to a length of road or area, to (in addition to any other action the Council may be empowered to take by or under the Act): 3A.1.1 determine that a ticket must be obtained for parking in the length of road or the area through the operation of parking ticket-vending machines installed or to be installed in or near the length of road or area without payment of a fee; or 3A.1.2 vary or revoke a determination made under Section 86 of the Act.	
50889	8. Parking and Parking Ticket-Vending Machines or Parking Meters 8.1 The power pursuant to Regulation 22(2) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014 if the Council has installed or determined that it will install permissive parking signs to apply to a length of road or an area, to determine fees that will be payable for parking in the length of road or the area by the operation of parking ticket-vending machines or	

	parking meters, installed or to be installed in or near the length of road or area, and the power to vary such fees.	
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Instrument of Delegation under the Safe Drinking Water Act 2011

#	Item Delegated	Conditions and Limitations
51555	5. Drinking water providers to be registered (2) The power pursuant to Section 5(2)(a) and (b) of the Safe Drinking Water Act 2011 (the Act) and in accordance with Section 5(3) of the Act to make an application for registration under the Act to the Minister and in a manner and form determined by the Minister.	

Provisions for 00 Not subdelegated

Dated:

00 Not subdelegated

Instrument of Delegation under the Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008

#	Item Delegated	Conditions and Limitations
50629	12. Special Provisions Relating to Assessment Against Development Plans 12.6 Subject to the Act, the power and duty pursuant to Section 35(6) of the Act, to accept that a proposed development complies with the provisions of the appropriate development plan to the extent that such compliance is certified by a private certifier.	Refer to the wording in the Legislation.
50630	37A. Development Plan Assessment Audits 37A.1 The power and duty pursuant to Section 56C(2) of the Act to have the Council's activities in relation to Development Plan assessments audited by a development assessment auditor in accordance with the requirements of Section 56C of the Act.	
50632	37A. Development Plan Assessment Audits 37A.3 The power pursuant to Section 56C(14) of the Act to make submissions in relation to the matter to the Minister.	
50633	37A. Development Plan Assessment Audits 37A.4 The power pursuant to Section 56C(15) of the Act to, if 37A.4.1 the Minister makes a recommendation to the Council under Section 56C(12)(a) of the Act; and	
142429	53B. Complying Building Work – Building Rules 53B.1 The power pursuant to Regulation 8B(1) of the Regulations, for the purposes of Section 36(1) of the Act to, subject to Regulation 8B(2) of the Regulations, assess building work as being in a form specified in Schedule 4 Part 2 (including a form specified or provided for in the Building Code referred to in Schedule 4 Part 2).	
50639	94A Swimming Pool Safety 94A.1 The power pursuant to Regulation 76D(4a) of the Regulations to, for the purposes of Section 71AA(7) of the Act, subject to Regulation 76(D)(4b) of the Regulations, establish a swimming pool inspection policy.	

Instrument of Delegation under the Environment Protection Act 1993 and the Environment Protection (Waste to Resources) Policy 2010

#	Item Delegated	Conditions and Limitations
50216	6. Deliberately left blank	

Instrument of Delegation to the Chief Executive Officer under the Fire and Emergency Services Act 2005 and the Fire and Emergency Services Regulations 2005

#	Item Delegated	Conditions and Limitations
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50132	14. Power to Provide Sirens The power pursuant to Section 129 of the Act to erect a siren in a suitable place for the purpose of giving warning of the outbreak or threat of a fire or the occurrence or threat of an emergency, and the power to test and use the siren.	
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Instrument of Delegation under the Freedom of Information Act 1991 and the Freedom of Information (Fees and Charges) Regulations 2003

#	Item Delegated	Conditions and Limitations
50776	28. Deliberately left blank 28.1 Deliberately left blank	

Instrument of Delegation under the Local Government Act 1999

#	Item Delegated	Conditions and Limitations
51052	3. Deliberately left blank	Boundary Adjustment Facilitation Panel; sections 14 to 25 repealed. Deleted by 8/2015 on 1/7/2015.
51053	4. Deliberately left blank	Boundary Adjustment Facilitation Panel; sections 14 to 25 repealed. Deleted by 8/2015 on 1/7/2015.
51054	5. Council Initiated Proposal 5.1 Deliberately left blank	Boundary Adjustment Facilitation Panel; section 27 amended by 8/2015 on 1/7/2015.
51055	5. Council Initiated Proposal 5.2 Deliberately left blank 5.2.1 Deliberately left blank 5.2.2 Deliberately left blank 5.2.3 Deliberately left blank 5.2.4 Deliberately left blank	Boundary Adjustment Facilitation Panel; section 27 amended by 8/2015 on 1/7/2015.
51133	32. Application of Division 32.1 The power pursuant to Section 111(b) of the Act to declare any other officer, or any other officer of a class, to be subject to the operation of Chapter 7, Part 4, Division 1 of the Act.	
51236	74. Remission and Postponement of Payment 74.4 The power pursuant to Section 182(4) of the Act to grant other or additional remissions of rates on the same basis as applies under the Rates and Land Tax Remission Act 1986, (such remissions will be in addition to the remissions that are available under that Act).	
51238	74. Remission and Postponement of Payment 74.6 The power pursuant to Section 182(6) of the Act to revoke a determination under Section 182(4) of the Act at any time (but the revocation will not affect an entitlement to remission in relation to rates declared before the revocation takes effect).	

Instrument of Delegation under the Real Property Act 1886

#	Item Delegated	Conditions and Limitations
51626	3. Caveat against bringing land under Act The power pursuant to and in accordance with Section 39 of the Act, where the Council has or claims an estate or interest in any land sought to be brought under the provisions of the Act, to, within the time by the Registrar-General or under any order of the Court for that purpose limited, lodge a caveat in the Lands Titles Registration Office, in the form of Schedule 3 to the Act, forbidding the bringing of such land under the provisions of the Act.	
51628	5. Proceedings under Caveat The power pursuant to Section 44 of the Act, whenever a caveat shall have been lodged in the Lands Titles Registration Office forbidding land to be brought under the provisions of the Act, to bring like proceedings as provided for in the Act for the removal of caveats, in the case of land already under the provisions of the Act, for removal of the caveat, and for the recovery of costs and damages from the caveator, in case the caveat shall have been lodged by the caveator wrongfully and without reasonable cause.	
51629	6. Priority of instruments 6.1 Deliberately left blank	
51630	6. Priority of instruments 6.2 Deliberately left blank	
51632	8. Substituted Certificate etc 8.1 Deliberately left blank	
51642	15. Transfers 15.2 Deliberately left blank.	
51644	17. Acceptance of transfer 17.1 Deliberately left blank	
51645	18. New certificate to purchaser and balance certificate to registered proprietor 18.1 Deliberately left blank	
51655	28. Mortgage of land 28.1 The power pursuant to Section 128(1) of the Act if land is to be charged or made security in favour of a person to execute a mortgage. 28.1.1 Deliberately left blank. 28.1.2 Deliberately left blank.	<p>The delegation of the power contained in Section 128 of the Act is subject to Section 44(3)(c) of the Local Government Act 1999, that is, the delegate is not delegated the power to borrow money or obtain other forms of financial accommodation.</p> <hr/> <p>The delegation of the power contained in Section 128 of the Real Property Act 1886 is subject to Section 44(3)(c) of the Local Government Act 1999, that is, the delegate is not delegated the power to borrow money or obtain other forms of financial accommodation.</p>

Instrument of Delegation under the Safe Drinking Water Act 2011

#	Item Delegated	Conditions and Limitations
51556	<p>8. Conditions of registration</p> <p>(3) The power pursuant to Section 8(3) of the Act where the Council holds a registration, to make application to the Minister in a manner and form determined by the Minister, requesting the variation of a condition to which the registration is subject.</p>	
51557	<p>9. Suspension of registration</p> <p>(5) The power pursuant to Section 9(5) of the Act after the Council has received notice from the Minister, lodge with the Minister a written objection (setting out the grounds of objection).</p> <p>(6) The power pursuant to Section 9(5) of the Act to make submissions to the Minister in relation to the matter.</p> <p>(10) The power pursuant to Section 9(10) of the Act where the Council's registration has been suspended to make application to the Minister for the cancellation of the suspension.</p>	
51558	<p>10. Appeals</p> <p>(1) The power pursuant to Section 10(1) of the Act and in accordance with Section 10(2) of the Act, to seek a review by the Tribunal under Section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of:</p> <p>(a) a condition imposed by the Minister in relation to a registration under Part 2 of the Act;</p> <p>(b) a variation of a condition of registration made by the Minister on the Minister's own initiative; or</p> <p>(c) a decision of the Minister to refuse to grant an application to vary a condition of registration; or</p> <p>(d) a decision of the Minister to suspend a registration under Part 2 of the Act.</p>	
51559	<p>12. Drinking water providers to prepare, implement and review risk management plans</p> <p>(1) The power pursuant to Section 12(1) of the Act and in accordance with Section 13 of the Act, to:</p> <p>(a) prepare a risk management plan in relation to the supply of drinking water to the public; and</p> <p>(b) keep the plan under continuous review with a view to updating and improving it; and</p> <p>(c) revise any aspect of the plan that is found, on review, to need revision.</p> <p>(3) The power pursuant to Section 12(3) of the Act, if a standard risk management plan is in place under Section 12(2) of the Act and the Council falls within the specified class to which the standard risk management plan applies, to, subject to any requirement published by the Chief Executive in connection with the risk management plan and in a manner and form determined by the Chief Executive, adopt the standard risk management plan rather than preparing a separate plan under Section 12(1)(a) of the Act.</p>	
51560	<p>14. Related matters</p> <p>(2) The power pursuant to Section 14(2) of the Act, to furnish to the Minister in a manner and form determined by the Minister a copy of the Council's monitoring program and incident identification and notification protocol.</p>	

#	Item Delegated	Conditions and Limitations
67973	<p>34. Non-compliance with Notices (Section 93(6) of Act)</p> <p>34.1 The power pursuant to Regulation 5B(2) of the South Australian Public Health (General) Regulations 2013 (the General Regulations), for the purposes of the creation of a charge on land under Section 93 of the Act, to deliver to the Registrar-General a notice, in a form determined by the Minister on the recommendation or with the approval of the Registrar General:</p> <p>34.1.1 setting out the amount recoverable under Section 93 of the Act; and</p> <p>34.1.2 setting out the land in relation to which the relevant action was taken; and</p> <p>34.1.3 requesting the Registrar-General to make a notation under Regulation 5B of the General Regulations in relation to the relevant land.</p>	
67974	<p>34. Non-compliance with Notices (Section 93(6) of Act)</p> <p>34.2 The power pursuant to Regulation 5B(8) of the General Regulations, if or when the amount to which the charge relates is paid, to by further notice in writing to the Registrar-General (being a notice in a form determined by the Minister on the recommendation or with the approval of the Registrar General) cancel the charge.</p>	

Instrument of Delegation under the Supported Residential Facilities Act 1992

#	Item Delegated	Conditions and Limitations
67955	<p>14. Regulations</p> <p>14.2 The power pursuant to Section 57(7) of the Act, to, at any time, by further notice to the proprietor:</p> <p>14.2.1 revoke an exemption under Section 57(5);</p> <p>14.2.2 vary or revoke a condition under Section 57(6).</p>	

DECISION REPORT

REPORT TITLE: COMMUNITY GRANT PROGRAM FUNDING – MARCH 2018
ITEM NUMBER: 1170
DATE OF MEETING: 28 MAY 2018
AUTHOR: MATTHEW IVES
JOB TITLE: CULTURAL DEVELOPMENT COORDINATOR

1. **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's endorsement of the recommendations for grant funding under the Community Grants Program for Round 2 of the 2017/18 financial year.

The Community Grants Program is a distribution of Council funding for the provision of projects and activities that support the local community to participate in a wide range of recreational, cultural, community and environmental initiatives. There are two rounds each financial year.

This report reflects the recommendations made by the Administration from the applications received by 30 March 2018.

The Administration's recommendations were presented for comment to a working party of three Elected Members established to assist in reviewing the grants, and these are now presented to Council for endorsement.

2. **RECOMMENDATION**

That:

1. The report be received.
2. Funding be awarded under Round 2 of the 2017/18 financial year for the Community Grants program as follows:
 - \$4,000 to the Forestville Hockey Club towards the development of a player academy and for the purchase of accounting software;
 - \$4,000 to the Greek Pensioners and Aged Society of SA for a day-time bus trip for Greek pensioners;
 - \$4,000 to the Goodwood Saints Football Club towards the cost of implementing a new coaching program, *Coach the Coach*;
 - \$3,310 to the Italian Folk Ensemble for research into the region of provenance for the performance and recording of traditional Italian music and folk songs;
 - \$3,570 to the Highgate Girl Guides for the design and painting of 7 mural panels for the eastern and northern walls of the Highgate Guides Hall;

- \$2,500 to the Flinders University SHAPE Research Centre for an 8 week pilot focusing on the promotion of physical activities for young boys and their fathers;
 - \$3,196 to the Scout Association of Australia (SA Branch) – Fullarton Scout Group for the purchase of tents to enable more of their Group to attend camps and activities;
 - \$3,900 to the Sturt Lawn Tennis Club to assist with the reinvigoration and expansion of the SLTC with professional tennis coaching;
 - \$430 to the Unley United Soccer Club towards the costs of equipment and expenses over the 2018 season.
3. All applicants to Round 2 of the 2017/18 financial year for the Community Grants Program be notified of the outcome of their application.
-

3. RELEVANT CORE STRATEGIES/POLICIES

Community Living:

- 1.2 Our community participates in community activities, learning opportunities and volunteering.
- 1.3 Our City meets the needs of all generations.

The Community Grants and Sponsorship Policy is the relevant Policy.

4. DISCUSSION

The Community Grants Program has been in operation since 1979. Its purpose is to encourage active citizenship, community capacity building and to support community members to respond to local needs by providing assistance to individuals, community groups and organisations that provide projects and service programs for residents of the City.

There are two rounds each financial year.

Approximately \$37,000 is available for allocation to community grants for the March 2018 funding round (maximum of up to \$4,000 per application). The amount allocated is an arbitrary figure based on a 50% split of the 2017/2018 annual budget allocation of \$74,590 for community grants.

Eleven applications were received this funding round with a total funding request for \$35,768.48. Nine applications have been recommended for full or partial funding; one was deemed ineligible; and one was withdrawn.

An administrative working party comprising Council's Cultural Development Coordinator, Executive Assistant City Services, Sport and Recreation Planner and Coordinator Environmental Projects and Strategy met on 23 April 2018 to assess the applications and to propose funding of the projects and programs as outlined in Attachment 1.

Attachment 1

Applications were assessed and ranked using an evaluation matrix (Attachment 2) based on the mandatory criteria outlined in the Community Grant Guidelines. Applications that did not meet these requirements were deemed ineligible and excluded from further assessment. A scoring system, consistent with the weighting of the criteria, produced a ranking for all projects. Ranking is then used to determine levels of funding, i.e. full or partial.

Attachment 2

Less applications were received this round compared to previous comparative rounds (we received 15 applications seeking \$45,144 in March 2017 and 17 applications in March 2016 seeking \$52,677). The decrease in numbers may be due, in part, to the introduction of the Community Impact Grant Program in 2017, which attracted applications from organisations and groups that historically, have normally sought funding through the Community Grants Program. The Elected Member working party comprising the Acting Mayor Hughes, and Councillors M Hudson and D Palmer, met on 30 April 2018 to review and comment on the Administration's recommendations prior to the formalities of the May 2018 Council meeting.

A copy of the Community Grant applications, together with a summary of the Administration's recommendations for funding, is available in the Members Room.

5. ANALYSIS OF OPTIONS

Option 1 – Funding be awarded under Round 2 of the 2017/18 financial year for the Community Grants Program as follows.

- \$4,000 to the Forestville Hockey Club towards the development of a player academy and for the purchase of accounting software;
- \$4,000 to the Greek Pensioners and Aged Society of SA for a day-time bus trip for Greek pensioners;
- \$4,000 to the Goodwood Saints Football Club towards the cost of implementing a new coaching program, *Coach the Coach*;
- \$3,310 to the Italian Folk Ensemble for research into the region of provenance for the performance and recording of traditional Italian music and folk songs;
- \$3,570 to the Highgate Girl Guides for the design and painting of 7 mural panels for the eastern and northern walls of the Highgate Guides Hall;
- \$2,500 to the Flinders University SHAPE Research Centre for an 8 week pilot focusing on the promotion of physical activities for young boys and their fathers;
- \$3,196 to the Scout Association of Australia (SA Branch) – Fullarton Scout Group for the purchase of tents to enable more Venturers to attend camps and activities;
- \$3,900 to the Sturt Lawn Tennis Club to assist with the reinvigoration and expansion of the SLTC with professional tennis coaching;
- \$430 to the Unley United Soccer Club towards the costs of equipment and expenses over the 2018 season;

All applicants to Round 2 of the 2017/18 financial year for the Community Grants Program be notified of the outcome of their application.

The advantage of this option is that valuable support will be provided to City of Unley residents by supporting the delivery of programs, projects and activities that make a positive impact in the community.

Option 2 – Council may wish to make changes to the recommendations for funding.

Council may wish to change the funding allocations to reflect alternate funding priorities. However, in making any changes, Council should consider the budget, the guidelines, existing policies and probity of decision-making.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

There are no significant policy implications with this decision and the recommendations are consistent with the Community Grant Policy.

7.1 Financial/Budget

- The 2017/2018 annual budget allocation is \$74,590 for Community Grants. Funding allocated in Round 1 (September 2017) was \$38,263, leaving \$36,327 to be allocated in Round 2 (March 2018). A total of \$28,906 has been recommended for funding this round leaving \$7,421, which will be returned to general revenue.

7.2 Stakeholder Engagement

- The Community Grants Program was advertised during February and March 2018 in the *Eastern Courier Messenger*, on Council's website and at Council's community centres and libraries. Information was also circulated to a number of community organisations, individuals and community groups. Prospective applicants were offered informal sessions with the Administration to assist with the preparation of submissions.
- The Administration's recommendations were presented for comment to the working party comprising the Acting Mayor Hughes and Councillors Hudson and Palmer to assist in reviewing the grants.

8. ATTACHMENTS

- Attachment 1 – Community Grant Funding Allocation.
- Attachment 2 – Evaluation Matrix.

9. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
Rebecca Cox	Team Leader Community and Cultural Development
Mandy Smith	Manager, Community Development & Wellbeing
Megan Berghuis	General Manager City Services

COMMUNITY GRANTS PROGRAM FUNDING: ROUND 2 – 2017/2018**MARCH 2018**

Project No.	Ranking	ORGANISATION AND PROJECT	AMOUNT SOUGHT	AMOUNT RECOMMENDED	COMMENTS
1	2	Forestville Hockey Club <i>Development of a player academy for coaching staff and older junior and younger Premier League players and for the purchase of accounting software.</i>	\$4,000	\$4,000	RECOMMENDED FOR FULL FUNDING. The criteria for funding have been met. Support for the Club's coaches and players with an intensive development program is a positive strategy for the club to retain existing, and attract potentially new members. The upgraded equipment is being purchased in readiness for the 2019 season. The applicant is based in Unley.
2	8	Greek Pensioners & Aged Society of SA <i>Bus trip for culturally specific age pensioners.</i>	\$4,000	\$4,000	RECOMMENDED FOR FULL FUNDING. The criteria for funding have been met. The project will bring socially isolated culturally specific age pensioners together and provide opportunities for social interaction and engagement. The applicant is based in Unley.
3	6	Goodwood Saints Football Club <i>Implementation of a new program – Coach the Coach – to assist with the development of the coaches and indirectly, the development of the younger players.</i>	\$4,000	\$4,000	RECOMMENDED FOR FULL FUNDING. The criteria for funding have been met. The development of the coaches with new and current match day methods will assist to maximise the potential of the Club's youth players and provide a greater professional base to expand its membership. The selected coaches will receive a training manual and support during the football season and, if required further development sessions. The program will also provide an opportunity for the Club to increase the number of players with integration difficulties. The applicant is based in Unley.

Project No.	Ranking	ORGANISATION AND PROJECT	AMOUNT SOUGHT	AMOUNT RECOMMENDED	COMMENTS
4	3	Italian Folk Ensemble <i>Research, performance and recording the traditional music and folk songs of Italy</i>	\$3,309.93	\$3,310	RECOMMENDED FOR FULL FUNDING. <p>The criteria for funding have been met.</p> <p>Performance of songs and dances in the musical styles that have evolved in the Italian region of provenance. It will also provide the Unley community with an opportunity to broaden its understanding and appreciation of the Italian culture. The project includes the production of a CD or DVD for each singer and musician.</p> <p>The applicant is based in Unley.</p>
5	1	Highgate Girl Guides <i>Design and painting of 7 mural panels on the eastern and northern walls of the Highgate Guides Hall</i>	\$3,562.55	\$3,570	RECOMMENDED FOR FULL FUNDING. <p>The criteria for funding have been met.</p> <p>The project is considered a strong arts and recreation initiative involving young people and the local community in an activity that provides physical activity and social interaction and which has a direct and positive impact on the health and wellbeing of the community. Revitalisation of the hall will also contribute to the amenity of the area and raise the profile of the Highgate Guides.</p> <p>The applicant is based in Unley.</p>
6	7	Flinders University – SHAPE Research Centre <i>An 8 week pilot program focusing on declining levels of physical activity by offering collaborative movement activities for young boys and their fathers</i>	\$2,500	\$2,500	RECOMMENDED FOR FULL FUNDING. <p>The criteria for funding have been met.</p> <p>The 8 week pilot program promoting men's health is not offered elsewhere in the community and is seen as a step towards promoting, providing, supporting and encouraging the health and wellbeing of young boys and their fathers. Project evaluation and part share in IP will be made available to Council.</p> <p>The applicant is not based in Unley but the program is specific to Unley residents.</p>

Project No.	Ranking	ORGANISATION AND PROJECT	AMOUNT SOUGHT	AMOUNT RECOMMENDED	COMMENTS
7	8	Scout Association of Australia – SA Branch – Fullarton Scout Group <i>Purchase of tents to accommodate the growing number of Venturers in Group activities</i>	\$3,196	\$3,196	RECOMMENDED FOR FULL FUNDING. The criteria for funding have been met. Purchase of the equipment will enable more members to attend camps and activities undertaken by the Group. The applicant is based in Unley.
8	5	Sturt Lawn Tennis Club <i>Reinvigoration and expansion of the SLTC with professional tennis coaching</i>	\$3,900	\$3,900	RECOMMENDED FOR FULL FUNDING. A project that aims to assist with current player development and to encourage participation of new members of all ages in regular tennis playing and in the social component of a club environment. The applicant is Unley-based.
	10	Unley United Soccer Club <i>Purchase of equipment for the 2018 season.</i>	\$900	\$430	RECOMMENDED FOR PARTIAL FUNDING. The criteria for funding have been met. Partial funding has been awarded because the items included in the budget are for the 2018 season and are moneys already spent. It was not considered unreasonable, however, to provide partial funding on a pro rata basis to cover expenses incurred in readiness for the 2019 season. The applicant is Unley-based.
10	-	Mindful Pathways <i>Mindfulness workshops for youth/children and young people in various age groups</i>	\$2,400	0	WITHDRAWN. Although the application had some merit, it was to be an activity/purpose primarily associated with, and for the benefit of a commercial organisation. The applicant will be encouraged to liaise with Council with a view to looking at other possible opportunities for involvement. The applicant is based in Unley and the proposed activity is aimed at the City of Unley residents
			\$31,768.48	\$28,906.00	

Evaluation Matrix: Community Grants

Criteria	Max Assigned Points	Scoring Guide	Actual Points	Comment
Meets an identified recreation, cultural, community and /or environmental need which is clearly defined and researched	10	2 - Poorly defined 6 - Fairly defined 10 - Well defined		
Creates a direct benefit to residents of the City of Unley	10	2- Minimal benefit 6 - Considerable benefit 10 - Significant benefit		
Enhances the lifestyle and well being of participants through innovative, learning and/or sustainable opportunities	9	1 - Poorly defined 5 - fairly defined 9 - Well defined		
Provides opportunities to extend the skills of participants and provides access to a unique and diverse opportunity	6	2- Poorly defined 4 - Fairly defined 6 - Well defined		
Applications from groups that are based in the Unley Council area and/ or can demonstrate that a significant proportion of the project participants are Unley rate payers	5	1- Minimal involvement of rate payers 3 - Considerable involvement of rate payers 5 – Based in the Unley area or significant involvement of Unley rate payers		
Demonstrated a need for financial support in undertaking the initiative along with the ability to contribute their own resources be it financial or in kind	3	1- Minimal contribution 2 - Considerable contribution 3 - Significant contribution		
Volunteers are engaged in the initiative	3	2- Some volunteers/ voluntary hours 3 – Significant number volunteers/ voluntary hours		
Has a clearly defined evaluation process	3	1 - Poorly defined 2 - Fairly defined 3 - Well defined		
The ability to obtain additional resources if grant money forms only part of the funding needed.	1	1 - Additional resources identified		
	Total 50		Total	

DECISION REPORT

REPORT TITLE: CUSTOMER COMPLAINTS POLICY
ITEM NUMBER: 1171
DATE OF MEETING: 28 MAY 2018
AUTHOR: HANLIE ERASMUS
JOB TITLE: MANAGER LIBRARIES, MUSEUM AND CUSTOMER EXPERIENCE

1. EXECUTIVE SUMMARY

Section 270 (a1) and (a2) of the *Local Government Act 1999* (the 'Act') requires Council to develop and maintain policies, practices and procedures for dealing with complaints about the actions of Council, employees of Council, or other persons acting on behalf of Council. Council is also obligated to undertake reviews of policies to ensure they remain relevant.

The existing *Requests for Services, Compliments and Complaints Policy* has been in place since 2012 and has now been reviewed.

The review commenced in 2017, and based on feedback from the community included an assessment of existing complaint resolution processes and procedures. Six key areas for improvement were identified:

- Clearly define customer complaints.
- Improving the consistency in dealing with complaints.
- Specifying corporate complaint resolution timeframes.
- Ensuring transparency in the complaints process.
- Improving the effectiveness of communication.
- Providing relevant and informative reporting mechanisms.

The review resulted in the development of a proposed Customer Complaints Framework (the 'Framework') to ensure full compliance with the Act. The Framework intends to:

- Enable the City of Unley to respond to customer complaints in a timely and cost-effective way.
- Boost public confidence in our administrative process.
- Provide information that can be used to deliver quality improvements in our products, services, systems and complaint handling thus reducing complaints about same issues.

The proposed Customer Complaints Framework consists of:

- Draft **Customer Complaints Policy** (public document);
- Draft **Customer Complaints Procedure** (internal administrative document that provides instruction regarding lodging, facilitating, responding and resolving complaints);

- **Customer Complaints System** (an electronic system to register, track and report on the status of the complaint);
- **Customer Service Charter** (public document established in 2014, to be reviewed); and
- A number of **related procedures**, including:
 - Customer Complaints Procedure;
 - Unreasonable Customer Conduct Procedure; and
 - Procedure for Internal Review of a Council Decision; and
 - Counselling and Discipline Policy and Procedure.

In response to review findings and customer expectations, and in an effort to provide a clear strategy for complaints resolution, the draft *Customer Complaints Policy* was developed. The view taken was that the scope of change required to contemporise the existing *Requests for Services, Compliments and Complaints Policy* and ensure legislative obligations were addressed was extensive and it was preferable to develop a new policy, rather than seek to amend the existing policy.

This report seeks Council's support to adopt the new draft *Customer Complaints Policy* as the foundation policy of the Customer Complaints Framework.

2. **RECOMMENDATION**

That:

1. The report be received.
2. The Customer Complaints Policy, as set out in Attachment 1 to this report (Item 1171, Council Meeting, 28/05/2018), be adopted for implementation.
3. The development of the administrative Customer Complaints Procedure and associated documents be noted.

3. **RELEVANT CORE STRATEGIES/POLICIES**

- 3.1 City of Unley Community Plan:
 - 4.1 We have strong leadership and governance
 - 4.2 Council provides best value services to the community
 - 4.3 Our business systems are effective and transparent
- 3.2 Section 270(a1) of the *Local Government Act 1999* requires Council to have policies, procedures and practices for dealing with:
 - (a) *Any reasonable request for the provision of a service by the council or for the improvement of a service provided by the council; and*
 - (b) *Complaints about the actions of the council, employees of the council, or other persons acting on behalf of the council*

3.3 Section 270(a2) requires that policies required under subsection (a1) must be directed towards:

- (a) *dealing with the relevant requests or complaints in a timely, effective and fair way; and*
- (b) *using information gained from the council's community to improve its services and operations.*

4. DISCUSSION

Background

As part of the corporate Customer Experience Project, a review commenced in 2017 of relevant Council policies, processes and procedures that instruct complaint resolution, and in particular clarified Council's obligation under the *Local Government Act 1999* (the 'Act'), Section 270 (a1) and (a2).

The review also considered extensive community feedback regarding Council's complaint resolution practices and identified six key opportunities for improvement:

- Clearly define customer complaints.
- Improving the consistency in dealing with complaints.
- Specifying corporate complaint resolution timeframes.
- Ensuring transparency in the complaints process.
- Improving the effectiveness of communication.
- Providing relevant and informative reporting mechanisms.

The existing *Requests for Services, Compliments and Complaints Policy* very broadly describe procedural actions of staff rather than specifying what customers can expect from the complaints process.

There were also a number of information gaps in the existing *Requests for Services, Compliments and Complaints Policy*, such as:

- Supporting customers with identity and confidentiality concerns when making a complaint.
- Types of assistance provided to customers when making a complaint.
- Review processes and other options available to customers.
- Dealing with complaints about providers delivering a service on behalf of Council.
- How Council will be reporting on complaints.

Considering the scale of changes required to the existing *Requests for Services, Compliments and Complaints Policy* to address the six key areas for improvement, a replacement and specific *Customer Complaints Policy* was drafted as the foundation policy for a newly developed City of Unley Customer Complaints Framework.

Customer Complaints Framework (the 'Framework')

The Framework intends to:

- Enable the City of Unley to respond to customer complaints in a timely and cost-effective way;
- Boost public confidence in our administrative process; and
- Provide information that can be used to deliver quality improvements in our products, services, systems and complaint handling thus reducing complaints about same issues.

It consists of:

- Draft **Customer Complaints Policy** (public document).
- Draft **Customer Complaints Procedure** (internal document that provides instruction regarding lodging, facilitating, responding and resolving complaints).
- An **electronic system** to register, track and report on the status of the complaint.
- **Customer Service Charter** (public document still to be developed).
- A number of **related procedures**, including:
 - Customer Complaints Procedure;
 - Unreasonable Customer Conduct Procedure;
 - Procedure for Internal Review of a Council Decision; and
 - Counselling and Discipline Policy and Procedure.

Customer Complaints Policy

The draft Customer Complaints Policy (the 'Policy') underpins the Customer Complaints Framework and reflects our customers' need for complaints to be easy to lodge, acknowledged, and dealt with fairly and sensitively within an acceptable timeframe.

The Policy addresses the following key opportunities identified in the review:

1) *Clearly define customer complaints*

The Policy describes the differences between a complaint, comments, feedback and request for service.

2) *Improving the consistency in dealing with complaints*

The Policy's intent is to implement a strategic public document that describes Council's vision, mission and goals to resolve complaints.

The Policy supports a consistent process that ensures complaints are resolved appropriately and efficiently across the organisation, and includes:

- Clear definition of what constitutes a complaint.
- Channels available to lodge a complaint.
- How the complaint will be facilitated.
- How we will respond to a complaint.
- Resolution processes.
- Options for review of a decision.

3) *Specifying corporate complaint resolution timeframes*

The Policy articulates Council's commitment in being responsive to the needs and concerns of our customers and to resolving their complaint as effectively as possible. The Policy commits to a 10-working day timeframe/ service level. This service level allows for:

- Registering the complaint in the system and acknowledge receipt of the complaint on the same day of receipt.
- Assessing, investigating and resolving the complaint (Days 1-7).
- If it is not possible to resolve the complaint within this timeframe, a new timeframe will be determined and communicated to the complainant (by Day 4).
- Finalising the complaint, eg. confirm actions are scheduled for completion, etc. (Day 8).
- Correspondence to complainant and closing of complaint. It allows 2 days for postal delivery (Days 9-10).

4) *Ensuring transparency in the complaints process*

The Policy provides the foundation for the development of administrative procedures that will enable a clear and transparent resolution process to be implemented across the organisation that communicates what the community can expect from the City of Unley about complaint resolution.

The Policy commits to the following:

- Making the resolution and investigation process easy to access and understand.
- Keeping the complainant informed on the progress of their complaint and timeframes for action.
- Providing the complainant with options for review if they are dissatisfied with the process undertaken to resolve the complaint.

5) *Improving the effectiveness of communication*

The Policy provides a commitment to customers regarding how we will communicate with them regarding their complaint. This includes:

- Providing the complainant with a receipt and reference number once the complaint is lodged;
- Providing an expected timeframe for our actions;
- Communicating reasons for any delay and new timeframes for completion when required; and
- Communicating the outcome of the complaint/resolution (closing the loop).

The complaint system will assist staff by tracking the status of each complaint against set timeframes, which will prompt staff to follow through regarding communications with the complainant.

6) *Providing relevant and informative reporting mechanisms*

Reporting mechanisms are set in place to enable monthly complaints reports to Business Unit Managers and quarterly complaints reports to General Managers. A public report will be published in the City of Unley Corporate Half Yearly Report (January and July), available on www.unley.sa.gov.au.

Other Related Initiatives

The Customer Complaints Framework and associated Policy are essential components of a wider customer satisfaction project, which includes:

- Transforming the existing Customer Service operating model from a Call Centre to a Customer Resolution Centre.
- Improving service consistency and reliability by providing a clear service delivery model, re-engineering and aligning policy, internal processes and procedures and confirming accountabilities for delivering to service standards.
- Improving Customer Self Help Options using technology solutions to enable customers to easily access and resolve simple and common customer enquiries and transactions.
- Activating a change program, which ensures our Customer First principle is demonstrated and valued across all layers of the organisation and that our staff understand and are committed to providing outstanding customer experiences.

Conclusion

The existing *Requests for Services, Compliments and Complaints Policy* is no longer meeting the requirements of the organisation and needs to be replaced with a policy that reflects our responsibilities under the Act.

The draft *Customer Complaints Policy* is a key document of the Customer Complaints Framework and provides strategies for effective complaint resolution.

Training of the Customer Complaints Policy and associated Customer Complaints Procedure is scheduled to commence on 1 June 2018, and will include training in the following focus areas:

- 10 working day timeframe/service level.
- Key performance indicators.
- Pathway system.
- Reporting responsibilities.

The Complaints Framework is scheduled to be implemented on 2 July 2018. As such, Council's endorsement is sought to adopt the new draft *Customer Complaints Policy* as the foundation policy of the Customer Complaints Framework.

5. **ANALYSIS OF OPTIONS**

Option 1 – the Customer Complaints Policy be adopted for implementation; and the development of the administrative Customer Complaints Procedure and associated documents be noted.

The current *Requests for Services, Compliments and Complaints Policy* does not reflect our responsibilities under the Act and needs to be replaced with an updated policy to ensure full compliance with the Act.

Associated documents are in place to support the Customer Complaints Policy, and includes the following procedures:

- Customer Complaints Procedure
- Counselling and Discipline Policy and Procedure
- Unreasonable Customer Conduct Procedure
- Procedure for Internal Review of a Council Decision

Option 2 –the draft *Customer Complaints Policy* be adopted, with amendments as identified by Council.

The current *Requests for Services, Compliments and Complaints Policy* does not reflect our responsibilities under the Act and needs to be replaced with an updated policy to ensure full compliance with the Act.

Council may wish to make amendments to the proposed draft *Customer Complaints Policy*. Amendments must be made in compliance with the Act.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

7.1 Financial/Budget

- No additional budget requirements were identified to implementing the recommendation; however, there will be additional staff time required for training in the Policy and associated Customer Complaints Procedure.
- The Customer Complaints Policy was developed with the intent to streamline the complaint process, which could potentially result in efficiency gains once successfully implemented.

7.2 Legislative/Risk Management

- By implementing the Customer Complaints Framework and endorsing the Customer Complaints Policy, Council has strengthened its ability to meet the responsibilities under the Act.

7.3 Staffing/Work Plans

- Staff will be required to attend in-house training sessions regarding the new Framework and its associated Policy and procedures, which is intended to be funded within the existing operating budget.

7.4 Stakeholder Engagement

- Stakeholder engagement included the following:
 - Review and consideration of the Customer Service Benchmarking Australia (CSBA) Survey results 2015 and 2016.
 - Collation and consideration of anecdotal and specific community complaints, feedback and responses (received in writing and in person) about Council's complaint processes during 2016/17 to identify underperformance, trends and customer expectations.

- Consultation of the City of Unley Executive and Management Teams in January and February 2018 about the development of the Customer Complaints Framework, which included the draft Policy and supporting procedure.
- An Elected Member Briefing was held in April 2018 to provide Elected Members with the opportunity for feedback on the proposed Framework and draft Policy and supporting procedure.
- Further to this, consideration was given to the findings of the Customer Service Review undertaken in 2016, and further clarification was sought regarding our obligations under the Act.
- By considering the feedback received from the above consultations, investigations and survey results, six key concerns were identified regarding existing Council complaint resolution processes.
- This informed the development of a Customer Complaints Framework and the subsequent drafting of a new Customer Complaints Policy to meet the requirements of the Act.

8. REPORT CONSULTATION

Dallis Von Wald	Principal Governance Officer
Tami Norman	Executive Manager, Office of the Chief Executive Officer
Executive Management Team	

9. ATTACHMENTS

- Attachment 1 – Customer Complaints Policy.

10. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
Megan Berghuis	General Manager City Services
Peter Tsokas	CEO



Customer Complaint Policy

Policy Type:	Council Policy
Responsible Department:	City Services
Responsible Officer:	Manager Libraries, Museum and Customer Experience
Related Policies and Procedures	Procedure for Internal Review of a Council Decision City of Unley Customer Service Charter
Date Adopted:	Date policy first adopted and resolution number
Last Council review:	May 2018
Next review date:	May 2021
ECM Doc Set ID:	

1. POLICY STATEMENT

This policy is intended to ensure that we respond to customer complaints fairly, efficiently and effectively.

It applies to all areas of Council and is applicable to all staff and volunteers.

The following is outside the scope of the Customer Complaint Policy:

- Council Member's Code of Conduct complaints (refer to the Council Members Code of Conduct and Complaints Handling Procedure under the Council Members Code of Conduct)
- Requests for information (refer to our Freedom of Information Statement)
- Staff grievances
- Service requests. This may vary but is likely to relate to:
 - requests for approval
 - requests for action
 - routine inquiries about the organisation's business
 - requests for the provision of information, services and assistance
 - reports of failure to comply with laws regulated by the organisation
 - requests for explanation of policies, procedures and decisions
- Opinions and comments of interest made directly or indirectly, explicitly or implicitly about our products, services, facilities and staff
- Note: Some complaints due to their substance may need to be referred directly to Independent Commissioner against Corruption (ICAC)

2. COMMUNITY GOAL

Theme: Civic Leadership

Goal: Council will listen to the community and make transparent decisions for the long term benefit of the City

Objective:

- 4.1 We have strong leadership and governance
- 4.2 Council provides best value services to the community
- 4.3 Our business systems are effective and transparent

3. POLICY OBJECTIVES

The primary objective of the Policy is to satisfy the mandatory requirements of Section 270 (a1) and (a2) of the *Local Government Act 1999*.

Our complaints resolution framework is intended to:

- Proactively demonstrate Unley values and culture through enabling our Customer First value
- Enable us to respond to customer complaints in a timely and cost-effective way
- Boost public confidence in our administrative process
- Provide information that can be used by us to deliver quality improvements in our products, services, systems and complaint handling thus reducing complaints about same issues.

4. PRINCIPLES

The core principles of the complaint resolution framework are:

1. *People focus*: We are open to complaints from members of the public about our decisions, products, services, facilities, staff or the resolution of a complaint.
2. *Transparency*: We publicise how and where complaints may be made to our organisation. We make the process of complaint resolution and investigating it easy for complainants to access and understand. We are flexible in how complaints may be made to or about our organisation.
3. *Responsiveness*: Complaints are acknowledged promptly and addressed according to urgency. The complainant is kept informed throughout the process, we are genuine about our communication and we follow through on our promises. Our primary focus is resolution.
4. *Fairness*: To ensure the complaint handling process is fair and reasonable complaints are dealt with in an equitable, objective and unbiased manner. We take every reasonable step to ensure that people making complaints are not adversely affected because a complaint is made by them or on their behalf.
5. *Support*: We support and assist customers who need help to make a complaint. There are opportunities for internal and external review and/or appeal about the organisation's response to the complaint, and complainants are informed about these avenues.
6. *Confidentiality*: Personal information related to complaints is kept confidential. Where appropriate the confidentiality of information related to a complaint will be respected. Complaints about staff will be kept confidential during the investigation process.

7. *Accountability:* Accountabilities for complaint handling are clearly established, and complaints and responses are monitored and regularly reported to management. Staff have appropriate authority and guidance to resolve issues that commonly arise in the resolution of complaints. We provide appropriate training, support and resources to staff who are responding to complaints. Our staff are recognised and rewarded for good complaint resolution.
8. *Continuous Improvement:* Complaints represent an opportunity for improvement in our internal procedures and processes, and support ongoing customer satisfaction monitoring such as annual surveying, interviews, forums, program evaluation forms, etc.

5. POLICY

5.1 What is a complaint?

A complaint is an expression of dissatisfaction made to or about our decisions, products, services, facilities, staff or the resolution of a complaint.

5.2 Lodge complaints

The City of Unley provides and promotes multiple channels for lodging complaints.

Complainants can contact Council via mail, email, in person, phone, Council's website and social media.

Complainants also have the opportunity to contact their local Ward Members when a complaint or request for service was lodged and the complainant did not receive a response within ten (10) working days.

Please take note that by lodging a complaint, the matter will not be automatically suspended or put on hold.

5.3 Facilitate complaints

We are committed to receiving complaints in good faith.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the complainant and/or their representative will be coordinated.

We accept complaints about not only the actions of our staff but also the actions of providers delivering service on behalf of Council.

Where a complaint made directly to Council involves external service providers, we will refer the complaint to the relevant provider.

People making complaints will be:

- provided with information about our complaint resolution process
- provided with multiple and accessible ways to make complaints
- listened to, treated with respect by staff and actively involved in the complaint resolution process where possible and appropriate
- provided with reasons for our decision/s and any options for redress or review

We will not investigate or action anonymous complaints. If a complainant is concerned about disclosing their identity, they may request that their identity be kept confidential. Where relevant, a person making a disclosure of public interest information may activate protections under the *Whistleblowers Protection Act 1993*.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, we will communicate with them through their appointed representative. Anyone may represent a person wishing to make a complaint with his or her written consent (e.g. advocate, family member, legal or community representative, Member of Parliament, another organisation).

5.4 Respond to complaints

We will promptly acknowledge receipt of complaints and will respond within a ten (10) working day timeframe.

We will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised.

We are committed to managing people's expectations and will inform them of the following:

- the complaints process
- the expected time frames for our actions
- the progress of the complaint and reasons for any delay
- their likely involvement in the process, and
- the possible or likely outcome of their complaint

We will advise complainants when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate) e.g. Ombudsman, State Government, Australian Government Aged Care Complaints Commissioner, etc. Some legislation (Act, Regulation, Rule by By-Law) specifically makes provision for an appeal, or an internal or external review of a decision.

Personal information that identifies individuals will only be disclosed or used by the City of Unley as permitted under the relevant privacy laws, legislative requirements and any relevant confidentiality obligations.

Council will also make an assessment as to whether there has been a disclosure of public interest information; whether identity protection should be afforded; and whether to protect the complainant's identity before the substance of the complaint is addressed.

5.5 Complaint resolution and internal review of a Council decision

The City of Unley is committed to resolve complaints and will undertake investigations and research where required to ensure appropriate complaint resolution.

Where possible, we endeavour to resolve complaints at first contact with the City of Unley. Our staff are empowered to resolve complaints promptly and with as little formality as possible. We will adopt flexible approaches to problem solving to enhance accessibility for people making complaints and/or their representatives. Note regulatory investigations must be formal.

The person handling the complaint will be different from the staff member whose service or conduct is being complained about.

We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

We will meet statutory requirements and processes as needed.

Complainants will be advised of the outcome of the complaint, action taken and the reasons for the decision.

In the event the complainant is not satisfied or does not agree with the outcome or decision, it is still considered a resolution. However, we will advise complainants of any options for review that may be available to them, such as an internal review, external review or appeal if they are not satisfied with the outcome or decision made.

An internal review will examine the process by which the original decision was made, not the decision itself. The review may or may not result in the disputed decision being reconsidered and overturned. The internal review process will aim for procedural fairness to ensure that all parties have the opportunity to express their point of view in relation to the decision under review, provide relevant information and respond to issues raised.

5.6 Corporate Reporting

Reports on Council's complaint resolution will be published in the City of Unley Corporate Half Yearly Report (January and July), available on www.unley.sa.gov.au.

6. DEFINITIONS

Comments - Positive or negative, verbal or written opinions or reactions (a view or judgement formed which is not based on fact or knowledge) about our products, services, facilities or staff.

Complaint - An expression of dissatisfaction made to or about our decisions, products, services, facilities, staff or the handling of a complaint.

Complaint framework - All policies, procedures, practices, staff, hardware and software used by us in the resolution of complaints.

Dispute - An unresolved complaint escalated either within or outside of our organisation.

Feedback - Customer participation in formal Council consultation processes (formal feedback opportunities through various public consultation channels such as focus groups, surveys, Your Say Unley, etc).

Policy - A statement or set of principles that guides decisions and the achievement of our vision, mission and goals.

Procedure - A statement or instruction that sets out how our policies will be implemented and by whom.

Resolution - Completion of the complaint process within the agreed time frame, inclusive of receipt, investigation, consideration and determination of a complaint which may or may not involve agreement of all the parties.

Request for Service – Seeking service, approval, information, action or assistance in line with Council's service offering.

7. LEGISLATION/REFERENCES

This is a mandatory policy as required under the *Local Government Act 1999* / Section 270, which requires Council to have policies, procedures and practices for dealing with:

(a1) (a) Any reasonable request for the provision of a service by the council or for the improvement of a service provided by the council; and

(a1) (b) Complaints about the actions of the council, employees of the council, or other persons acting on behalf of the council

(a2) The policies, practices and procedures required under subsection (a1) must be directed towards to (a) dealing with the relevant requests or complaints in a timely, effective and fair way; and (b) using information gained from the council's community to improve its services and operations.

8. POLICY DELEGATIONS

Nil applicable.

9. AVAILABILITY

The policy is available for public inspection during normal office hours from:

City of Unley Civic Centre
181 Unley Road
Unley SA 5061

A copy may be purchased for a fee as determined annually by Council.

It is also available for viewing, download and printing free of charge from the Council's website, www.unley.sa.gov.au.

10. DOCUMENT HISTORY

Date:	Council/Committee/Internal	Comment:
	Committee item / year	
	Council item / year	



Requests For Services, Compliments and Complaints

Policy Type:	Corporate Policy
Reference Number:	COU 22
Responsible Department:	Corporate Services
Responsible Officer:	General Manager
Legislation	Local Government Act 1999, s270
Relevant Delegations:	
Related Policies and Procedures	Corporate Customer Service Policy Telephone, Voice Mail and Email Procedure Review of a Council Decision Handling Difficult Situations – Quick Reference Guide Complaints Fact Sheet
Community Goal	1.1 Understanding and responding to the diverse needs of the community in an appropriate manner 6.2 Generate an approach to all Council operations which maintains the principles of good governance. 6.4 Build and maintain a high level of staff morale and performance, safe practices and a customer-centred culture.
Council Resolution:	Item 108 CSP 14 May 2012 Item 420 C 28 May 2012
Date Adopted:	28 May 2012
Review Date:	May 2013

1. POLICY STATEMENT

This policy provides fair and consistent guidelines for any request for services and for managing compliments and complaints. It is based on the assertion that our community has a right to request a service or express concern or gratitude regarding service provision.

2. PRINCIPLES

The City of Unley:

- views its management of requests for services, complaints and compliments as an important component of continuously improving the service offered to customers;
- is committed to encouraging compliments and recognising and celebrating success across the organisation;
- is committed to identifying, investigating and resolving issues whether these arise as service requests, suggestions or complaints;
- recognises the importance of transparency in decision making and the need to provide a fair and objective procedure for the resolution of all complaints; and
- is committed to tracking the progress of complaint handling within the organisation and reporting this on a regular basis.

In line with its Values, the City of Unley will provide a complaints handling procedure which:

- demonstrates everyone will be treated with dignity and respect;
- ensures all of the community is listened to; and
- encourages staff to be positive and take responsibility for their role in the complaint handling process.

This policy is based on five principles, which will be fundamental in the way Council manages requests for services, complaints and compliments. They are:

- Fairness: treating complainants fairly requires impartiality, confidentiality and transparency at all stages of the process.
- Accessibility: to be accessible there must be broad public awareness about Council's policy and a range of contact options.
- Responsiveness: this will be achieved by providing sufficient resources, well trained staff and review and improvement of the systems.
- Efficiency: all matters will be managed as quickly as possible, while ensuring that they are dealt with at a level that reflects their level of complexity.
- Integration: of different areas of Council where the request or complaint overlaps functional responsibilities.

3. POLICY OBJECTIVES

The Policy aims to:

- improve customer service through consistent, effective management of requests for service, complaints and compliments;
- distinguish the difference between requests for service, complaints and feedback to Council;
- provide guidance on what may constitute a reasonable request for a service or an improvement to a service;
- establish a standardised process for assessing and processing requests, complaints and compliments; and

- ensure decision making processes in relation to requests for services and complaints are equitable, transparent and accountable.

4. DEFINITIONS

Complaint: when a customer or staff member:

- expresses dissatisfaction with a product or service offered or provided;
- considers Council has failed to action a request for service within an acceptable timeframe; and/or
- considers the conduct of a Council staff member has been unsatisfactory.

Complaint Resolution: a complaint is resolved when a customer is satisfied that the Council has made its best attempt to fix the problem. It is possible they may not be completely satisfied with the outcome but they are prepared to accept it and not escalate the complaint any further.

Compliment: when a customer or staff member expresses their appreciation for a service or action taken by the City of Unley or particular staff member or team.

Feedback: can take the form of comments, both positive and negative, about services provided by Council without necessarily requiring a corrective action, change of services or formal review of a decision. Feedback may, however, influence future service reviews and delivery methods and must be recorded in Dataworks for future reference.

Request for Service: a customer requests the provision of service or for some action to be taken to address a problem, or a request for a change to the way the City of Unley delivers a service. If a request for service is not dealt with appropriately it may then become a complaint. For example, if a customer at the Swimming Centre tells a staff member that there is no hot water in the shower, this is a request for service and the staff member must rectify the problem. If the problem is not rectified and the customer needs to repeatedly ask for hot water over several visits it is likely to escalate to a complaint.

Request for Information: when a customer request for information regarding services is received and resolved or referred to relevant responsible staff member.

Review of a Council Decision: when a customer seeks review of a decision made by the Council, an employee of the Council or persons acting on behalf of the Council. These are dealt with in Council's Review of a Council Decision Policy.

Suggestion: when a customer suggests an improvement to a service, increased service levels or new services.

5. REFERENCES

South Australia Local Government Act 1999 Part 2 section 270
 LGA of SA Requests For Services Model Policy 2012
 LGA of SA Complaints Model Policy 2012
 City of Unley Admin Policy Complaints and Compliments AD004

6. PROCEDURES

6.1 Compliments

A compliment can be lodged in person at the Council Office or relevant Council facility, by phone or by email/letter to the relevant General Manager.

Staff Members who receive a compliment are to record it in Dataworks Customer Request against the appropriate departmental compliment classification. This will assign the compliment via a workflow to an administration officer who will:

- where the compliment is about a particular Staff member, distribute the Compliment details to their Direct Manager, General Manager and the CEO, publish the details on the intranet with the staff members' permission, and put a copy on their personnel file;
- where the compliment relates to a Section, forward the details to the relevant General Manager and the CEO and publish the details on the intranet.

The relevant General Manager will respond in writing both to the customer to acknowledge the compliment and to the employee the compliment is about.

6.2 Requests For Service

A request for service or customer suggestions for change or improvement should be documented and forwarded to the responsible staff member.

6.2.1 Reasonable Request for Service

In determining how to respond to a request for service Council will consider:

- an assessment of risk;
- statutory responsibilities;
- the content of Council's Strategic Management Plans, Annual Business Plans, annual works program and Annual Budget;
- relevant Council policies and codes; and
- established service standards and response times for regular Council activities.

6.2.2 Processing a Request for Service

In Council's experience, most requests fit within well established guidelines which will be explained to an applicant at the outset. Council aims to manage requests efficiently and effectively. Employees are provided with a level of authority to advise applicants of the likely timeframe to complete the action required. Where further evaluation is necessary before committing Council to undertake the work the applicant will be informed accordingly. If a request cannot be fulfilled in a reasonable timeframe the applicant will be advised, including an explanation of why this decision was taken.

Where an applicant is not satisfied with the Council's decision, it is open to the applicant to lodge a complaint against the decision.

6.2.3 Timeframes for Response

Council staff will acknowledge receipt of a request for service within 3 working days. Council staff will then respond to the request within 10 business days advising of Council's intentions in regard to the request.

However, the circumstances of individual requests for service will vary greatly. In the majority of cases requests will be processed promptly and the applicant advised verbally or by return post/email.

Routine requests are often subject to service response standards. For example, uncollected rubbish bins will be collected within 48 hours and the assessment of public safety concerns will occur, where practicable, on the same day as the request is received. Other requests may be best suited to scheduling to coincide with work in a particular suburb or season. Examples of this include tree pruning on Council streets and attention to minor drainage problems. Requests for major works or new services will be referred to Council for consideration as part of the next annual cycle of review and public consultation.

6.2.4 Recording Requests for Service

A person can make request a service by completion of the appropriate form on Council's website, telephone, fax, email, letter, petition to Council or by visiting a Council Customer Service Office.

All requests will be recorded in Dataworks in such a way that the information can also be analysed for service improvement opportunities.

6.2.5 Rejected Requests

All rejected requests will be recorded in Dataworks and may be reconsidered at a future date, such as in conjunction with the preparation of an Annual Business Plan and associated budget. Council will receive a report on the number and nature of requests, including the percentage of rejected requests, at least twice a year.

6.3 Complaints

Council welcomes complaints as a way of improving its services and programs as well as providing an opportunity to put things right.

A person can make application for a service by completion of the appropriate form on Council's website, telephone, fax, email, letter, petition to Council or by visiting a Council Customer Service Office.

6.3.1 Defining A Complaint

It is important for the staff member receiving the 'complaint' to define whether the customer actually has a complaint, as opposed to a request for service or a suggestion for change/improvement to service. Customer Requests will be forwarded to the responsible staff member.

Anonymous complaints will not be registered or followed up.

6.3.2 Managing A Complaint process

Complaints may vary greatly in their level of complexity and seriousness. The following steps will be followed by staff to ensure complaints are dealt with efficiently and effectively:

- acknowledge complaints promptly;
- assess the complaint - simple problems may not need to be investigated;
- plan the investigation where one is warranted;
- investigate the complaint;
- respond to the complainant with a clear decision;
- follow up any Customer Service concerns; and
- consider whether there are systemic issues which need correction.

A complaint will be directed to a more senior Officer in the Council, where circumstances indicate that the complaint would be more appropriately handled at a higher level.

6.3.3 Recording A Complaint

Staff Members who receive a complaint are to record it in Dataworks Customer Request against the appropriate departmental complaint classification. This will assign the complaint via a workflow to an administration officer who will acknowledge receipt of the complaint and direct the complaint to the appropriate actioning officer to attend to within the relevant timeframe.

Complaints that are of a personal, sensitive or confidential nature are not to be recorded under the general customer/complaint classification. There is a separate confidential classification for these types of complaints.

6.3.4 Timeframes For A Complaint

Where a complaint cannot be resolved immediately the complainant will be advised of the process to be undertaken.

Council staff will acknowledge receipt of a complaint within 3 working days and, where possible, resolving it at that time. Within 10 business days, Council staff will advise the complainant(s) of the likely timeframe

required to investigate and resolve a complaint and will provide regular updates as to progress, where necessary.

6.3.5 Privacy and Confidentiality

Complainants have a right to expect that their complaint will be investigated in private, to the extent possible. The identity of complainants will be made known only to those who need to know in the process of investigating and resolving the complaint. The complaint will not be revealed or made public by the Council, except where required by law.

6.3.6 Complaint Management Training For Staff

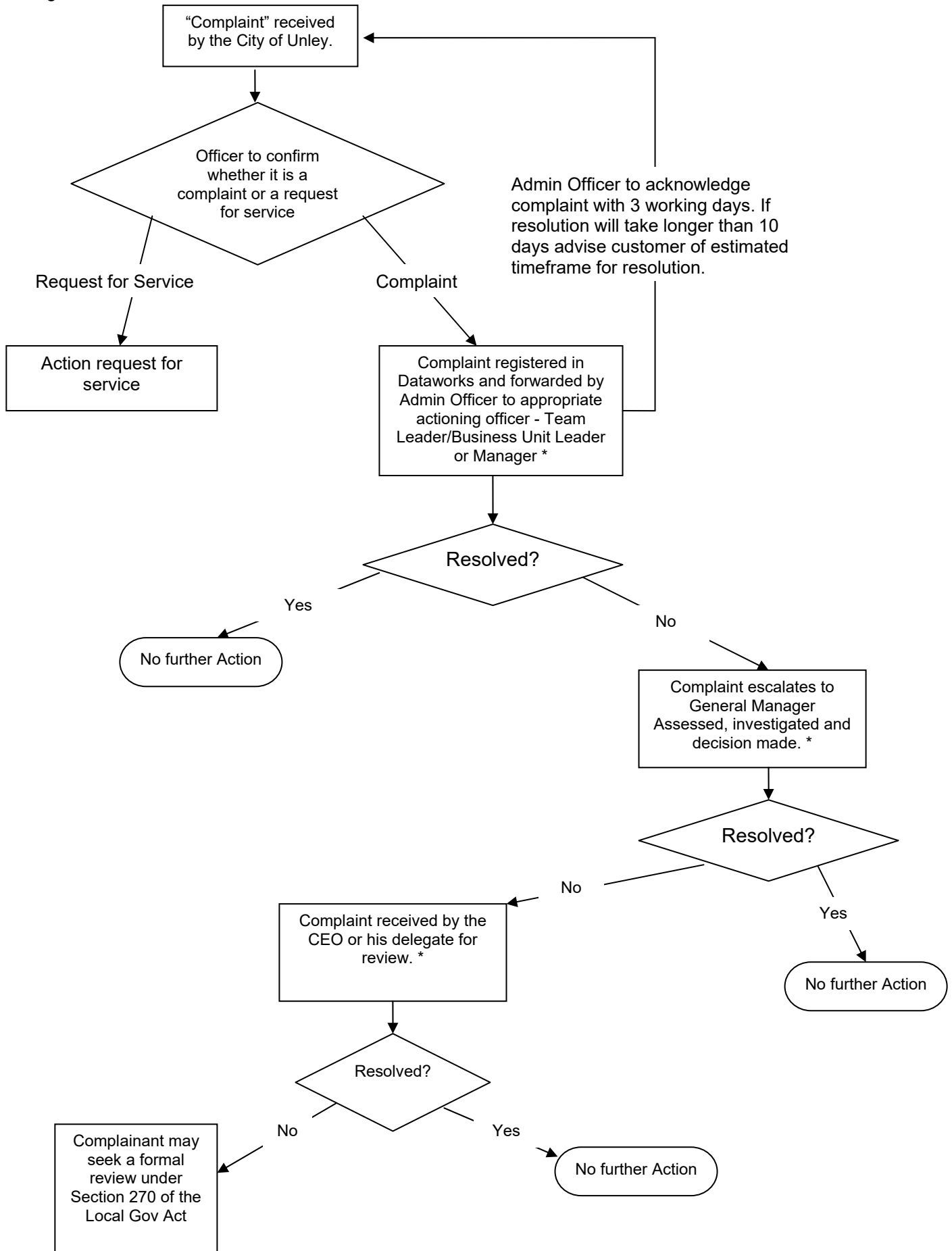
Employees will be trained to manage complaints efficiently and effectively, and will be provided with a level of delegated authority appropriate for the nature of complaints they are expected to resolve.

6.3.7 Complaint Resolution Process Flowchart

The following flowchart outlines Council's procedures on how a complaint will be handled and if unresolved would progress to a formal review.

City of Unley Complaint Resolution Process

Note: A complainant may approach the ombudsman at any time if they are unhappy with the way their complaint is being handled



* Provide feedback to Staff member or Business Unit

INFORMATION REPORT

REPORT TITLE: ANIMAL MANAGEMENT PLAN 2016-2020 YEAR 2 ANNUAL REPORT

ITEM NUMBER: 1172

DATE OF MEETING: 28 MAY 2018

AUTHOR: PAUL WEYMOUTH

JOB TITLE: MANAGER DEVELOPMENT AND REGULATORY

1. **EXECUTIVE SUMMARY**

To provide Council with an annual report on the second year of the Animal Management Plan 2016-2020.

The City of Unley has a five year Animal Management Plan ("the Plan") that was endorsed by Council in December 2015. The Plan was developed to guide the City of Unley's management of dogs and cats from 2016-2020, as required by the *Dog and Cat Management Act 1995* ("the Act").

The second year of implementation has now been completed and this report summarises the second year's progress against endorsed actions and the Key Performance Indicators (KPIs).

Council has completed the required 14 actions for year two of the Plan, and met and/or exceeded seven (7) of the eight (8) KPIs. The one KPI that has not been achieved is the percentage of trained dogs, which was 18% in 2017 rather than the desired 20%.

2. **RECOMMENDATION**

That:

1. The report be received.
-

3. **DISCUSSION**

The City of Unley Animal Management Plan outlines Council's vision and mission for animal management as being:

Vision:

"A City that encourages a culture of responsible pet ownership."

Mission:

"The City of Unley will work with the community to provide a harmonious environment for people and pets through leadership and education in animal management. All animals will be treated with respect and in a humane manner."

The Plan is structured according to seven (7) priority areas. Each priority area has one or more objectives together with an action plan that details the new initiatives that Council will undertake over the five years to achieve the animal management goals and objectives.

The Plan also contains a set of Key Performance Indicators that are used to monitor Council's progress in achieving its animal management goals and objectives.

Action Plan

There are 14 actions across the priority areas for Year 2 of the Animal Management Plan. All of the actions have been completed; resulting in improvements in education and promotional strategies to dog owners. A summary of the 14 actions is contained in Attachment 1.

Attachment 1

One of the major focus areas for the regulatory team throughout 2017/18 has been working with the State Government to implement the new Dogs and Cats Online (DACO) registration system. There is no reference to DACO in the Plan as it is a relatively new initiative by the State Government.

DACO will be the central database for microchipped and registered dogs and cats, and as at 1 July 2018 the facility for processing registration payments will commence operation. The transition to DACO has involved a significant resource commitment to ensure that up to date data migration occurs, as well as ensuring customer service considerations will be managed during the registration renewal period (July/August 2018).

Key Performance Indicators

There are eight KPIs in the 2016-2020 Plan. For 2017, seven (7) of the eight (8) KPIs have been met or exceeded as detailed in Attachment 2. The one (1) KPI that has not been achieved relates to the percentage of trained dogs, which is 18% rather than 20%. This percentage was previously 18% in 2016 and 17% in 2015. In an effort to achieve this KPI, Council continues to encourage residents to train their dogs by offering information on dog education and training as new dogs are registered, together with offering a 20% rebate off the dog registration fee for trained dogs.

Attachment 2

In conclusion, seven (7) of the eight (8) KPIs have been achieved, and Council continues to see improvement in the areas of dog registration, microchipping rates, de-sexed rates, percentage of wandering dog complaints and rehome rates, all which are encouraging.

The team continue to focus on educating the community on animal management issues, which undoubtedly has had a positive impact on responsible pet ownership in the City of Unley. The KPIs indicate that Council is achieving the key goals of improving the management of its responsibilities under the Act *and* improving responsible pet ownership in the community.

The coming year will include the transition to DACO, together with a review of our online information to better assist our residents with animal management related enquiries.

4. ATTACHMENTS

- Attachment 1 – Year 2 actions with progress notes.
- Attachment 2 – Key Performance Indicators.

**Summary of Year 2 Actions in the
City of Unley Animal Management Plan 2016-2020**

YEAR 2 – 2017/18				
Action		Resources	Responsibility	Progress
	Continue with current registration practices including new registrations, renewals and collection of data.	Existing	Lisa/Roger	Completed
	Continue to prepare media releases on the need for and benefits of dog registration and implications of having an unregistered dog. This may include information in Unley Life Magazine, local Messenger and Council's website and Facebook page.	Existing	Roger/Lisa	Completed – 5 year media plan created through communications team.
	Prepare media releases on the need and benefits of keeping dogs safe and secure and implications if they wander. This may include information in Unley life Magazine, local Messenger, Council's website and Facebook page.	Existing	Roger/Lisa	Completed – Included in media plan with communications team.
	Prepare media releases on the reasons 'why dogs bark and ways to reduce excessive barking'. This may include information in Unley Life Magazine, local Messenger and Council's Facebook page.	Existing	Roger/Lisa	Completed – Included in media plan with communications team.
	Prepare media releases on the importance of dog training and appropriate puppy socialisation. This may include information in Unley Life Magazine, local Messenger and Council's website and Facebook page.	Existing	Roger/Lisa	Completed – Included in media plan with communications team.
	Promote DCMB's Living Safely with Pets Program to local schools in the City of Unley	Existing	Lisa	Completed – Sent to schools annually.
	Continue to negotiate with Adelaide City Council (ACC) to develop a dog park in the South Parklands.	Existing	John Wilkinson	Completed – New off leash dog park opened by ACC in the South Parklands in October 2017.
	Continue with current registration rebates to promote micro-chipping.	Existing	Lisa/Roger	Completed – Rebate voucher available

YEAR 2 – 2017/18				
Action		Resources	Responsibility	Progress
	Continue with current registration rebates to promote de-sexing.	Existing	Lisa/Roger	Completed – Rebate voucher available.
	Continue to prepare media releases on the need for and benefits of micro-chipping of dogs. This may include information in Unley Life Magazine, local Messenger and Council's website and Facebook page	Existing	Roger/Lisa	Completed – Included in media plan with communications team.
	Continue to prepare media releases on the need for and benefits of de-sexing dogs. This may include information in Unley Life Magazine, local Messenger and Council's Facebook page	Existing	Roger/Lisa	Completed – Included in media plan with communications team.
	Collect and record relevant dog and cat statistics and provide data to Dog and Cat Management Board as required.	Existing	Lisa/Roger	Completed – This is an ongoing process and is reported to the DCMB annually as part of the form 26/28 process.
	Increase registration rebate to encourage dog training (moved from year 1).	Existing	Roger/Lisa	Completed
	Prepare annual report on progress of actions in Plan and submit to Council.		Roger/Paul	Completed – Report scheduled to be considered by Council on 18 May 2019.

**Animal Management Plan 2016 – 2020
Key Performance Indicators 2015 - 2017**

	KPI:	2015 Statistics:	2016 (Year 1) Statistics:	2017 (Year 2) Statistics:	KPI:
1.	Percentage of registered dogs (36% or 14,785 households)	(4,238 registered/ 5,322 x100) 80%	(4,375 registered/ 5,322 x100) 82%	(4,532 registered/5322 x100) 85%	80%
2.	Percentage of micro-chipped dogs	(3456 microchipped/ 4,238 registered x100) 82%	(3,700 micro chipped/ 4,375 registered x100) 85%	(3,909 micro chipped/4532 registered x100) 86%	75%
3.	Percentage of de-sexed dogs	(3,613 de-sexed/ 4,238 registered x100) 85%	(3,746 microchipped/ 4,375 registered x100) 85%	(3,897 micro chipped/4532 registered x100) 86%	85%
4.	Percentage of trained dogs	(728 trained dogs/ 4,238 registered x100) 17%	(788 trained dogs/ 4,375 registered x100) 18%	(821 trained dogs/4,532 registered x100) 18%	20%
5.	Percentage of dogs wandering	(264 wandering/4,238 x 100) 6%	(235 wandering/4,375 x 100) 5%	(201 wandering/4532 x 100) 4%	5%
6.	Percentage of dog attack/harassment complaints	(32 attacks/39,014 population x100) 0.082%	(28 attacks/39,014 population x100) 0.072%	(30 attacks/39,324 population x100) 0.076%	0.5%
7.	Percentage of barking dog complaints	(72 complaints 39,014 population x100) 0.18%	(83 complaints 39,014 population x100) 0.21%	(91 complaints 39,324 population x100) 0.23%	1.5%
8.	Dog reclaim rate	(48 reclaimed & 3 rehomed/51 impounded x100) 94%	(39 reclaimed & 2 rehomed/41 impounded x100) 95%	(24 reclaimed & 1 rehomed/25 impounded x100) 96%	90%

DECISION REPORT

REPORT TITLE: 2018 UNLEY GOURMET GALA AND TOUR DOWN UNDER STAGE START EVALUATION AND 2019 EVENT ENDORSEMENT

ITEM NUMBER: 1173

DATE OF MEETING: 28 MAY 2018

AUTHOR: MARCIA MUDGE

JOB TITLE: EVENT COORDINATOR

1. EXECUTIVE SUMMARY

The purpose of this report is to present the findings of the independent market research conducted at the 2018 Unley Gourmet Gala and *Tour Down Under* Stage Start and to seek Council's endorsement for both events to proceed in 2019, pending successful notification from Events SA and the outcome of the budget.

Held in January on the eve of the *Tour Down Under* King William Road Stage Start, the Unley Gourmet Gala is a community event that showcases the City of Unley as one of our premier main street precincts to a local, national and international audience. Association with a world-class sporting event such as the *Tour Down Under* enhances the City of Unley's reputation, the theme of which resonates strongly with the Council's strategies of promoting alternative forms of transport, and encouraging an active and healthy community. Each year these events further boost the identity of King William Road and provide the precinct with long-term benefits from significant exposure, as well as celebrate the enviable lifestyle offered by our City.

Having recently been staged for the 18th year, the Unley Gourmet Gala and *Tour Down Under* Stage Start were once again a resounding success, with approximately 20,000 people in attendance, and a record number of local businesses involved. The independent patron market research undertaken at the Unley Gourmet Gala showed that the attendees of the event were very satisfied, giving the event an overall rating of 8.5 out of 10, with 85% of respondents indicating that they would be likely to return in 2019.

A low response rate (25%) to the post-event survey that was sent to event stallholders, participants and King William Road businesses has made this data hard to analyse, however many of those who did respond reported a loss of trade and dissatisfaction with the length of the road closure. Higher satisfaction was reported in relation to communication with traders prior to the event, litter collection / street cleaning, event security / traffic marshals, event staff and the general promotion of the event. Of the businesses who responded to the survey, their average overall satisfaction rating was 3.7 out of 5.

Following Council endorsement at the meeting on 11 December 2017, an expression of interest has been submitted to Events SA to again host an event in 2019.

We are awaiting notification from Events SA regarding our expression of interest and will advise Council as soon as we have been notified. Advice from Events SA indicates that Council will be notified by the end of May 2018 in relation to gaining a Stage Start or Finish at the 2019 *Tour Down Under*. An allocation of \$273K for both the Unley Gourmet Gala and *Tour Down Under* Stage Start has been provisioned as part of the proposed 2018/19 Annual Budget.

2. RECOMMENDATION

That:

1. The report be received and the feedback presented relating to both events be noted.
2. The undertaking of the 2019 Unley Gourmet Gala and *Tour Down Under* Stage Start or Finish be endorsed, pending confirmation from Events SA that our expression of interest has been successful and inclusion in the endorsed 2018/19 Budget.

3. RELEVANT CORE STRATEGIES/POLICIES

City of Unley 4 Year Delivery Plan

Community Living:

- 1.2a Provide an exciting range of arts, cultural experiences and events.

4. DISCUSSION

Event History and Overview

The Unley Gourmet Gala is Council's annual signature event, held on the eve of our *Tour Down Under* Stage Start since January 2000. The Unley Gourmet Gala and *Tour Down Under* Stage Start attracts crowds in excess of 20,000 people to King William Road, including visitors to the City from throughout Greater Adelaide, interstate, and overseas, injecting \$750K into the local economy, with a multiplier effect on the economy of three times Council's investment.

The *Tour Down Under* provides a strong theme for the Unley Gourmet Gala, with the event benefiting from an expanded awareness and patronage as a result of its association. Events SA has once again expressed their appreciation for the professionalism with which both the Unley Gourmet Gala and *Tour Down Under* Stage Start in Unley have consistently been delivered.

The Unley Gourmet Gala has become an eagerly anticipated event on the South Australian calendar, both in its own right, and as part of the *Tour Down Under* schedule. South Australians and visitors to the City of Unley, as well as our local community, have come to expect an event that provides an exciting and energetic atmosphere, and celebrates and showcases the vibrancy and cosmopolitan lifestyle offered by the City of Unley. The Unley Gourmet Gala is the longest running Associated Event of the *Tour Down Under* and is a key part of the Festival of Cycling offering.

Following Council endorsement at the meeting on 11 December 2017, an expression of interest has been submitted to Events SA to again host an event in 2019.

2018 Event Summary

Unley Gourmet Gala

The 2018 Unley Gourmet Gala event recorded the following notable achievements:

- New event theme that incorporated the 20th anniversary milestone of the *Tour Down Under* and the 18th year of hosting Unley Gourmet Gala (and the year 2018), with a fresh new event design that was carried throughout the event site.
- A total of 26 businesses extended trading hours to trade during the event (compared to 12 in 2017), following extensive pre-event engagement.
- A total of 12 sponsors was finalised in very tight sponsorship market conditions. Of those, four were new sponsors and eight were previous sponsors. The total cash sponsorship for 2018 was \$47,917 ex GST and in-kind sponsorship was \$6,900, excluding GST.
- Very high levels of satisfaction from event sponsors, with all sponsors reporting their expectations were either met or exceeded. The average rating was 4.8 out of 5 across all of the event attributes.
- Participation from 15 businesses from the wider City of Unley area (in addition to 55 King William Traders who participated).
- Ten businesses participated in the fashion parade component, comprising three City of Unley fashion providers and 7 King William Road traders, therefore showcasing our City's retail offering.
- Trialling changes to some elements of the street layout and site planning design, including trader 'pods' in the middle of the road and side street pop up stages relocated to King William Road to improve crowd flow, and maximising the shady awnings of the buildings.
- New trader registration form to simplify the registration process.
- Increased roving entertainment and 'busking pop up' music performances.
- Trial of new event start time of an hour later than previously, commencing at 5pm (previously the event commenced at 4pm).
- Increased seating and tables throughout the event site and additional lighting at night to improve visibility.
- Improved risk management practices at all entry points to comply with SAPOL requests for public safety measures in crowded places.

Independent market research conducted at the event also revealed that:

- \$750k was injected into the local economy as a result of the event, with an average spend of \$37.74 per head.
- 85% of survey respondents indicated that they intend on returning to the event in 2019, and 87% indicated that they were likely to revisit King William Road within the next three months.

Tour Down Under Stage Start

Based on reports, our Stage 2 Start was well received by many traders on King William Road who welcome this prestigious, international event to the precinct. Based on crowd estimates, approximately 7,000 people attended the Stage Start to cheer on the riders as they commenced Stage 2 of the *Tour Down Under*. Additionally, according to market research provided by Events SA, the overall 2018 *Tour Down Under* had its most successful year to date with a record 810,000 spectators along the race route with 46,000 of those visitors who travelled from around Australia and the world to attend the event. The total economic impact was \$63.7 million injected into the local South Australian economy. The total stage attendance at Stage 2 in 2018 was approximately 121,952, representing an increase of 21.9% for Stage 2 compared to the 2017 event.

Summary of 2018 Event Attendee Feedback

Truscott Research was engaged to survey attendees on the evening of the Unley Gourmet Gala, with a total of 206 attendees surveyed between 6pm and 9pm. The full report is attached. The feedback received at the 2018 event is comparable to the 2017 event, with an additional 31 people surveyed this year.

Attachment 1

The feedback from attendees was overwhelmingly positive, a summary of the findings are outlined below:

- Attendees fell into three equally sized groups:
 - First time attendees 31%
 - Attended once, twice or three times before 36%
 - Attended on at least four previous occasions 33%
- 85% believe they will attend the event again in 2019.
- 87% stated they were likely to revisit the King William Road precinct in the next three months. Most of these (62% of all respondents) categorised themselves as very likely to revisit the precinct.
- Respondents were asked to estimate how much they had spent in the Unley Council area as a result of attending the Unley Gourmet Gala, with an average amount of \$37.74 per head calculated.
- When asked to indicate their level of satisfaction with the Unley Gourmet Gala, using a scale of 0 to 10, where 10 means extremely satisfied, and 0 means not at all satisfied, respondents on average gave a rating of 8.5.
- 57% of respondents named food and wine as the aspect of the event they most enjoyed, followed by 26% who enjoyed the entertainment.

- Respondents were also asked to say what elements of the event they consider needs to be improved. While 26% of attendees said they couldn't think of anything, 38% suggested seating/tables, and 20% suggested shade provision.

Summary of 2018 King William Road Businesses and Participant Feedback

Greenhill Research & Planning were engaged to survey all event participants, stallholders, and businesses on King William Road, following the completion of both the Unley Gourmet Gala and *Tour Down Under*. The survey was initially sent by email and those that did not respond after a period of one week were contacted by phone and an interview was completed where possible. Of the 218 businesses and participants contacted, only 56 responses were received (38 King William Road traders, 13 temporary stallholders and 5 sponsors). The full report is attached.

Attachment 2

A summary of the findings is outlined below:

- Of the 38 King William Road traders who responded to the survey, 66% (25 businesses) participated in the event in some way, with the food and beverage businesses most likely to participate. 34% (13 businesses) of respondents did not participate in the event.
- The respondents were more likely to express satisfaction in regard to the operational elements of the event including communication with traders prior to the event, litter collection, security/marshals and event staff. They were less satisfied with the attendance numbers, and entertainment/activities associated with the event.
- 21% of the responding businesses reported an increase in turnover during the event, with a similar proportion (19%) reporting a decline.
- The food and beverage businesses are most likely to experience an increase in turnover as a result of the Unley Gourmet Gala. The average reported increase was \$2,180-\$2,900, while the average decline, where applicable, was \$2,070.
- The majority of the stallholders at the Unley Gourmet Gala (61%) stated that turnover at the event was between \$2,000 and \$3,000 and average staffing was 24.2 hours per temporary stall.
- Traders generally were likely to identify benefits for the precinct with 75% identifying increased awareness (74%) and positive imagery / branding (66%) as a result of Unley Gourmet Gala and the Stage Start of the *Tour Down Under*.
- The Stage 2 Start of the *Tour Down Under* resulted in no change in turnover for just over half (55%) of businesses surveyed (20 businesses), with 3% of the businesses reporting an increase and 24% reported a decrease. The average increase in turnover, where reported, was \$2,000. The average reported decrease was \$1,610.

An additional survey was undertaken post-event by the King William Road Traders Association to gain the views of 48 businesses on King William Road in relation to the event.

This report has not been validated through a survey process, but does provide additional views of local traders on the event. The survey report is attached and key results were as follows.

- 79% of the businesses surveyed answered 'Yes' to wanting the Unley Gourmet Gala to continue to be held on King William Road.
- Five businesses answered 'not sure' and stated that they can see the benefit for the street but were not sure if they want it to continue due to the impact of the event on their business.
- 100% Health and Beauty businesses surveyed answered 'Yes' to wanting the Unley Gourmet Gala to continue to be held on King William Road.
- When asked "did your business experience economic benefit from in results from the event" 50% of the respondents reported that they did experience economic benefit, either on the night or post event.
- 35% of the businesses who answered 'No' or 'Not Sure' about receiving economic benefit stated that they could see value for the community and for King William Road.

Attachment 3

A letter has been provided by the King William Road Traders Association indicating their support for the Unley Gourmet Gala and *Tour Down Under* Stage Start in 2019.

Attachment 4

City Profile

One of the key objectives of hosting the Unley Gourmet Gala and *Tour Down Under* Stage Start is to showcase the City of Unley as a desirable place to live, work and play. Both events attract significant media attention and help to raise the City's profile to a local, national and international audience.

An analysis of media coverage mentioning 'Unley Gourmet Gala' produced in the 129 days between 1 October 2016 and 7 February 2017, found 100 related news items (up from 69 in 2017). This coverage reached a cumulative audience of 9,412,448. Newspapers continued to have the highest advertising space rate of \$320,853, while on-line news in 2018 grew to 33 news items (up from 11 in 2017). The full Communications Report is attached.

Attachment 5

2019 Stage Start Outcome

As per the Council resolution of 11 December 2017, an expression of interest has been lodged with Events SA to host either a Stage Start or Finish in 2019. We are awaiting confirmation from Events SA and will advise Council as soon as we have been notified.

2019 Road Closures

In order to stage the Unley Gourmet Gala and the *Tour Down Under* Stage Start, several road closures will be required and these will be presented to Council for endorsement later in 2018.

Future of Unley Gourmet Gala and *Tour Down Under*

A review of the event, including an options paper scoping future (post 2019) locations will be conducted in 2018, with findings presented to Council.

5. ANALYSIS OF OPTIONS

Option 1 – The feedback presented relating to both events be noted and the undertaking of the 2019 Unley Gourmet Gala and *Tour Down Under* Stage Start or Finish be endorsed, pending confirmation from Events SA that our expression of interest has been successful and inclusion in the endorsed 2018/19 Budget.

This option provides Council with the opportunity to consider the feedback on both events. It also provides the City of Unley the opportunity to continue to grow and improve this much-loved free community event, which contributes significantly to the local economy by creating opportunities for local businesses to showcase their products and services to an audience of approximately 20,000 people. This would also provide an opportunity for Council to showcase the planned re-development and build momentum and support for these works. \$273K has been allocated as part of the Draft 2018/19 Annual Business Plan and Budget.

Option 2 – The feedback received in relation to both events be noted. Pending confirmation from Events SA, the undertaking of the 2019 *Tour Down Under* Stage Start be endorsed but the Unley Gourmet Gala does not proceed.

Failure to stage the Unley Gourmet Gala would result in the loss of approximately \$750K being injected in to the local economy, a loss of vibrancy in one of our premier main street precincts and failure to deliver the positive community outcomes created by this popular community event. It may also result in community backlash from both residents and business owners who benefit from these events resulting in reputational risk.

This option would result in savings (\$184K) and would be favourable with a portion of business owners and residents on King William Road who have objections with the length of the road closure required to stage both events. The cost of the *Tour Down Under* Stage Start would be approximately \$89K (including internal staff costs) which has been allocated as part of the Draft 2018/19 Annual Budget.

Option 3 – Neither the Unley Gourmet Gala nor the *Tour Down Under* Stage Start proceed in 2019.

Failure to stage both the Unley Gourmet Gala and *Tour Down Under* Stage Start would result in loss of social capital and brand awareness built around 18 years of hosting these events, loss of efficiencies resulting from experience in staging these events, failure to capitalise on the opportunity to promote the City of Unley on an international scale, community backlash and reputational risk and loss of a potential \$750K injected in to the local economy.

This option would result in significant savings (\$273K) and would be favourable with a portion of business owners and residents on King William Road who have objections with the closure of King William Road for the purpose of staging events.

6. **RECOMMENDED OPTION**

Option 1 is the recommended option.

7. **POLICY IMPLICATIONS**

7.1 **Financial/Budget**

Funding for the 2019 Unley Gourmet Gala and *Tour Down Under Stage* Start is to be considered as part of the 2018/19 Operating Projects budget as follows:

Total Expenditure	\$343,000
<ul style="list-style-type: none"> Total external event costs \$327K Internal staff costs \$16K 	
Total Projected Income (event will be scaled accordingly relevant to actual income achieved)	\$70,000
<ul style="list-style-type: none"> Event income \$20K (including stallholder fees, other revenue sources) Cash sponsorship \$50K 	
NET Estimated cost to Council	\$273,000

8. **REPORT CONSULTATION**

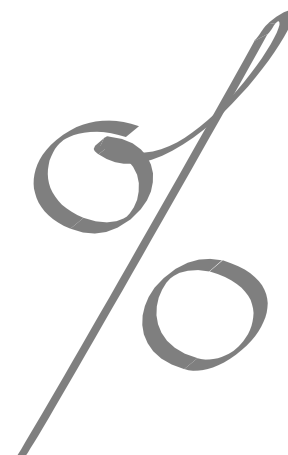
<u>Internal Consultation</u>	
Erin Thompson	Communications Officer
Akarra Klingberg	Coordinator Business & Economic Development
Satyen Gandhi	Manager Transportation and Traffic

9. **ATTACHMENTS**

- Attachment 1 – Unley Gourmet Gala Attendee Survey Report.
- Attachment 2 – King William Road Business and Stallholder Survey Report.
- Attachment 3 – King William Road Trader Association Trader Survey.
- Attachment 4 – Letter of support from King William Road Traders Association.
- Attachment 5 – 2018 Unley Gourmet Gala Communications Report.

10. **REPORT AUTHORISERS**

<u>Name</u>	<u>Title</u>
Rebecca Cox	Team Leader, Community & Cultural Development
Mandy Smith	Manager Community Development & Wellbeing
Megan Berghuis	General Manager City Services
Peter Tsokas	Chief Executive Officer



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UNLEY GOURMET GALA 2018

ATTENDEE SURVEY

RESEARCH REPORT

January 2018

N&M T Pty Ltd
ACN 082 514 967 atf
N&M Truscott Trust t/a
TRUSCOTT RESEARCH

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INTRODUCTION

The City of Unley has run the Unley Gourmet Gala in association with the Tour Down Under for a number of years and attendees have been surveyed at each event since 2011.

This report documents the findings of the survey held at the event on 16 January 2018.

A total of 206 attendees were surveyed between 6:00 and 9:00 pm.

Truscott Research's role in this exercise has been to produce a questionnaire, brief the acting talent who conducted the interviews and then analyse and report on results.

It should be noted that the questionnaire in 2017 and 2018 was less detailed than in previous years in order to lessen any intrusion on respondents' enjoyment of the event. Hence it is not fully comparable with previous surveys.

Disclaimer

While Truscott Research has prepared this report following instructions from the City of Unley and has taken every care in analysing and reporting the data, Truscott Research does not provide, warrant or represent that the information provided is accurate or comprehensive. In particular, as the data collection/interviewing was carried out by a third party engaged by the City of Unley, Truscott Research cannot vouch for this element of the exercise.

EXECUTIVE SUMMARY

- Attendees fell into three equally sized groups:
 - first time attendees [31%];
 - Attended once, twice or three times before [36%];
 - Attended on at least 4 previous occasions [33%].
- 85% believe they **will attend the event again** in 2019.
- Triggers to attend were said to be **food and wine with friends** [51%] and **free event – something to do** [29%].
- 87% pronouncing themselves **likely** to **revisit the King William Road precinct** in the next 3 months. Most of these - 62% of all respondents – categorised themselves as **very likely** to revisit the precinct.
- The main sources of awareness for this year's event were ...

■ Word of mouth	39%
■ Social media	26%
■ Street signs/banners/posters	24%
- Respondents were asked to estimate how much they had spent in the Unley council area as a result of attending the Unley Gourmet Gala. An average amount of **\$37.74** per head was calculated.
- When asked to indicate their **level of satisfaction** with the Unley Gourmet Gala, using a scale of 0 to 10 where 10 means extremely satisfied and 0 means not at all satisfied, respondents on average, gave a rating of **8.5**.
- **Food and wine** was the aspect of the event people most often said they enjoyed about the event, being specified by 57%. Also significant was **good entertainment** [26%].
- Respondents were also asked to say what elements of the event they consider need to be improved. Major responses were **seating / tables** and **shade provision** [38% and 20% respectively].

COMMENTARY

Attendee profile

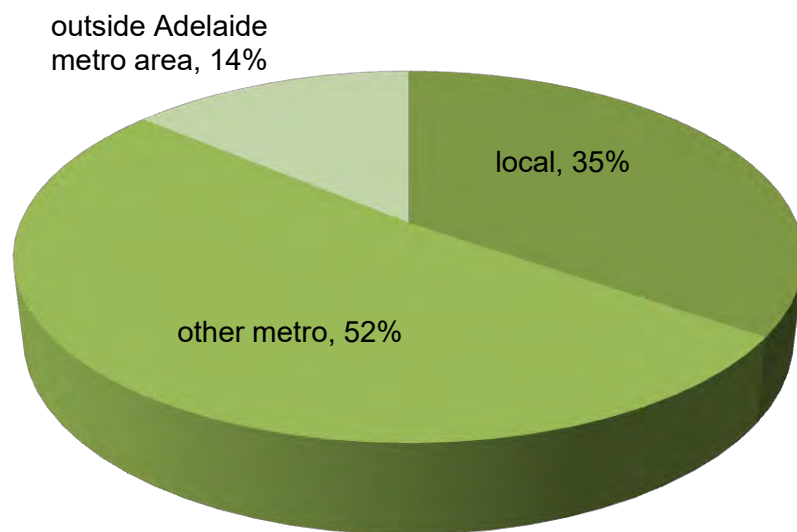
The following table shows the gender balance and age profile of the sample. Both of these were close to the pattern recorded previously.

GENDER	
Females	62%
Males	38%
AGE GROUP	
Under 20 years	6%
20-29 years	18%
30-39 years	21%
40-49 years	19%
50-59 years	17%
60-69 years	13%
70 + years	5%
Refused	0%

Respondent postcodes were recorded. We have grouped them into local [postcodes wholly or partly in the Unley council area – 5034, 5035, 5061, 5063, 5064] the balance of the metro area [postcode range 5000 to 5194] and others [country SA, interstate and overseas].

As shown below, one third [35%] of all attendees were locals with other metro residents making up most of the rest of the sample [52%].

Country SA residents and visitors from interstates and overseas accounted for 14% of the sample.



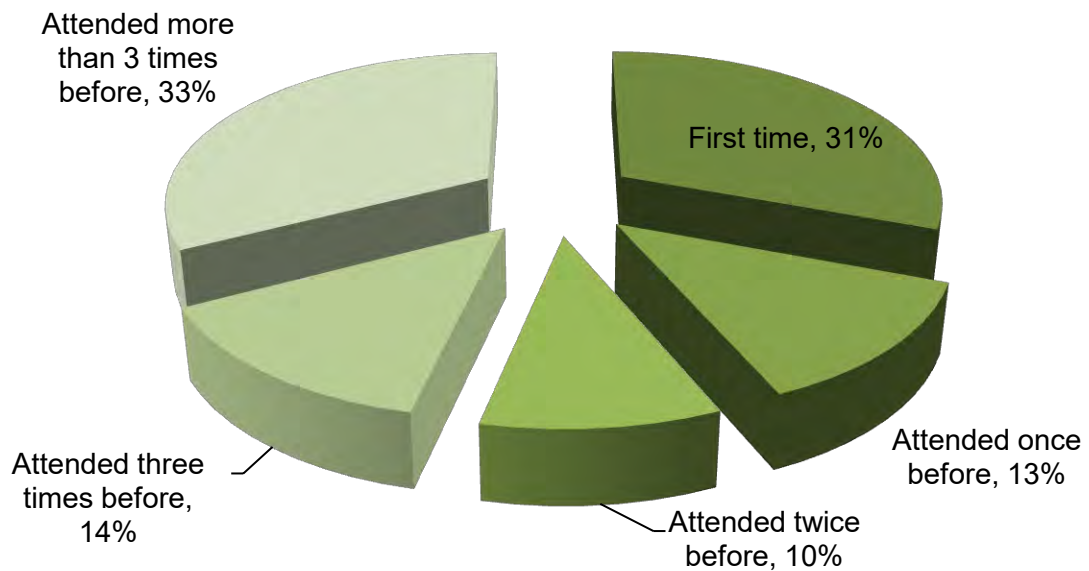
This excludes the 6 attendees who declined to give their place of residence.

When this data is compared with previous years, it emerges that the response pattern was similar to earlier years in terms of the percentage coming from outside the Unley Council area [65% compared with 63% in 2016 and 64% in 2015]. 2017 was different [51% from outside the Unley Council area].

Past attendance and intended future attendance

As shown below, one third [31%] of the sample reported that this was their **first time** at the Unley Gourmet Gala.

An identical proportion [33%] said they had attended **more than three times** previously.



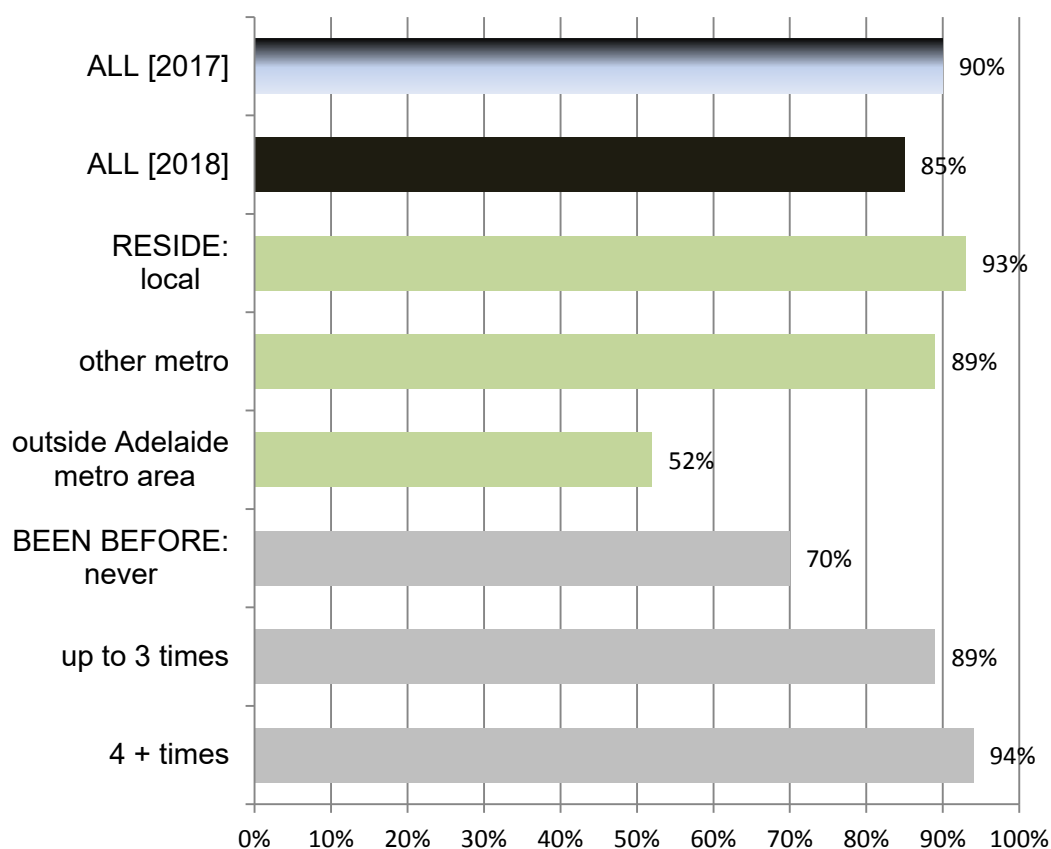
This distribution was almost identical to 2017.

Respondents were also asked to indicate whether they think they will return to the event in 2019.

The response to this question was overwhelmingly positive with 85% saying **yes**, only 5% saying **no** and all of the remaining 10% giving a **not sure** response.

Further analysis showed the **yes** response was around 85% for all subgroups except those living outside Adelaide metro area [52%] and first time attendees [70%].

The response was even more positive in 2017 [90% yes].

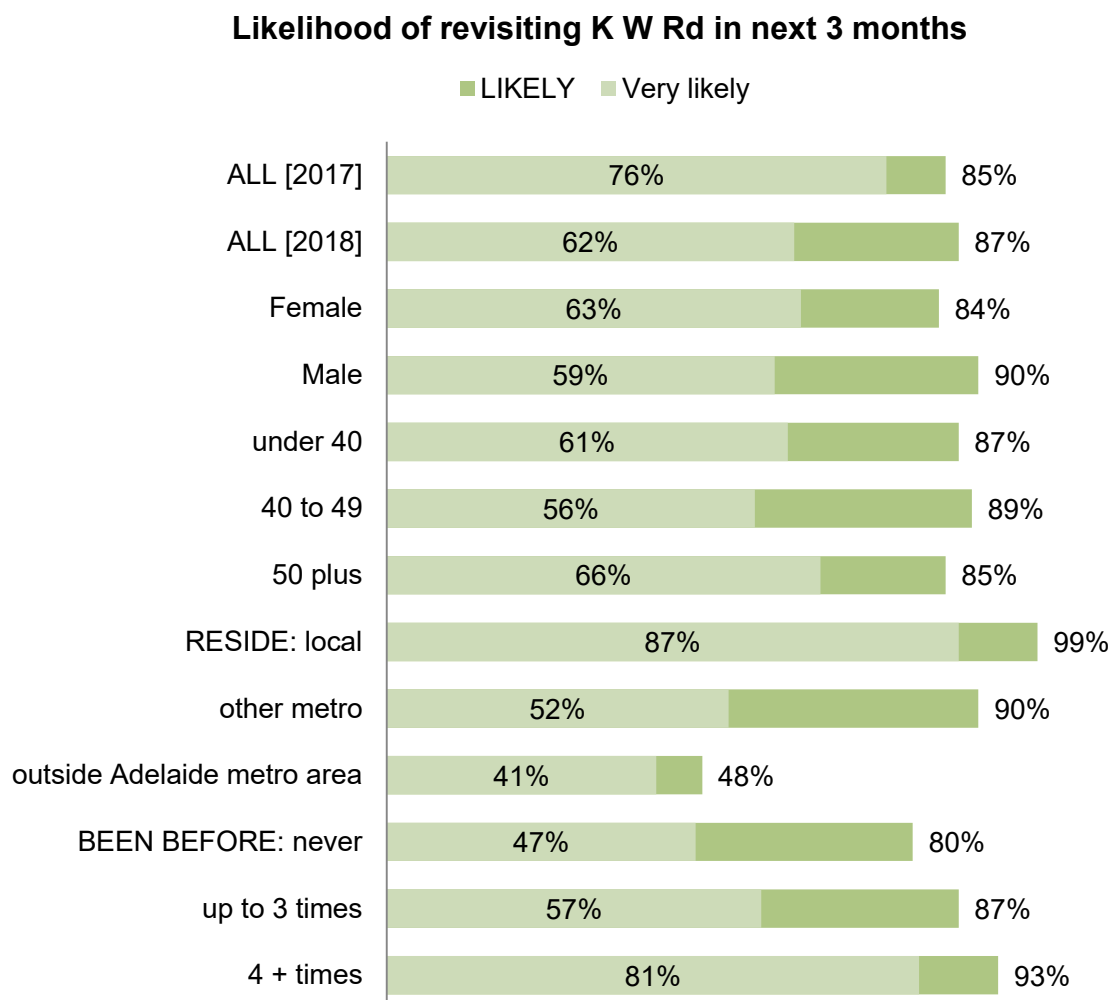



Another question explored respondents' likelihood of revisiting the King William Road precinct in the next 3 months. The response was generally positive with 87% pronouncing themselves **likely** to do so. Most of these - 62% of all respondents – categorised themselves as **very likely** to revisit the precinct.

As shown in the accompanying chart, female attendees were slightly less positive than males.

Not surprisingly, the subgroups showing most variation were locals [99% likely to revisit, 87% very likely], other metro residents [90% likely to revisit, 52% very likely] and visitors from outside the metro area [48% likely to revisit, 41% very likely].

It is also worth noting that 93% of those who have attended the event more than 3 times previously indicated that they were **very likely** to revisit the precinct.





It should be noted that the **very likely** revisitation figure of 62% is similar to levels recorded prior to 2017 [for example, 58% was recorded in 2016]. The 76% **very likely** revisitation figure to some extent reflects the higher proportion of local residents interviewed in 2017.

Sources of awareness and motivating factors

The main information source cited was **word of mouth** [39%].

Also significant were **social media** [26%] and **street signs/banners/posters** [24%].

A full list of responses appears below.

Where have you seen or heard this year's Unley Gourmet Gala advertised?

Word of mouth	39%
Social media	26%
Street signs/banners/posters	24%
TDU website	10%
Messenger press	6%
Other press	5%
TV	4%
Radio	3%
Flyer in my letterbox	3%
Council website	2%
Other	9%
Don't recall	1%

53% of first time attendees cited **word of mouth**.

Word of mouth and **street signs/banners/posters** were equally important among locals [each 39%].

This replaces a similar question. Results are not comparable.

A further question asked respondents why they decided to attend the Unley Gourmet Gala.

The top response was **food and wine with friends** [given by 51%].

Also popular were **free event – something to do** [29%] and **local event** [23%].

A full listing is tabled below. The response pattern was similar to 2017.

Why did you decide to attend the Unley Gourmet Gala?	
Food and wine with friends	51%
Free event – something to do	29%
Local event	23%
Enjoyed it before	19%
Good entertainment	15%
Like to see cycling	8%
Safe family event	7%
Other	5%

Expenditure

Respondents were asked to estimate how much they had spent in the Unley council area as a result of attending the Unley Gourmet Gala.

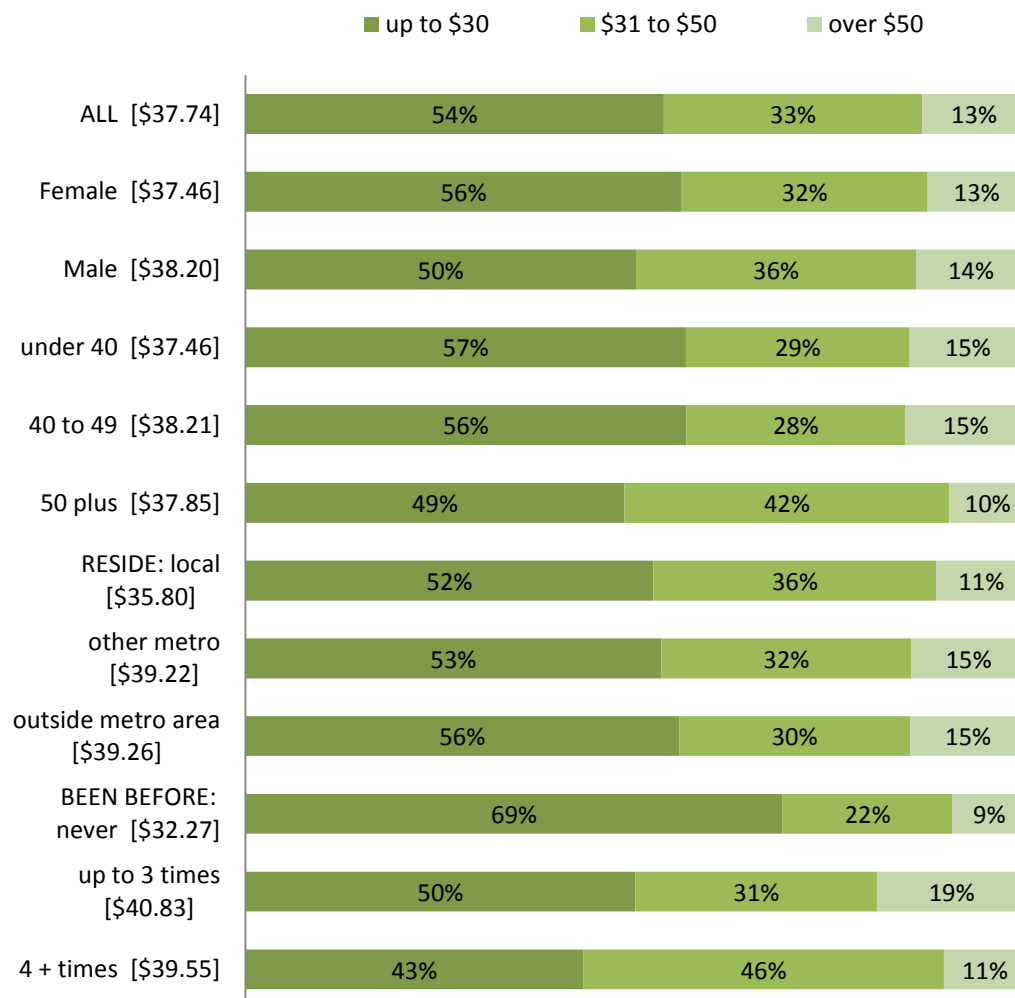
They were asked to provide a per head figure.


Amounts ranging up to \$120 were given and an average amount of \$37.74 was calculated.

As illustrated below, slightly more than half of respondents nominated amounts of up to \$30.

Locals and first time attendees tended to spend less than other subgroups.

Expenditure per head [average in brackets]





These expenditure estimates are in line with those reported prior to 2017, when the question was more detailed and related to party size. The per person estimate for 2017 was substantially higher [\$51.79].

Satisfaction rating

Respondents were also asked to indicate their level of satisfaction with the Unley Gourmet Gala, using a scale of 0 to 10, where 10 means extremely satisfied and 0 means not at all satisfied.

On average, the rating was **8.5** out of a maximum of 10 – as in 2017

28% gave a rating of 8 out of 10 and this was the most frequently chosen rating.

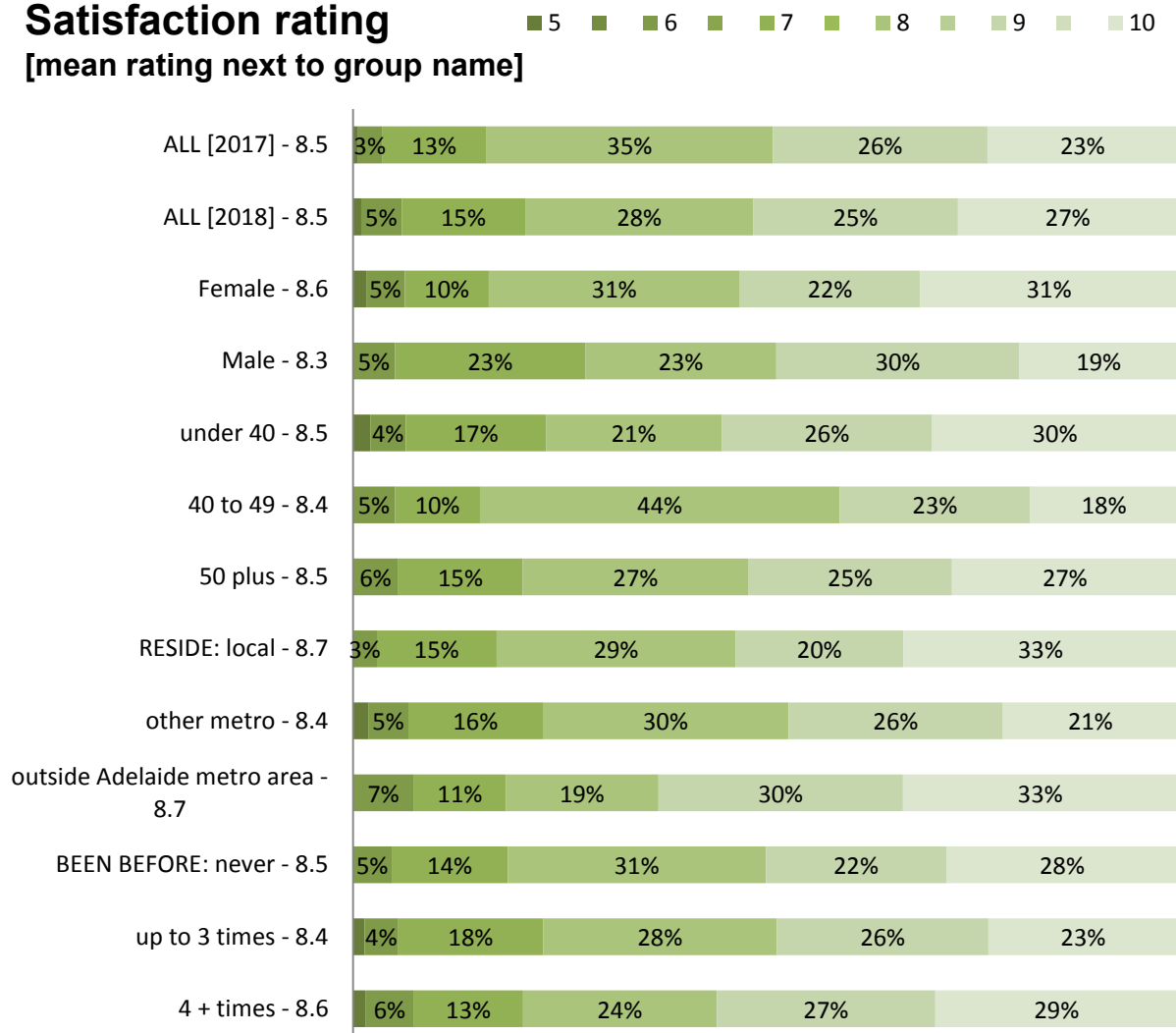
However, half of the sample gave a higher rating – either a 9 out of 10 [25%] or 10 out of 10 [27%].

Of those giving a lower rating, most gave a rating of 7 out of 10 [15%] with only 6% lower than 7 out of 10.

Females tended to give higher ratings than males. The subgroup of metro residents from outside the Unley Council area gave lower ratings.

Satisfaction rating

[mean rating next to group name]



Aspects most enjoyed

Food and wine was the aspect of the event people most often said they enjoyed about the event, being specified by 57%.

Good entertainment was another major response [26%].

These major responses were broadly in line with 2017.

Free event – something to do was mentioned by 16%.

Good for families/children was selected by 13% overall, rising to 36% among people aged in their 40s.

Local event also reached double figures [12%].

What did you most enjoy about the Unley Gourmet Gala?

Food and wine	57%
Good entertainment	26%
Free event – something to do	16%
Good for families / children	13%
Local event	12%
Fashion parades, cooking demonstrations	8%
Atmosphere [from 'other']	4%
Like to see cycling	1%
Other [residual]	5%

Suggested improvements

To balance the previous question, respondents were asked to say what elements of the event they consider need to be improved.

Three quarters [74%] of the sample were able to suggest anything.

This is a major increase on 2017 and is mainly reflected in much larger responses for

- **Seating / tables** 38% [13% in 2017]
- **Shade provision** 20% [8% in 2017]

There were comments about chairs breaking or being unstable.

Shade was a concern because of high temperatures.

The only other aspects to attract a significant response were **entertainment** and **parking** [14% and 9% respectively].

What elements need to be improved?

Seating / tables	38%
Shade provision	20%
Parking	14%
Entertainment – more, different etc.	9%
Variety of food / drink	4%
Cycling/TDU related	3%
Lay out / congestion *	3%
Value for money	2%
More shops open *	2%
ATMs not working/lack of EFTPOS *	2%
Other [residual – ~1% each]	7%
Can't think of anything	26%

* coded from “other” category

Additional comments

Respondents were invited to comment on anything not included in the event that they would like to see in future years. 38% of the sample availed themselves of this opportunity, including 49% of local residents, 36% of other metro residents and 19% of those from outside Adelaide.

Comments focussed on five main areas:

- **Cycling focus** [22 comments ~ 10% of all respondents]
- **Entertainment** [17]
- **Children's entertainment/activities** [11]
- **Food and beverage provision** [10]
- **Traders and stall holders** [5]

These comments are reproduced in full below.

■ **Cycling focus**

- *Appearances from former or current cyclists*
- *Bike parade*
- *Bring back cycling race*
- *Cycling*
- *Cyclist stalls and mentors maybe competitions to win free bike*
- *Like to see cycling*
- *Like to see more cycling related things*
- *Mini race*
- *More bicycle decor*
- *More bikes and TDU focus*
- *More cycling focus*
- *More cyclists*
- *Riders celebrities*
- *Screens with replay of days race*
- *Something about the bike race more info*
- *Appearance of bike riders or something to do with the race*
- *Cyclists*
- *More cycling*
- *More cycling related events*
- *More cycling related events / interactive games*
- *Bike safety heal the rift*
- *Mike Turtur and Father Xmas*



■ Entertainment

- *Actors and performers*
- *Circus acrobatics*
- *Jugglers, off road bike stunts*
- *Local Adelaide bands*
- *More modern music to suit teens*
- *Roving entertainment*
- *Dancing*
- *Different kinds of entertainment not music*
- *Flashmob*
- *Glitter station. Henna station*
- *More dance and*
- *More diversity of cultures and more live music*
- *More events*
- *More of a band variety or different places for different music*
- *More roving performance*
- *More roving performers*
- *Variety of entertainment*

■ Children's entertainment/activities

- *Kids race track*
- *Treasure event*
- *Bigger kids area,*
- *Kids food*
- *More and quality kids program*
- *More space / kids area*
- *More stuff for kids 8 to 14*
- *More variety, relax it, more for children*
- *Represented cycling more*
- *Something for teenagers like come and try skills. More informal performance. Street performance*
- *Face painting*



■ Food and beverage provision

- *Free chocolates*
- *More food*
- *Paella*
- *Bigger wine glasses*
- *Bio cups for water*
- *Free wine*
- *More Asian food*
- *More food stalls*
- *Variety of food*
- *Easier access to wine stalls*

■ Traders and stall holders

- *As long as traders on the street are represented is a good thing*
- *More arts and craft market type stalls*
- *More diversity in stalls*
- *Broader range of traders (not local)*
- *More opportunities for market stall owners*

■ Other miscellaneous comments

- *Fans, mist, cooling device*
- *Free puppy petting*
- *Information*
- *Involve with fringe*
- *Schedule*
- *Lots of water stations*
- *Mist tent*
- *Lazy boy chairs, chill spots*
- *Wine barrels for standing at*
- *Putting green*
- *More tables and seating*

2018 Unley Gourmet Gala Survey of King William Road Traders, Stallholders and Event Sponsors

Final Report

Submitted to:

City of Unley

By:

Greenhill Research and Planning

13th February 2018



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Disclaimer:

This report has been prepared by Greenhill Research and Planning on the basis of instructions provided by the City of Unley and data collection undertaken by Greenhill Research and Planning. While every care has been taken in collecting, analysing and preparing the information presented in this report Greenhill Research and Planning does not provide, warrant or represent that the data is accurate or comprehensive.

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1. Introduction

This report presents the results of surveys of King William Road traders, temporary stall holders and event sponsors for the 2018 Unley Gourmet Gala. The surveys were conducted to determine the impact of the 2018 Unley Gourmet Gala and the Stage 2 start of the Santos Tour Down Under on these stakeholders.

The 2018 Unley Gourmet Gala event was held on the 16th January 2018 between 5 pm and 10 pm and was conducted in association with the Stage 2 start of the Santos Tour Down Under (TDU) on the 17th January 2018.

The Unley Gourmet Gala attracts around 20,000 patrons and confers a range of benefits to the King William Road and the broader Unley local government area. The objectives for the event are to:

- Stimulate the local economy by providing an opportunity for Unley businesses to generate income at the event;
- Raise the profile of the City of Unley to visitors from Greater Adelaide as well as visitors from interstate;
- Enhance the City's reputation as a great place to shop, live, work and do business;
- Encourage return visitation;
- Deliver an event for the local community to enjoy;
- Provide an opportunity for residents and visitors to gather and enjoy one of the City's premier main-street precincts.

Specific information requirements for the evaluation related to:

- Satisfaction with event processes;
- Involvement and commitment to the event;
- Impact on trade.

The traders, stall holders and sponsors were initially contacted by email and invited to complete an online survey questionnaire.

Those that did not respond online after a period of one week were subsequently followed by phone and an interview was completed by phone where possible.

Responses were received from 38 King William Road traders, 13 temporary stall holders and 5 sponsors.

The survey questionnaires are attached as Appendix A.

2. Summary

The sample of King William Road traders consisted primarily of food service businesses (21) or retail businesses (9) which were mainly selling fashion, accessories and homewares.

The majority of the King William Road businesses surveyed (66%) stated that they had participated in the Unley Gourmet Gala in some way (76% of the food service businesses and 67% of the retailers).

Most of the food service businesses surveyed (88%) had set up a trading stall outside their permanent business.

When asked to rate their satisfaction with the event on a scale of 1 to 5 with 1 – ‘Very dissatisfied’ and 5 ‘Very satisfied’ the average ratings ranged from a high of 4.0 for ‘Communication with traders prior to the event’ to a low of 3.3 for ‘Attendance numbers at the event’. The entertainment and activities associated with the event also attracted lower average ratings at 3.5.

The positioning of stalls in the middle of the street caused some dissatisfaction for traders and stallholders and there were comments suggesting the lighting on the street was not adequate in places.

In most cases (45%) the King William Road traders reported that turnover on the day was about the same as normal.

One quarter (24%) of the food service businesses reported higher turnover and 10% reported weaker demand while 14% did not open.

One fifth (22%) of the retail businesses reported an increase while 44% reported a loss.

Food service businesses used an additional 12.1 staff hours to service the event while retail businesses used an additional 3.9 hours, on average.

For the Stage 2 start of the Santos Tour Down Under the King William Road traders were most likely to report that turnover was about the same as a ‘normal’ trading day (55%).

Only a small proportion of traders (3%) reported an increase in trade while one quarter (24%) reported a decrease in turnover for the Stage 2 start of the TDU.

Food service businesses reported using an additional 2.6 staff hours, on average, to service the Stage 2 start of the TDU. The other traders did not use additional staff resources for the TDU.

The King William Road traders also perceived that the Unley Gourmet Gala and the Tour Down Under delivered other less tangible benefits for the precinct relating to increased awareness (74%) and positive imagery (66%).

3. Survey of King William Road Traders

3.1 Introduction

A survey of King William Road traders was conducted online with follow up by telephone. Responses were received from a total of 38 businesses.

The survey questionnaire is attached as Appendix A. The distribution of the sample by type of business and duration of operation on King William Road was as follows.

Table 3.1 Business Category by Duration of Trading on King William Road

	Length of time trading on King William Road			Total
	3 years or less	4 to 10 years	More than 10 years	
Retail – clothing /accessories		2	4	6
Retail – home-wares / gifts		1	2	3
Café / restaurant / hotel	12	5	4	21
Personal services		2	2	4
Professional services / other	1		3	4
Sample	13	10	15	38
	100%	100%	100%	100%

Cell count is the number of respondents.

The majority of the respondents represented food service businesses (21).

The majority had been trading on King William Road for 4 years or more (25).

3.2 Participation in the Unley Gourmet Gala

The respondents were asked whether they had participated in the Unley Gourmet Gala and, where applicable, how they had been involved.

Table 3.2 Respondent's Business Participated in the Unley Gourmet Gala

	Business type			All businesses
	Retail	Cafe / restaurant/ hotel	Other services	
Yes	67%	76%	38%	66%
No	33%	24%	63%	34%
Sample	9	21	8	38
	100%	100%	100%	100%

The majority of the food and beverage businesses surveyed (76%) had participated in the event in some way and two thirds of the retail establishments (67%).

Businesses that had been operating for 3 years or less were the most likely to participate (77%). (These were also more likely to be restaurant / café businesses).

The way in which they had participated in the event was as follows.

Table 3.3 Respondent's Participation in the Unley Gourmet Gala

	Business type			All businesses
	Retail	Cafe / restaurant/ hotel	Other services	
Opened for normal trading hours only		38%		24%
Opened for extended trading hours	100%	31%		44%
Set up trading stall		88%	33%	60%
Special sale / discounts	67%	44%		44%
Window display	67%	38%		40%
Ran special promotion	33%	44%	33%	40%
Conducted advertising with the event	67%	56%		52%
Invited regular customers to visit	67%	44%		44%
Sample	6	16	3	25
	100%	100%	100%	100%

Sample base – businesses that participated in the Unley Gourmet Gala.
Multiple Response.

The participating retail establishments in all cases stated that they had opened for extended trading hours. They also generally participated in the other aspects of promoting the event although none of the retail establishments had set up a trading stall.

The food service businesses were more likely to have set up a trading stall (88%) and to have conducted advertising in association with the event (56%).

Other ways in which the respondents had participated were:

- Participated in the fashion parade;
- Hosted VIP fashion parade in-store;
- Roaming activation team with a focus on social media;
- Taste testing on the street;
- Assist stallholders and media set ups.

Where the respondents had not participated in the Unley Gourmet Gala they were most likely to indicate that the event:

- Was not the right fit for my business (46% of those not participating);
- Did not deliver any perceived benefits for my business (38% of those not participating).

Other reasons for not being involved included the following:

- Too busy / Lack of time;
- Fees were too high – no return on investment.

3.3 Trader Satisfaction

The respondents were prompted with a set of event attributes and asked to provide a rating to indicate their level of satisfaction. A five point rating scale was used from 1 – Very dissatisfied to 5 – Very satisfied. Respondents who could not provide a rating for particular items were excluded from the calculation of the average rating for each item.

Table 3.4 Respondent's Satisfaction with the Unley Gourmet Gala – Average Rating

	Business type			All businesses
	Retail	Cafe / restaurant / hotel	Other services	
Communication with traders prior to the event	4.1	4.0	3.8	4.0
Litter collection / street cleaning	4.1	3.7	3.9	3.8
Event security / traffic marshals	3.9	3.8	3.9	3.8
Event staff	4.0	3.7	3.8	3.8
General promotion of the event	4.1	3.6	3.5	3.7
Overall rating	3.9	3.6	3.8	3.7
Management of the event	3.9	3.6	3.6	3.6
Overall decoration / theming of the event	3.9	3.5	3.8	3.6
Entertainment / activities associated with the event	4.0	3.4	3.3	3.5
Attendance numbers at the event	3.4	3.2	3.4	3.3

Sample base excludes missing values. Sample base varies between categories.

The satisfaction ratings were most positive for 'communication with traders prior to the event' (4.0), followed by 'litter collection / street cleaning' (3.8), 'event security / traffic marshals' (3.8) and 'event staff' (3.8).

The lowest average ratings were recorded for the attendance numbers (3.3) and the entertainment and activities associated with the event (3.5).

The retail businesses generally provided slightly higher average ratings although the differences in most cases were not great.

Comments provided by respondents in regard to their satisfaction ratings – where dissatisfied - included the following:

- Too many fees; improve the entertainment; the street had its hey-day, only busy near the end of King William Rd.
- I ordered a 10amp power and a light. I paid the tax invoice in the morning of the day but no equipment was delivered to my store. Tried to communicate with at least five

staff but didn't get much help. We had to trade in dark which made our customers hard to see what we have to offer. I also emailed management of the event and asked for a refund on the same day. However, nothing has come back to me so far.

- Theming looked beautiful in full day light but once the sun went down, there was limited lighting and some dark spots throughout the street.
- Issues with liquor licence was terrible last minute and I had similar issues last year - there was also issues with the stallholder stealing chairs and sitting at my tables and it got out of hand.
- Was disappointed with stalls in middle of road and completely different from original - trading into no one due to position - poor lighting could not see - nowhere for people to sit - trading time cut and thus reduce profitability - fees are getting too high to justify - don't like how there are pop up caterers - not about KW Rd but about making money.
- Invoice was late and was received day prior.
- In comparison with Prospect - large stage cooking demos which no one was interested in - then later on nothing happened – KW Rd lacked interest and atmosphere - at Prospect much more happening and much busier - at 6.30 there was no one was there - be lucky to have had 10 people there and the stage was totally wasted - really killed off the area - very flat atmosphere at KW Rd and not family friendly atmosphere - Prospect was far better - business wise Prospect is a better proposition.
- Could have done more advertising.
- Think it was eclectic theme – a bit all over the place.
- Having it later rather in the middle - bring it back to 20th January will get more people - no longer an exclusive event.
- Attendance way down from 20k - more like 5k - more budget for promotion find a consistent entertainment or celebrities.
- Didn't really communicate with other traders - tend to run as it fits your business.
- We have participated in the past but for the last two years we have lost money because attendance is down and we cannot see any advantage in even being open - it is not good.
- Numbers down effect the sales prospects and the parking is terrible - my customers can't get in.
- Felt mislead by the staff management concerning attendance numbers which touted 30,000 - certainly not.

3.4 Impact of Unley Gourmet Gala on Turnover and Staffing

The traders were asked to indicate the impact of the event on their turnover when compared to a 'normal' comparable trading day. The responses were as follows:

Table 3.5 Impact of the Unley Gourmet Gala on Turnover

	Business type			All businesses
	Retail	Cafe / restaurant / hotel	Other	
About the same	33%	48%	50%	45%
Increased slightly (up to 5%)	11%		13%	5%
Increased moderately (6 – 15%)	11%	5%		5%
Increased substantially (> 15%)		19%		11%
Decreased slightly (up to 5%)				
Decreased moderately (6 – 15%)		5%		3%
Decreased substantially (> 15%)	44%	5%	13%	16%
No opinion / can't say		5%	13%	5%
Did not open		14%	13%	11%
Sample	9	21	8	38
	100%	100%	100%	100%

In most cases (45%) the traders reported that their turnover on the day of the Unley Gourmet Gala was about the same as normal trading day.

One fifth of the responding businesses (21%) reported an increase in turnover while a similar proportion (19%) reported a decline. Food and beverage businesses were most likely to report a positive impact (24%).

The average increase in turnover, where applicable, was \$2,180 - \$2,900 for café / restaurants. The average decrease, where applicable, was \$2,070.

The traders were asked whether they had employed extra staff or employ existing staff for additional hours to support the event.

Table 3.6 Average Additional Staff Hours Employed

	Business type			All businesses
	Retail	Cafe / restaurant	Other	
Average number of additional staff hours	3.9	12.1	2.5	8.1
Sample	9	21	8	38

The food service traders employed an additional 12.1 staff hours, on average, to cater for the Unley Gourmet Gala compared to 3.9 hours by retail traders and 2.5 hours for other businesses on King William Rd.

3.5 Comments – Unley Gourmet Gala

Suggestion for improving the Unley Gourmet Gala were as follows:

General comments:

Good but you have to put a lot of effort in to achieve so really is about the same.

Not possible to profit is all about promotion for the business.

Helps everyone and gives a boost to the street.

KW Rd and council need to look at the big picture and see that this event is tired and should be looking to put improvement to area not waste money.

Much better parade this year compared to last year.

Very good way of keeping focus on KWR.

I think it has past its useful lifespan.

Good for area.

Good entertainment.

Layout / Amenities

Include extend street party one block down to include the 3 restaurants.

Please don't put the sign outside my store. It takes up 2 parking spots for the week & delivery trucks have a huge problem trying to pull in. Please put it on the other side of the BP.

Yes awning to assist on side road as sun was direct for 3/4 of the event which prevented people coming across.

Impacts on client parking - council uses our carpark to use as set up and rubbish left in carpark.

Very dark needs more lights and you couldn't see well and don't know if I want to do it again and did not get my ice and had to collect it.

Food variety would be a great and better lighting.

Management

Seems to improve yearly - changed bin collection day to next day which helped.

Needs to finish at 11 like the other street parties. Forcing people out at 10 is juvenile.

Trader feedback was asking for a later finish time to allow for extended trading.

I think that the council should be seeing this as a promotion and not a money making experience. Quality is dropping off and not getting value and cutting corners - middle of street stalls and should have been marquees and poor placement of stallholders facing nowhere.

Please look at a way of allowing closer access.

Stronger theme - few things out of place needs more structures - stick with what you are promoting – it's a gourmet gala focus on this.

Support Services

Do deliver the equipment that people ordered to them because they only rent it when they need it.

Promotion

More advertising - allow KWR traders promote through Council.

Cost of participation

There is no benefit to our business and the fees associated with the gala are ludicrous.

Other

Perhaps a drone would be able estimate attendance and great photos.

Next year have a specific menu and will do it differently.

Only a few types of business benefit from this type of event.

3.6 Impact of the Santos Tour Down Under on Turnover and Staffing

The traders were asked what impact the Stage 1 start of the Santos Tour Down Under had on their turnover and staffing levels.

Table 3.7 Impact of the Stage 2 Start of the Santos Tour Down Under

	Business type			All businesses
	Retail	Cafe / restaurant / hotel	Other	
About the same	56%	57%	50%	55%
Increased slightly (up to 5%)				
Increased moderately (6 – 15%)				
Increased substantially (> 15%)		5%		3%
Decreased slightly (up to 5%)		5%		3%
Decreased moderately (6 – 15%)	22%			5%
Decreased substantially (> 15%)	22%	10%	25%	16%
No opinion			13%	3%
Did not open		24%	13%	16%
Sample	9	21	8	38
	100%	100%	100%	100%

Only a small proportion of the businesses overall (3%) reported an increase in turnover as a result of the Stage 2 start of the Tour Down Under.

Of the food and beverage businesses that opened for the Stage start only one respondent reported an increase in turnover (6% of the food service businesses that opened).

The increase in turnover, where reported, was \$2,000. The average decrease was \$1,610. For the food and beverage and retail businesses the average loss was \$2,000.

The impact of the Tour Down Under on staffing was as follows.

Table 3.8 Impact of the Santos Tour Down Under on Staffing

	Business type			All businesses
	Retail	Cafe / restaurant	Other	
Average number of additional staff hours	Nil	2.6	Nil	1.5
Sample	17	21	8	37

Sample base excludes 'other' business type.

Only food and beverage traders employed additional staff to cater for the Tour Down Under Stage start – the average number of additional hours per business was 2.6.

3.7 Other Benefits

The traders were asked to specify any other benefits for their business as a result of the Unley Gourmet Gala and the Stage 2 start of the Santos Tour Down Under.

Table 3.9 Other Benefits for the Respondent's Business

	Business type			All businesses
	Retail	Cafe / restaurant	Other	
Increased awareness of the precinct	67%	76%	75%	74%
Positive imagery / branding for the precinct	67%	71%	50%	66%
Increased awareness of my business	33%	52%	0%	37%
Positive imagery branding for my business	22%	52%	13%	37%
Return trade	33%	33%	0%	26%
None of these	22%	10%	13%	13%
Sample	9	21	8	38
	100%	100%	100%	100%

The traders were generally likely to identify benefits for the precinct with three quarters identifying increased awareness (74%) and positive imagery / branding (66%).

3.8 Comments – Santos Tour Down Under

Comments regarding the Stage 2 start of the Santos Tour Down Under were as follows (although some of the comments also appear to relate to the Unley Gourmet Gala).

- Because of street closure we were unable to trade so we did not open - spoke with Chelsea - to make it a lunch destination with reward.
- Did very well overall - just more focus.
- Gives energy back to street - bit confusing about extra glasses - do we really need that.
- Good promotion for the area.
- increased lighting, better promotion - stop changing day its on - maintain value for money fee structure - better theming and lighting and better structure for stall holders.
- Is it necessary?
- It is as good as you can make - need to look for the right angle to make it work for your business - acknowledge lack of access and refocus business to the event itself. Maybe this could be part of the KWR traders assoc. and Unley Council - how to maximise strategies.
- It went very well.
- Marketing brochures were exceptional, well designed.
- Not necessarily good for trader but good for Adelaide and State.
- Raises awareness and does have a positive impact.
- Re-opening of the street as soon as possible, particularly the Park/Mitchell street end as riders leave towards the city.
- Revitalisation and awareness is good for KWR but overall it does not help me.
- Security were very aggressive when we were packing up and there was a lot of drinking and out of control.
- Start it down further where red door is. This is away from retail businesses.
- The event is a little dead.
- The gala and TDU are becoming less well attended and there are too many such events happening at the same time - poor timing really and it is not focussed on KWR - allows too many stalls which are not gourmet food - just takeaways.
- There is a boost for business and an advertising opportunity.
- Took a while to reopen street and only a few extra coffees in morning but really of no benefit.
- We do not have the same attendance at the city so not the same traffic.

4. Survey of Unley Gourmet Gala Stall Holders

4.1 Introduction

Businesses that operated temporary stalls at the 2017 Unley Gourmet Gala were surveyed online and by telephone with a total of 13 responses received. The sample does not include King William Road traders that erected a temporary stall in front of their premises. These individuals are captured as a component of the survey of King William Road traders.

All of the respondents had set up food and beverage stalls.

Seven (7) of the respondents had permanent business locations on Unley Road while six (6) were located elsewhere in the Unley local government area.

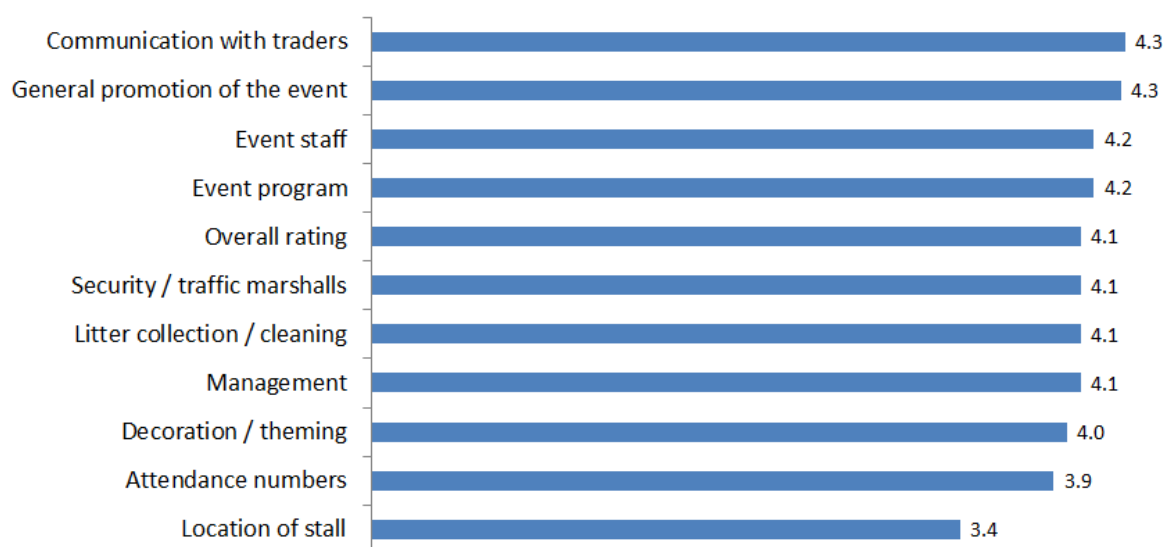
The survey questionnaire is attached at Appendix A.

4.2 Stall Holder Satisfaction

The stall holders were prompted with a set of performance attributes and were asked to provide a rating on a scale of 1 to 5 where 1 = Very dissatisfied and 5 = Very satisfied to indicate their level of satisfaction with the event.

The average ratings were as follows.

Figure 4.1 Stall Holder Satisfaction – Average Rating



The satisfaction ratings provided by the stall holders were generally favourable with average ratings of 4 or more for most criteria. The highest average ratings were received on the basis of 'Communication with traders' (4.3) and 'General promotion of the event' (4.3). The ratings were least satisfactory for 'Location of stall' (3.4) and 'Attendance numbers' (3.9).

Comments relating to their ratings included the following:

- Position and orientation of my stall didn't optimise traffic. Location along the street was great (about half way down), however being in the middle of the street, and not facing the same direction as the two stalls next to me, meant a lot of people walked to the front of those stalls and the back of mine.
- The only issue I had was with electricity. The sparky we dealt with was not helpful and I had to get an electrician that I know come and assist us before the start of the event.
- Could not find event staff after start of event.
- Misleading contact from security about bump out.
- No health, gas or food checks carried out.
- It was evident location played a key factor on our revenue. If compared with last year, we were closer to the main stage and numbers were good. This year we prepared even better and put more effort in our stall presentation but number deflated as everybody was heading towards the other end of the street. This is our perception though.
- Re location of stall. We found it strange that some stall holders were facing one way and some the other, in the centre of the road. Perhaps keeping stalls to one side of the road with no public access behind the stalls would work better.
- Prefer all stalls to be on one side.
- Our position was much better placed this year.
- Original plan did not show other stalls next to us and the sun was directly in our eyes and there were issues with the rubbish with the next stall - spoke with Tara - council dealt with it - otherwise fabulous location.
- Thought there would be more table and chairs near the stall customers had to look for seating.
- The police/I could not serve jugs when we had approval.
- Not enough customers; no ice and issues with power.
- Location of the stall near fashion parade and people moved away after and it was quite average - thinking if a better position would have been better - layout of stalls was either end and middle don't think this works for all the stalls - people congregated in middle should have been spaced out - too many like food stalls together - seating was ok.

More than two thirds (69%) of the responding stall holders had participated in the event in the past.

When asked how the event compared with the past the comments included the following:

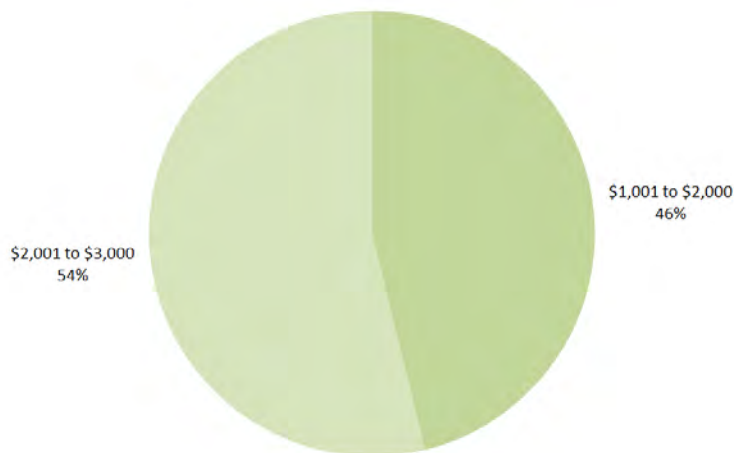
- We had our busiest year this year. We had a food truck and it looked a lot more professional than just having a small marquee.
- On a par except for the poor information of security staff.

- Last year was better, from the monetary point of view. This year was better from the branding point of view.
- Very good - better than last year although it was better 3 years ago and before.
- Prefer current position - set up was far easier manage – n.b. operations team (Travis) were fantastic.
- Last year was not good and this not much better.
- Last year was still better than this due to location and bottle necking in middle.
- Better than last year weather was good.

4.3 Impact of Unley Gourmet Gala on Turnover and Staffing

The respondents were asked to specify their turnover as a result of participating in the Unley Gourmet Gala.

Figure 4.2 Event Related Turnover

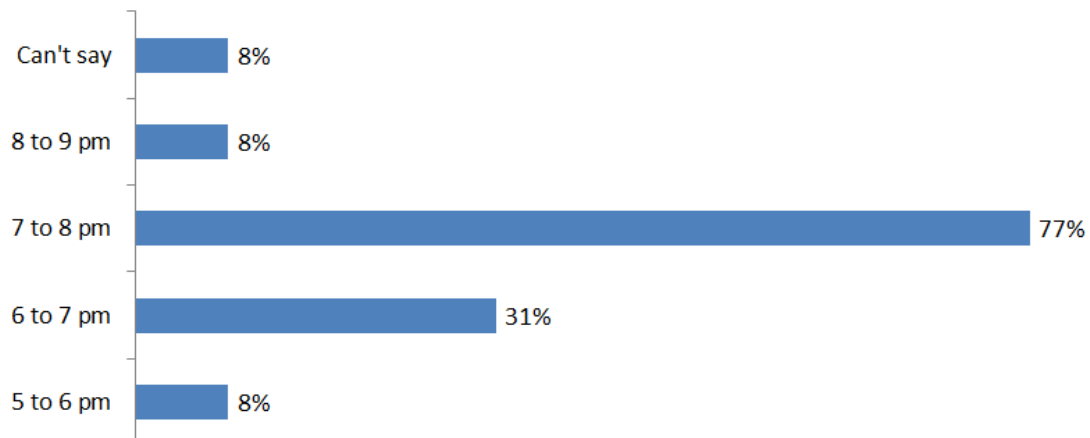


The majority of the stallholders (54%) reported turnover of between \$2,000 and \$3,000.

The average event staffing by the stall holders was 24.2 hours per stall holder.

When asked to nominate the busiest period/s during the evening the response was as follows:

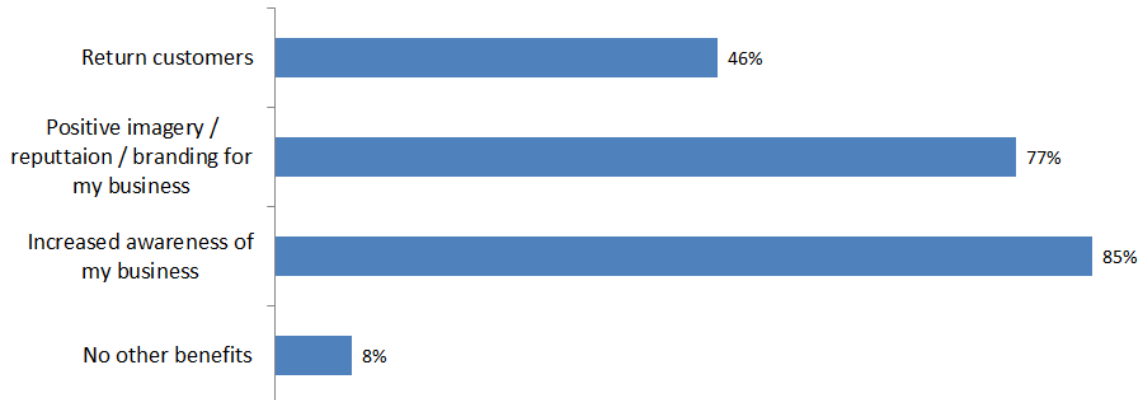
Figure 4.3 Busiest Period for Sales



4.4 Other Benefits

Other benefits identified by the respondents as a result of their participation in the Unley Gourmet Gala were:

Figure 4.4 Other Benefits



The stallholders were most likely to identify increased awareness of their business as a benefit (85%) followed by branding effects (77%).

4.5 Other Comments

Other comments provided by the stall holders included the following:

- I wasn't given enough information about exactly how my stall would be orientated. I assumed that the organisers would position the stalls for maximum traffic for everyone. On the night I heard that if your business premises isn't located on KWR then you were placed in the middle of the road, to allow more street frontage for the KWR shops. I wish I was told this prior to the event. Fair enough if the KWR shop owners have more say than us coming from outside the street, but pre-warning would be nice as having to pay \$500 is pretty steep for a crappy positioning.
- Overall really happy with the day. As always seating is an issue but this was a lot better than last year.
- More staff communication.
- In our opinion having the stalls in the middle of the street was not a very good idea, as it made foot traffic a bit difficult, and negating the opportunity to have tables and chairs or other activities in front of some stalls. This also affected the lines of people waiting to order or waiting for food.
- Well presented, pretty good - just longer required start at midday for full benefit.
- When there is more than event on the same day it really limits attendance.
- Only comment I have is that where we were we were directly into sun should face the other way (it was hot).
- Amazed at organisational professionalism and happy to be in brochure.
- Bump in bump out is exceedingly difficult for everyone.
- Should be earlier at 12 - too short a time no profit.

- The management team assured us the placement of our stall was the best but this did not turn out that way.
- Works well for me.

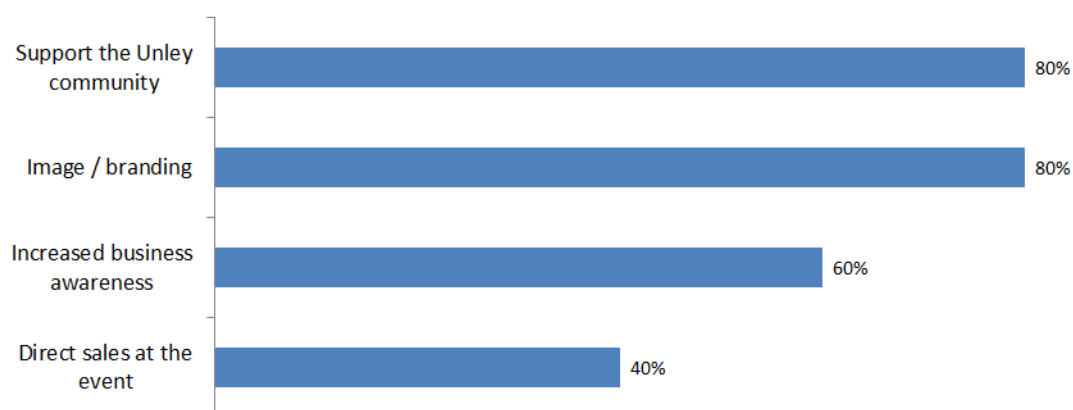
5. Survey of Unley Gourmet Gala Sponsors

5.1 Introduction

The event sponsors were surveyed online with follow up of non-respondents by phone. Feedback was received from a total of five (5) sponsors through this process.

The objectives of the sponsors were as follows:

Figure 5.1 Sponsor Objectives



The sponsors were in most instances sponsoring the Unley Gourmet Gala to contribute to the Unley community (80%) and enhance their image and associations (80%).

When asked how well the event had met their objectives and expectations 60% stated that the event had exceeded their expectations while the other 40% stated that event had met their expectations. Comments were as follows:

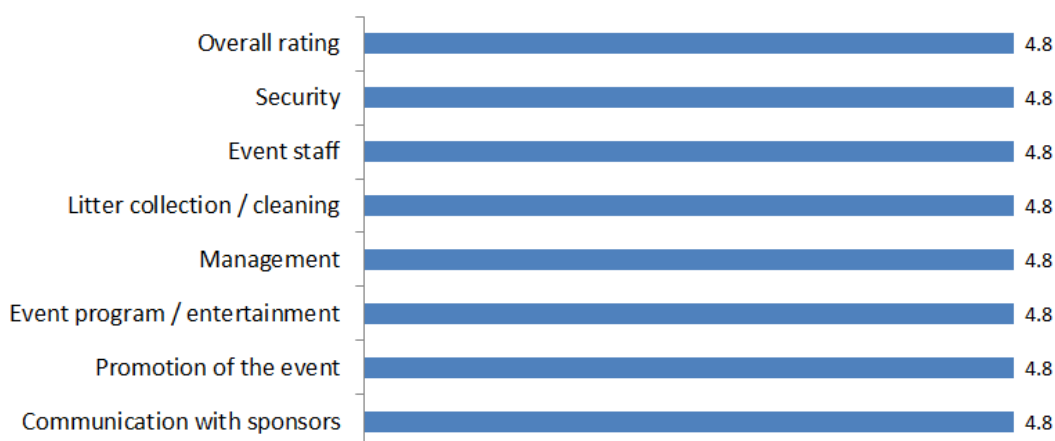
- Feedback from staff very positive;
- Going through the whole planning process for the event was an excellent experience.

5.2 Sponsor Satisfaction

The respondents were asked to rate their level of satisfaction with a number of event attributes. The ratings were based on a 5 point rating scale with 1 – Very dissatisfied and 5 – Very satisfied.

The average ratings were as follows:

Figure 5.2 Sponsor Satisfaction



The sponsors exhibited high levels of satisfaction with the event. The average rating was 4.8 across all of the event attributes.

Comments provided by the sponsors in regard to their ratings were as follows:

- We all had the same focus to achieve the same goal - balloons were gorgeous the whole theme was brilliant.

When asked whether they had any comments regarding the sponsorship prospectus or process the responses were as follows:

- Communication is excellent, felt included and involved - given every opportunity to contribute ideas and grateful for the many that were provided to help utilise our space and meet objectives.
- We did change previous sponsorship and is good value for us.
- We were particularly happy with the set up and total process and we walked off feeling really good.

When asked how the Unley Council can improve the value received from the sponsorship the responses were as follows:

- Very happy- Marcia Mudge and her team are amazing and easy to work with. They did all the hard yards to make it happen for us.
- For the level that we were there was sufficient and really happy what we received.
- Everything incl. Facebook acknowledgement and response was fantastic.

Other comments provided by the sponsors were as follows:

- Very worthwhile, fantastic community event- very happy we were involved and will do again without hesitation. Thank you!

Appendix A Questionnaires

Dear King William Road Trader, Thank you for responding to this survey. Please be assured that your response will be confidential. Please complete the questionnaire by clicking the relevant button or by typing your response into the box, where relevant. Please consider the Unley Gourmet Gala, held on Tuesday the 16th of January, and the Santos Tour Down Under, held on Wednesday the 17th of January, as separate events and respond accordingly. Please navigate through the questionnaire by scrolling to the bottom of each page and clicking the 'Continue' button when you have finished answering the questions. Please start the survey now by clicking on the 'Continue' button below.

1. What is your business activity?

1. Retail - Clothing / accessories
 2. Retail - Gifts / homewares
 3. Restaurant / café / hotel
 4. Grocery / convenience / take away
 5. Personal services e.g. hairdressing
 6. Professional services – e.g doctor, solicitor, real estate
 7. Other - please provide details
-

2. How long have you been operating this business on King William Road?

1. Less than 12 months
2. 1 to 3 years
3. 4 to 8 years
4. 9 to 10 years
5. More than 10 years

3.1 Did your business participate in the 2018 Unley Gourmet Gala in any way?

1. Yes
2. No

3.2 How did your business participate in the event? Please select all that apply.

1. Opened for normal trading hours only
 2. Opened for extended trading hours
 3. Set up trading stall outside premises
 4. Had special sale / discounts
 5. Window display
 6. Ran special promotion
 7. Conducted advertising in association with the event
 8. Invited regular customers to visit
 9. Other - please provide details
-

3.3 Why didn't you participate in the event?

1. No perceived benefit for my business
 2. Not the right fit for my business
 3. Too busy / lack of time
 4. Other - please provide details
-

4. On a scale of 1 to five with 1 being 'very dissatisfied' and 5 'very satisfied', how satisfied were you with the following aspects of the 2018 Unley Gourmet Gala?

	Very dissatisfied	Dissatisfied	Neither satisfied / dissatisfied	Satisfied	Very Satisfied	Not applicable
Communication with traders prior to the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General promotion of the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Entertainment / activities associated with event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attendance numbers at the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall decoration / theming of the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management of the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Litter collection / street cleaning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Event staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Event security / traffic marshals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall rating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Where dissatisfied - Please comment on your ratings.

5.1 What impact did the 2018 Unley Gourmet Gala have on your revenue? When compared to a 'normal' comparable trading day was turnover:

1. About the same
2. Increased slightly - up to 5%
3. Increased moderately - 6% to 15%
4. Increased substantially – more than 15%
5. Decreased slightly - up to 5%
6. Decreased moderately - 6% to 15%
7. Decreased substantially – more than 15%
8. No opinion / can't say
9. Did not open / participate

5.2 Can you estimate the dollar value of the increase or decrease in turnover that you would attribute to the Unley Gourmet Gala? Please be assured that this information will be treated in strict confidence and reported only in aggregate – that is as an estimate for the event as a whole. Please insert \$ value.

6. How many additional paid hours did you or your staff work to cater for the Unley Gourmet Gala? Please insert number of additional staff hours. If no additional hours worked - please insert 0.

7. Do you have any other comments or suggestions for improvement regarding the Unley Gourmet Gala?

8.1 What impact did the start of the Santos Tour Down Under Stage 2 on the 17th January have on your business turnover? When compared to a 'normal' comparable trading day was turnover:

1. About the same
2. Increased slightly - up to 5%
3. Increased moderately - 6% to 15%
4. Increased substantially – more than 15%
5. Decreased slightly - up to 5%
6. Decreased moderately - 6% to 15%
7. Decreased substantially – more than 15%
8. Can't say
9. Did not open

8.2 Can you estimate the dollar value of the increase or decrease in turnover that you would attribute to the Stage 2 start of the Santos Tour Down Under? This information will be treated in strict confidence and reported only in aggregate – that is as an estimate for the event as a whole. Please insert \$ value.

9. How many additional paid staff hours did you use to cater for the Stage 2 start of the Santos Tour Down Under on the 17th January? Please insert additional hours. If None insert 0.

10. Do you think there were any other benefits for your business or do you anticipate any other benefits in the future, as a result of the 2018 Unley Gourmet Gala or the Stage start of the Santos Tour Down Under? Please select all that apply.

1. Increased awareness of the precinct
2. Positive imagery / reputation / branding for the precinct
3. Increased awareness of my business
4. Positive imagery / reputation / branding for my business
5. Return trade
6. Other - please specify _____

11. Do you have any other comments or suggestions for improvement regarding the Stage Start of the Santos Tour Down Under?

Dear UGG Stallholder, Thank you for responding to this survey. Please be assured that your answers will be treated as strictly confidential. Please complete the survey by clicking the button next to your answer or by typing your response into the box, where relevant. Please navigate through the survey by scrolling to the bottom of each page and clicking the 'Continue' button when you have finished answering the questions. Please start the survey now by clicking on the Continue button below.

1. On a scale of 1 to 5 with 1 being 'very dissatisfied' and 5 'very satisfied', how satisfied were you with the following aspects of this years Unley Gourmet Gala?

	Very dis-satisfied	Dis-satisfied	Neither satisfied / dis-satisfied	Satisfied	Very Satisfied	Not applicable
Communication with traders prior to event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General promotion of the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Entertainment / activities associated with event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attendance numbers at the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall decoration / theming of the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management of the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Litter collection / street cleaning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Event staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Event security / traffic marshals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Location of your stall	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall rating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If dissatisfied - Please comment on your ratings.

2. In total, how many paid hours did you and your staff work at the Unley Gourmet Gala in the temporary stall set up for the event? Please include management.

3. Can you provide an estimate of the dollar value of your turnover from your stall at the Unley Gourmet Gala? Please be assured that this information will be treated in strict confidence and reported only in aggregate - that is as an estimate for the event as a whole.

1. \$0 to \$500
2. \$501 to \$1,000
3. \$1,001 to \$2,000
4. More than \$2,000
5. Can't say

4. What do you believe was the busiest period for sales throughout the night? Select all that apply if more than one.

1. 5 to 6 pm
2. 6 to 7 pm
3. 7 to 8 pm
4. 8 to 9 pm
5. 9 to 10 pm
6. Can't say

5. Were there any other benefits for your business, or do you anticipate any other benefits in the future, as a result of your participation in the Unley Gourmet Gala? Select all that apply.

1. No
 2. Increased awareness of my business
 3. Positive imagery / reputation / branding for my business
 4. Return customers
 5. Other - Please comment
-

6.1 Have you participated in the Unley Gourmet Gala in previous years?

1. Yes
2. No

6.2 How did this years event compare with past events?

7. Where is the permanent location of your business?

1. Kind William Road
2. Unley Road
3. Elsewhere in the Unley local government area
4. Elsewhere - please specify

8. What type of stall did you operate at the 2018 Unley Gourmet Gala?

1. Food and / or beverage
2. Retail
3. Personal services
4. Other - please specify _____

9. Do you have any other comments or suggestions regarding the Unley Gourmet Gala?

Dear UGG Sponsor, Thank you for responding to this short survey. Please be assured that your responses will be treated as confidential and results reported in aggregate - with the exception of recontact details and any comments where you specifically request that the comment is attributed or requires follow up action. Please start the survey now by clicking on the Continue button below.

Q1. What is the name of your organisation?

Q2. What were the objectives of your organisation in sponsoring the 2018 Unley Gourmet Gala? Select all that apply.

1. Direct sales at the event
2. Increased business awareness
3. Positive image / attitude change / association
4. For the benefit of the Unley area
5. Other - please specify _____

Q3. How well did the event meet your expectations / objectives?

1. Exceeded our objectives
2. Met our objectives
3. Did not meet our objectives
4. Can't comment
5. Other - please specify _____

Where applicable - Please comment:

Q4. How satisfied were you with the following aspects of the event:

	Very Unsatisfied	Unsatisfied	Neutral	Satisfied	Very Satisfied	No opinion
Communication with sponsors prior to event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General promotion of the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Entertainment / activities associated with event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management of the event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Litter collection / street cleaning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Event staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Event security	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall rating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Where applicable - please comment:

Q5. Do you have any comments on the sponsorship prospectus or sponsorship process?

Q6. How can the Unley Council improve the value you receive from your sponsorship?

Q7. Do you have any other comments or suggestions regarding the Unley Gourmet Gala?

20 March 2018

REPORT

Unley Gourmet Gala / Tour Down Under

January 2018

Prepared by: King William Road Traders Association



Report features results from face to face survey conducted by the Main street Coordinator for the King William Road Traders Association.

The survey was focussed on the business' feelings to the Unley Gourmet Gala continuing to be held on King William Road in future years along with the economic benefits that the event brings to their business.

48 business' across three categories located on King William Road were asked two questions;

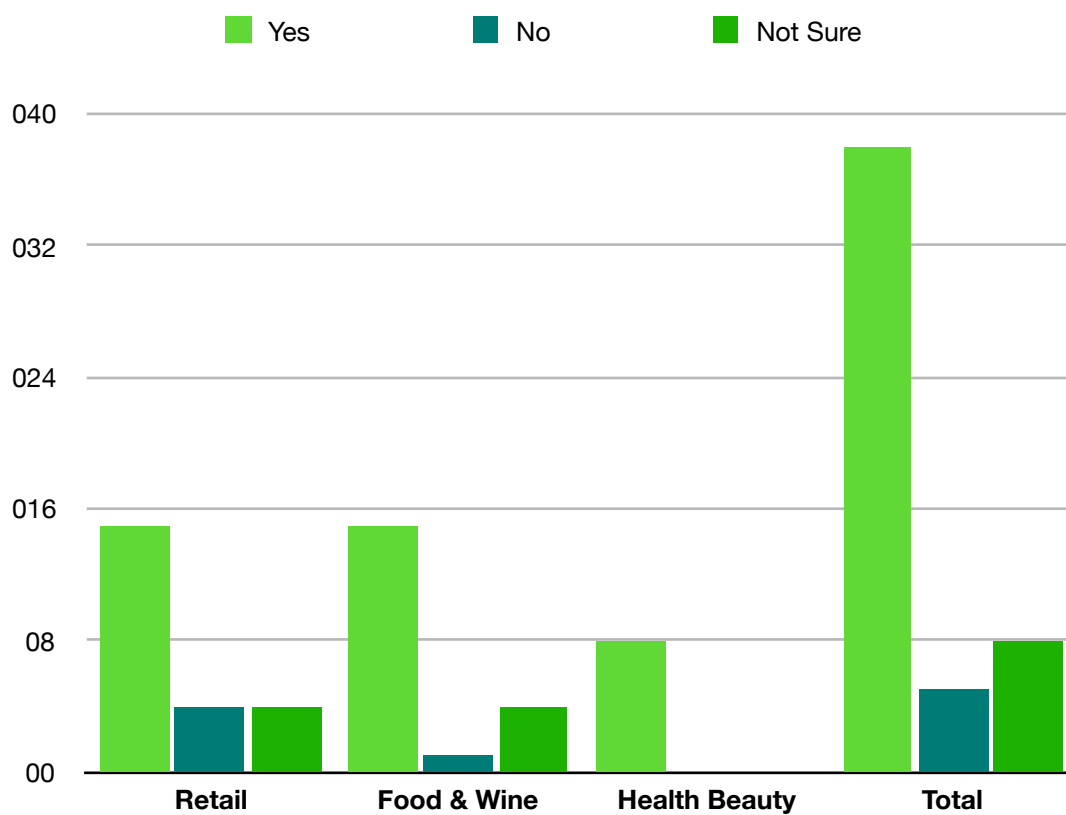
1. Would you like to see the Unley Gourmet Gala and Tour Down Under held on King William Road again?
2. Did your business experience economic benefit from in results from the event? Either on the night? Or Post event?

The three categories focussed on for the survey were:

- Retail
- Food & Wine
- Health & Beauty

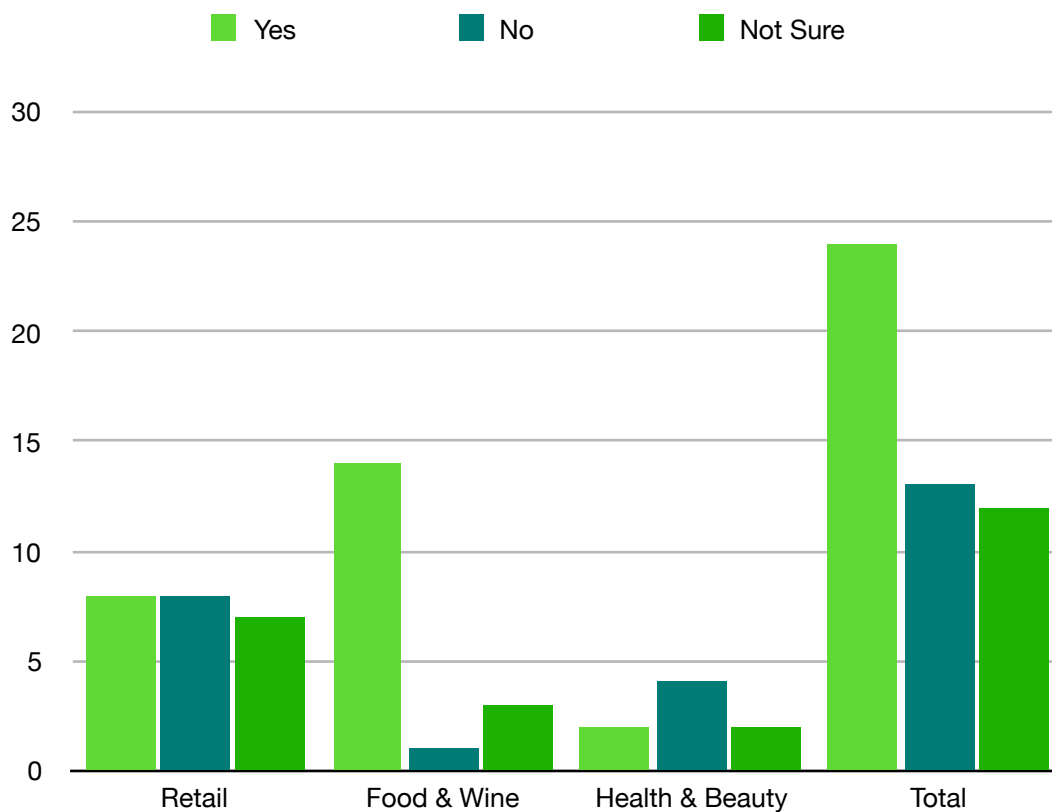
Question 1 | Would you like to see the Unley Gourmet Gala and Tour Down Under held on King William Road again?

- 79% of the business' answered 'Yes' to wanting the Unley Gourmet Gala to continue to be held on King William Road
- 5 Business' answering 'not sure' stated that they can see the benefit for the street but not sure if they want it to continue due to impact on their business.
- 100% Health & Beauty business' answered Yes.



**Question 2 | Did your business experience economic benefit from in results from the event?
Either on the night? Or Post event?**

- 50% of the business' answered 'Yes' to receiving economic benefit.
- 35% of the business' who answered 'No' or 'Not Sure' about receiving economic benefit stated



that they can see value for the community and for King William Road.

INSIGHTS

- Health & Beauty business' feel that they don't receive benefit economically from the event but stated that their business is not impacted negatively.
- Retail business' are the most significantly impacted without receiving benefit from the event. It would be beneficial to research and brainstorm unique opportunities to incorporate retail business' outside of the fashion parade.
- Business' stated that they couldn't understand why the road remained closed for so long following the race starting as this impacts trade for the next day as well as the day of set-up.

QUOTES & TESTIMONIALS

"It works because of the time of year it's on as January is still festive and the weather suits the event"

Chris and Joe - Extra Newsagency

"Nice for the community but the closing of the street for almost 2 full days is detrimental"

Lou and Em - Denim Iniquity

"It's a good event and although it doesn't benefit us it doesn't impact our business"

Melissa - Bode Hair Lounge

"As a new trader not yet open, it was great to visit on the night. It had an amazing feel and it was a great way to promote that we were moving into KWR with flyers out the front"

Sue - Dymocks

"The event is amazing and it puts the street in focus. The amount of people that turn up speaks for itself"

Sophia - Move Over Menswear

"It was a fantastic opportunity to showcase our products"

Rob - Burger Republic

"A great buzz for the local community"

Simone - The Ark

"Yes definitely we would love this event again, it's great for business"

Sarah - limited 108

"As a new business it was brilliant for exposure"

Nella - Poppy & Pear

"The problem for fashion is the parade is at the end of the season so everything is on sale and it's too early for new stock. So people aren't buying."

Helen - Cable

"A great event, we just need to ensure we have the right lighting for our set up"

Andre - Mulots

"Brilliant night. We should have events like this more often, if only it went later"

Terry - Hustle

"We see economic on the night only and would love to replicate this years event of 2018. A key frustration is how slow the road is re-opened the following day after the race start"

Simone & Anthony - Parisis

"Why do a sporting event in a retail precinct? It kills retail when we are finding it hard enough"

Penny Mitchell - penny mitchell designs

"This year in store visitors were a lot higher than the last few years. It's fantastic for King William Road and any tourist who follows the bikes is going to know KWR exists"

John Karran - Karrans of Hyde Park

15 May 2018

Marcia Mudge
181 Unley Road
Unley SA



Dear Marcia,

Thank you for taking the time to chat with Chelsea Mattner, our Main Street Coordinator last week regarding the King William Road Traders Associations (KWRTA) support of the Unley Gourmet Gala to be held in January 2019.

Following the report conducted by Chelsea Mattner with a cross section of traders on King William Road and result of this survey being in favour for the Unley Gourmet Gala, the KWRTA will support the Unley Gourmet Gala in January 2019 in the form of sponsorship and an activation at the event in line with our budget proposal & strategy for financial year 2018/19

Following the 2019 event and keeping in mind the proposed upgrade and the impact this could have on the positioning of King William Road moving forward, the association will review it's support following the 2019 Unley Gourmet Gala.

We are looking forward to the event in January 2019. In the meantime, please speak with Chelsea if you require any further information.

Kind Regards,

Johnny Nasaris
Chairperson

UNLEY GOURMET GALA 2018 COMMUNICATIONS REPORT

**OUR COMMUNICATIONS PLAN
OUR SOCIAL MEDIA PERFORMANCE
OUR MEDIA STRATEGY & RESULTS**



OUR COMMUNICATIONS PLAN

We developed a targeted and strategic communication plan with clear and measurable objectives. The plan included a marketing mix incorporating a proactive media strategy, engaging social media strategy, and a comprehensive mix of traditional marketing tools.

The results are as follows...

OBJECTIVES

Communication Objective	Achieved
1. Deliver a marketing Campaign that supports the achievement of the Unley Gourmet Gala event objectives	✓
2. Promote event highlights and create excitement about the event	✓
3. Promote the main themes of the event – Food, Fashion, Cycling, Music. Celebrating 20 years of the TDU and 18 years of the Unley Gourmet gala	✓
4. Communicate key event information to event goers and key stakeholders	✓
5. Achieve widespread media coverage - increase the audience reached through proactive PR in 2017 by 10%	✓ (increased reach by 31%)
6. Improve on the audience reached through social media in 2017 by 20%	✓ Audience reach increased by more than 200% compared to 2017 (increased interested/going to event within event module by 54%)
7. Attract a similar number of attendees to previous years, with a maximum of 10,000 at any one time	✓
8. Build awareness for the Unley Gourmet Gala brand	✓
9. Provide an opportunity for local traders to showcase their products and services	✓
10. Raise the profile of the City of Unley to visitors from Greater Adelaide as well as visitors to Adelaide	✓
11. Enhance the City's reputation as a place to shop, live, work and do business	✓

THE MARKETING MIX

TOOL	DETAIL	OBJECTIVE ACHIEVED	RELEVANT RESULTS
Traditional			
Media campaign	Media Strategy developed and rolled out	All	Reached an audience of 12,845,679 – See media results section
¼ page ad in Kiddo mag	December	1,2,3,4,7,8,11	
¼ page Messenger ad	11 January	1,2,3,4,7,8,11	
½ page Unley Life ad	Summer edition	1,2,3,4,7,8, 11	
Unley Life mag editorial	Summer and Autumn editions	1,2,3,4,7,8,11	
Unley Life Messenger column	3 editions	1,2,3,4,7,8,11	
Poster	Incorporation of Celebrate theme	1,2,3,4,7,8,10,11	
Program	10,000 copies	1,2,3,4,8,9	
Flyer	12,000 copies	1,2,3,4,7,8,11	
TDU materials	Content for digital and traditional marketing materials	All	
Mainstreet bin corflutes	A new form of communicating via council infrastructure	1,2,3,4,7,8	Very well received and prominent
Street banner	Booking and design and install	1,2,3,4,7,8	
Pole banners	11 new flagtrack silk banners on KWR – The race starts here	1,2,3,4,7,8	
Welcome to Unley curved signs	7 signs	1,2,3,4,7,8	
SA Weekender segment	November/December	1,2,3,4,7,8,9,10, 11	

Business tips brochure	Draft content and coordinate design, print and distribution	1,3,9	
Traders handbook	In-house design and print	9	
Letter head artwork	In-house design	8	
Resident traffic letters with map	Update last years letters and map. Coordinate distribution through staff	4	
Business traffic letters with map	Update resident letters and use traffic map. Coordinate distribution through staff	4	
Parking permits and letters		4	
Digital			
Social media campaign	Social media plan incorporating Facebook, twitter, instagram and youtube. Paid campaign incorporated.	1,2,3,4,6, 7,8,9, 10,11	<p>The Unley Gourmet Gala (UGG) Event Page reached an audience of 104,000</p> <p>The re-established UGG Page reached an audience of 118,923 people</p> <p>UGG tweets were seen 15,138 times on Twitter (impressions)</p> <p>Instagram posts generated 515 likes and 429 video views</p>
Videos for social media	Create promo videos for social media.	1,2,3,4,6, 7,8,9, 10,11	2,008 views
TDU website		1,2,3,4,5,6,9, 10,11	
CoU Website	Web content and scrolling banner	1,2,3,4,6, 7,8,9, 10,11	2,322 page views of

			UGG content, including accessing trader online forms, viewing the UGG event listing and clicking on latest news blogs.
Esignatures	In-house design	8	
Photography		All	
Videography	Main event video plus major sponsor videos	All	
Digital traders handbook and online forms for traders/sponsors/entertainers etc		9	Made improvements to previous year system.
Participant media kit	Information kit for traders, sponsors etc involved in the event. How to get the most out of the event through social media etc	9,10,11	Over 120 posts were tagged #unleygala by SM users other than Council. Trader participation in media opportunities
Additional items			
Community bus signage	In-house design, print and install	1,2,3,4,6,7,8	
Partnership sponsor booklets	Design and print	1,9,10,11	Helped in securing increased sponsorship
VIP invite	Include sponsor logos	1,2,3,4,5,7,8	
Bus Signage	A3 signs for bus windows	4	

SNAP SHOTS OF OUR EVENT COLLATERAL

SANTOS TOUR DOWN UNDER STAGE 2 START

Unley to Stirling

17 JANUARY 2018
9.30AM (FOR 11AM START)

Come early for breakfast!

The City of Unley and the Unley Gourmet Gala thank the following sponsors:

FLINDERS PRIVATE HOSPITAL
King of William Road

ATLAS
Feet & Feet
IN THE CITY
nswrta
Toop/Toop

FLINDERS PRIVATE HOSPITAL KIDS ZONE
The City of Unley, Australia's first and only hospital with a dedicated kids zone, is proud to be the only hospital in Australia to offer a dedicated kids zone. The kids zone is a dedicated space for children to play and learn, and is a great place for parents to relax and enjoy the view.

Kids

FLINDERS PRIVATE HOSPITAL KIDS ZONE

The City of Unley, Australia's first and only hospital with a dedicated kids zone, is proud to be the only hospital in Australia to offer a dedicated kids zone. The kids zone is a dedicated space for children to play and learn, and is a great place for parents to relax and enjoy the view.

Fashion

RUNWAY SHOW
6PM, 7PM, 8PM

Runway shows featuring some of the City of Unley's most iconic designers and boutiques.

- Tiff Maxwell
- Patsy Howe
- Cole
- Willywag
- Wild Child
- Dustin & Co
- More Over Menwear
- Blue Nation
- Cable Melbourne

Entertainment

GALA GROOVE
Live Stage (Debutary 80)
Live Stage (Debutary 80)
Live Stage (Debutary 80)

WORLD SOUNDS
Live Stage (Debutary 80)
Live Stage (Debutary 80)
Live Stage (Debutary 80)

Food

LIVE COOKING DEMONSTRATIONS
The City of Unley, Australia's first and only hospital with a dedicated kids zone, is proud to be the only hospital in Australia to offer a dedicated kids zone. The kids zone is a dedicated space for children to play and learn, and is a great place for parents to relax and enjoy the view.

UNLEY GOURMET GALA

Celebrating 20 years of the Santos Tour Down Under and 10 years of the Unley Gourmet Gala

16 JAN 2018 • 5 - 10PM

Unley Gourmet Gala Australia

Gala Eats & Drinks

A Cheeky Few	32	Jaki Catering	38
Antica	47	Level Up	51
Baba Q Catering	16	Luksumarias - The Greek Donut	48
Baskin Robbins	22	Milk Pizzeria	80
Burgastromy	21	Mujib's Patisserie	23
Burger Republic	24	Mya's Republic	10
Cardinal	84	Parish Restaurant	42
Chefs of Tandori	20	Phoenix on Unley	43
Cibo	60	Plato's Philosophers Kitchen	88
DuMich Bakery	14	Rag on Taj Hyde Park	06
Falino 00 Pasta and Wine	27	Rag on Taj Unley	18
Gosidine	48	Rodary Club of Hyde Park	27
Path Out of Water	01	Royal Tandori Restaurant	87
Four Seasons Asian Bistro	02	Something Wild Laneway	88
Fritter Fix	08	Spats	22
God La Vita	08	The Arkaba Hotel	20
Husba Husba Hummus	11	The Pot by Emma McCaskill	81
Husba	26	The Unley Hotel	41
Hyde Park Plaza	19	Tonich Wines Bar	45
Hyde Park Tavern Laneway	03	The Sydney Food & Wine	17
Ichikawa Dining	40	Wok Magic	84

Gala Plates

KIDS **COOKING DEMONSTRATIONS** **CHILL OUT LANEWAY** **FASHION** **MUSIC** **INFO** **FIRST AID** **BREAST FEEDING FACILITY** **ATM** **TOILETS** **DISABLED TOILETS** **DISABLED PARKING** **BIKE RACKS** **ENTRANCES**

CHIEFS OF TANDOORI
Chalo special plate

HYDE PARK TAVERN LANEWAY
Beef brisket burger

NUTRITION REPUBLIC
Plant based nourish bowl

CANDELA
Arapes stuffed flatbreads

FITTER FIX
Cornflakes

THE ARKABA HOTEL
Chicken & papaya salad

HUSBA HUSBA HUMMUS
Hummus & tahini hummus special lamb & paneer masala

RAJON TAJ HYDE PARK
Authentic Indian plate

THE POT BY EMMA MCCASKILL
Fried pork bun

PHOENIX ON UNLEY
Papaya & green mango salad (collaboration option)

Shop at the Gala

All Time Massage	80	Karnas of Hyde Park	84
Blow Dry Bar	17	Lanz Eyewear & Eyecare	28
Blue Wafers	65	Limited 100	21
Bride Hair Lounge	20	More Over Menwear	50
Cake Melbourne	24	PHU Hoffman Travel	02
Dustin & Co	06	Papaya & Pear	25
Designer Exchange	44	Rosalee's Chop Shop	20
Endura Spa Hyde Park	39	Shout	48
Extra Newnagery	87	Silk Laser Clinics	18
Flourish Gift & Home	26	Skins & Things	90
Flowers 152	60	The Ark / The Hive	26
Flowerworks	42	Thai Sanctuary	19
Full Body Fresh	60	Unley Road Association	11
Janesco	40	Yoga Theory	03

Flinders Private Hospital
CHILL OUT LANEWAYS
Get, drink, be inspired and enjoy the view.



Celebrating 20 years of the Santos Tour Down Under and 18 years of the

UNLEY GOURMET GALA

16 JAN 2018 • 5 - 10PM
KING WILLIAM RD

Food Wine Fashion Entertainment

unley.sa.gov.au/unleygourmetgala

RAUWONS
BORA

RENAULT

THE CITY OF UNLEY

Santos Tour Down Under

King William Road

Norman Waterhouse

TopShop

Celebrating 20 years of the Santos Tour Down Under and 18 years of the



UNLEY GOURMET GALA

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UNLEY GOURMET GALA

Santos Tour Down Under

THE CITY OF UNLEY

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UNLEY GOURMET GALA

Santos Tour Down Under

THE CITY OF UNLEY

UNLEY GOURMET GALA

8 tips for businesses



Attract customers at the Unley Gourmet Gala and encourage return visits. In 2017, the Unley Gourmet Gala attracted more than 20,000 people to King William Road, bringing considerable benefits to the traders. Make the most of this unique opportunity again in 2018, with these helpful tips for businesses.

UNLEY GOURMET GALA

THE CITY OF UNLEY

OUR SOCIAL MEDIA PERFORMANCE

During the **8-week** campaign, **87** posts were published across our social media platforms:



City of Unley Facebook Page – **9** posts
City of Unley Events Facebook Page – **7** posts
Unley Gourmet Gala Facebook Page – **36** posts
Unley Gourmet Gala Facebook Event – **13** posts



Council Twitter - **7** tweets



Council Instagram – **15** photos

The Gala pages experienced strong growth, with the event listing reaching numbers well above our original target.

	18 December 2017	17 January 2018	Original Target
Page Followers	2306	2419	2600
Event Interested	429	2522	1500
Event Going	78	601	400

Unley Gourmet Gala Facebook Page:

- Posts reached an audience of **118,923 people** over the campaign period
- Posts reached a peak audience of **47,334 people on Tuesday 16 January**
- Page was visited or seen in people's news feeds by **44,562 people** over the campaign period

Unley Gourmet Gala Facebook Event:

- reached an audience of **104,000**
- **7,000** people viewed our event
- **3,123** people responded that they were interested/going to the event, a 54% increase on the previous year.

Twitter and Instagram:

- Users viewed our tweets **15,138** times (impressions)
- Instagram posts generated **515** likes and **429** video views

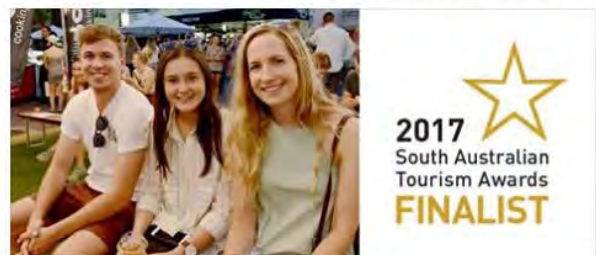
WHAT WE DID AND WHY

PHASE 1: Establish Brand & Event Awareness

- Re-publish Gala page
- Create and co-host event
- Promote/boost page to build likes and event attendance
- Promote Tourism Awards
- Promote connection to TDU
- Call for Volunteers and Stall Holders



We're thrilled to announce that we've officially made it as a finalist into the 2017 South Australian Tourism Awards! Can't wait until Friday, 10 November to find out if we'll take home a win at Tourism's Night of Nights. #SATA2017



Choose from over thirty gourmet food and wine stalls at the 2018 Unley Gourmet Gala. We look forward to seeing you on King William Road, 5pm to 10pm, Tuesday 16 January! #unleygala



Would you like to have a special role at next year's Unley Gourmet Gala? We are seeking fun and friendly volunteers to greet patrons at the entry gates or answer queries at our information booth. To register your interest, contact Bec via bmliner@unley.sa.gov.au or phone 8372 5111. Please note, various shifts will be available and a DCSI Clearance is required. #unleygala #volunteering



PHASE 2: Targeted promotion

- Promote confirmed stall holders and Gala Plates
- Promote fashion boutiques
- Share TDU news
- Project manage MAMIL Competition
- Share media good news stories

See the latest fashions by some of the City of Unley's most iconic designers and boutiques. Runway shows at 6pm, 7pm and 8pm will feature designs by Tiff Manuell, Paige Rowe, Moveover Menswear, WildChild Stylelab, Denim + Cloth and more.
See you at the #unleygala Tuesday 16 January on King William Road! King William Road, Hyde Park Find Your Everything



Select from a delightful array of Gala Plates at next year's Unley Gourmet Gala, including authentic Indian dishes served by Raj On Taj Hyde Park. #unleygala



WIN THE ULTIMATE MAMIL PRIZE PACK!

Are you tired of the "weekend warrior" jibe? We are too...we want to CELEBRATE the MAMIL! Show the world you're proud of your lycra when you win the title of SA's Best MAMIL (Middle Aged Man In Lycra). To go with this illustrious title, you'll also receive the Ultimate MAMIL Prize Pack which includes a signed Santos Tour Down Under jersey, 2 tickets to the TDU Legends Night Dinner, 2 seats to ride in the TDU Stage 2 tour parade car and a men'... See More



PHASE 3: Sponsor promotion, key activities, logistics

- Continue to promote entertainment, stall holders
- Logistics – getting there, parking, road closures, free community shuttle bus
- Acknowledge major sponsors
- Live event day postings as per schedule
- Post event – promote TDU, share event video and photo gallery

Novatech Creative Event Technology are delivering the sights and sounds of the Unley Gourmet Gala. Join the great party atmosphere on Tuesday 16 January! #unleygala #onkwr #party



We look forward to seeing you at next week's Unley Gourmet Gala. Before you head in, please familiarise yourself with the road closures and parking restrictions that will be in place to ensure a safe and fun event. #unleygala



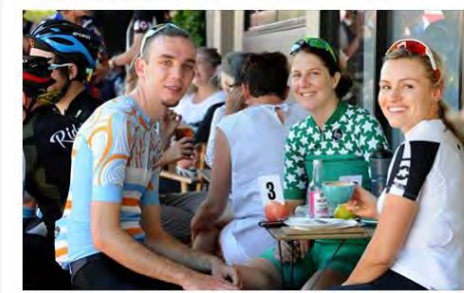
SA Chef Heather Day has shared one of the delicious recipes she will prepare at the Unley Gourmet Gala. Join us at the cooking stage on Tuesday night for even more inspiration! #unleygala 5-10pm, 16 January 2018 #onKWR



Smoky Fish Tacos with Caramelised Pineapple - InDaily

Friday January 12, 2018 Smoky Fish Tacos with Caramelised Pineapple Recipes SA chef Heather Day shares this recipe for fish tacos with caramelised pineapple and smoked wasabi mayo, which she will be making during a cooking demonstration at...

Thank you for celebrating all things fashion, food and fun with us at the Unley Gourmet Gala!
Don't forget the party continues tomorrow with the Stage 2 Start of the Santos Tour Down Under on King William Road, Hyde Park. Come down early for brekky and make the most of world-class cycling at your doorstep. Activities start 9.30am, official race start at 11am. #unleygala #tdu #tourdunder #unley #onKWR



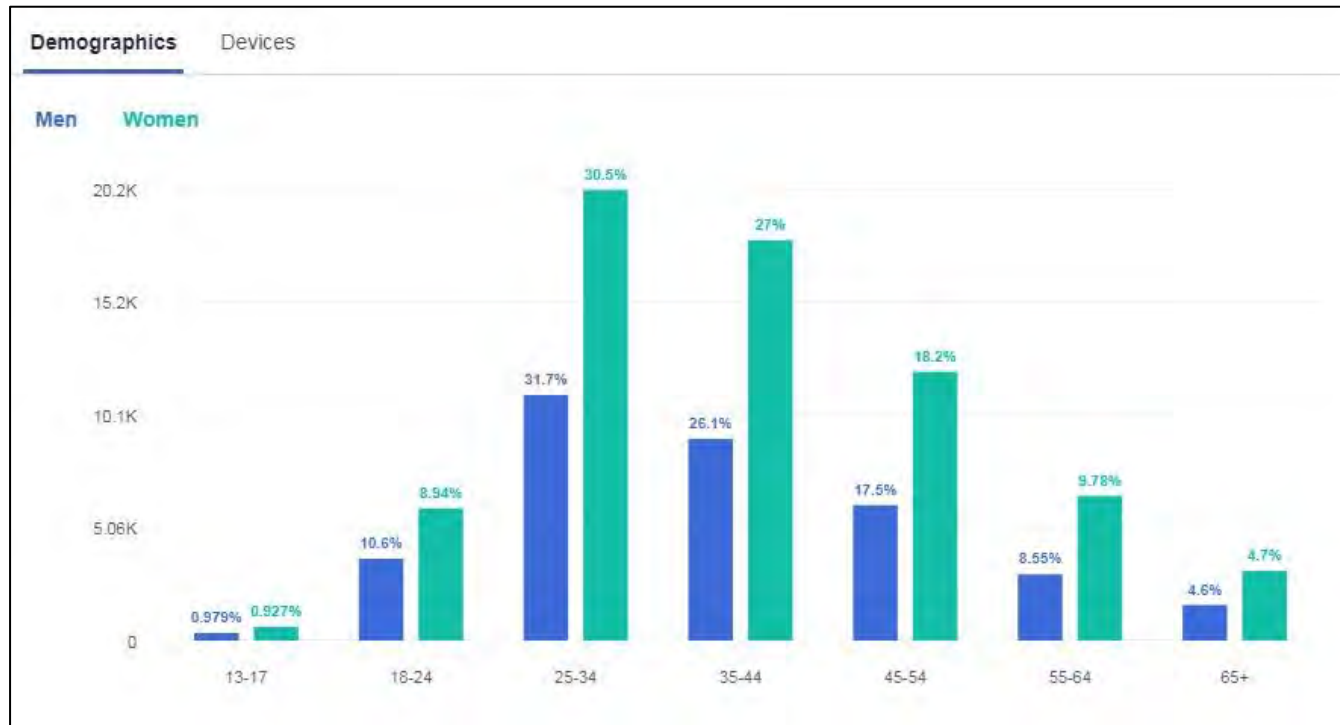
We created a **Participants Media Kit** to encourage sponsors, traders and stall holders to promote their involvement in the Gala their own social media channels

We created tiles for various platforms (which were available to download online) and an animated GIF to reinforce the Gala branding.

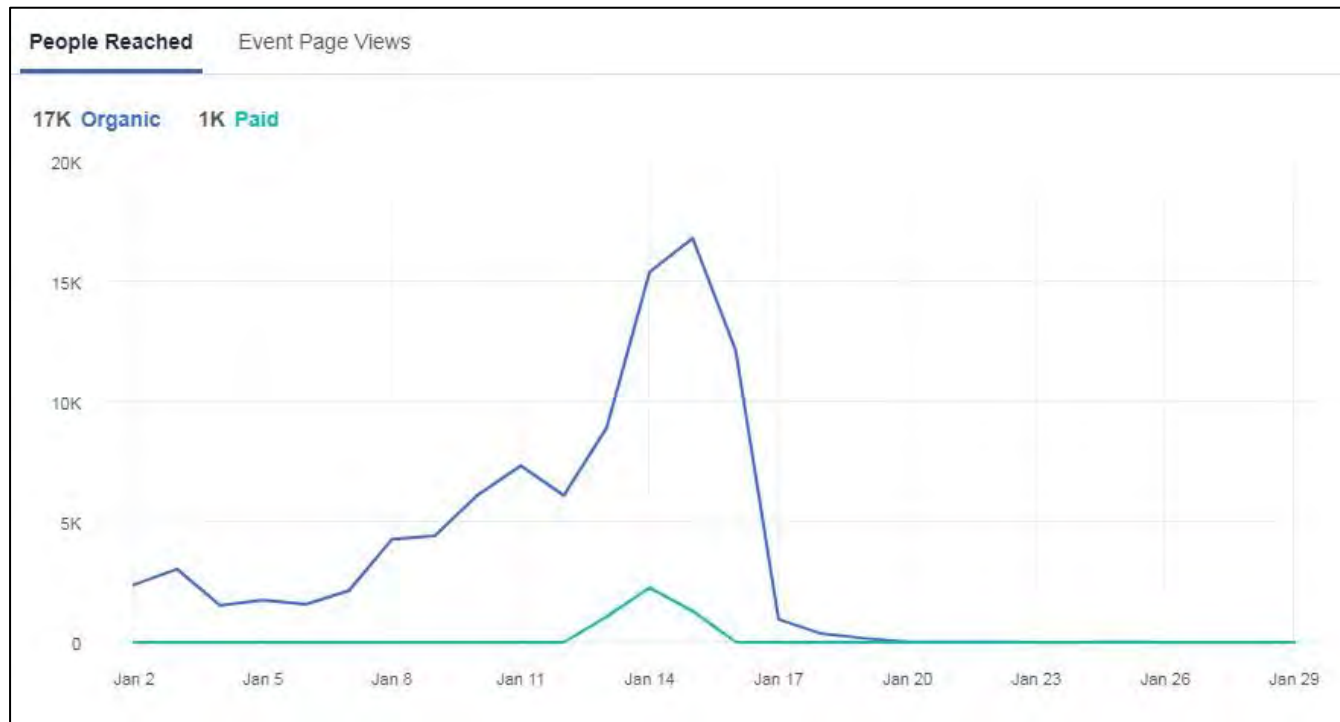


UGG EVENT ANALYTICS (FACEBOOK INSIGHTS)

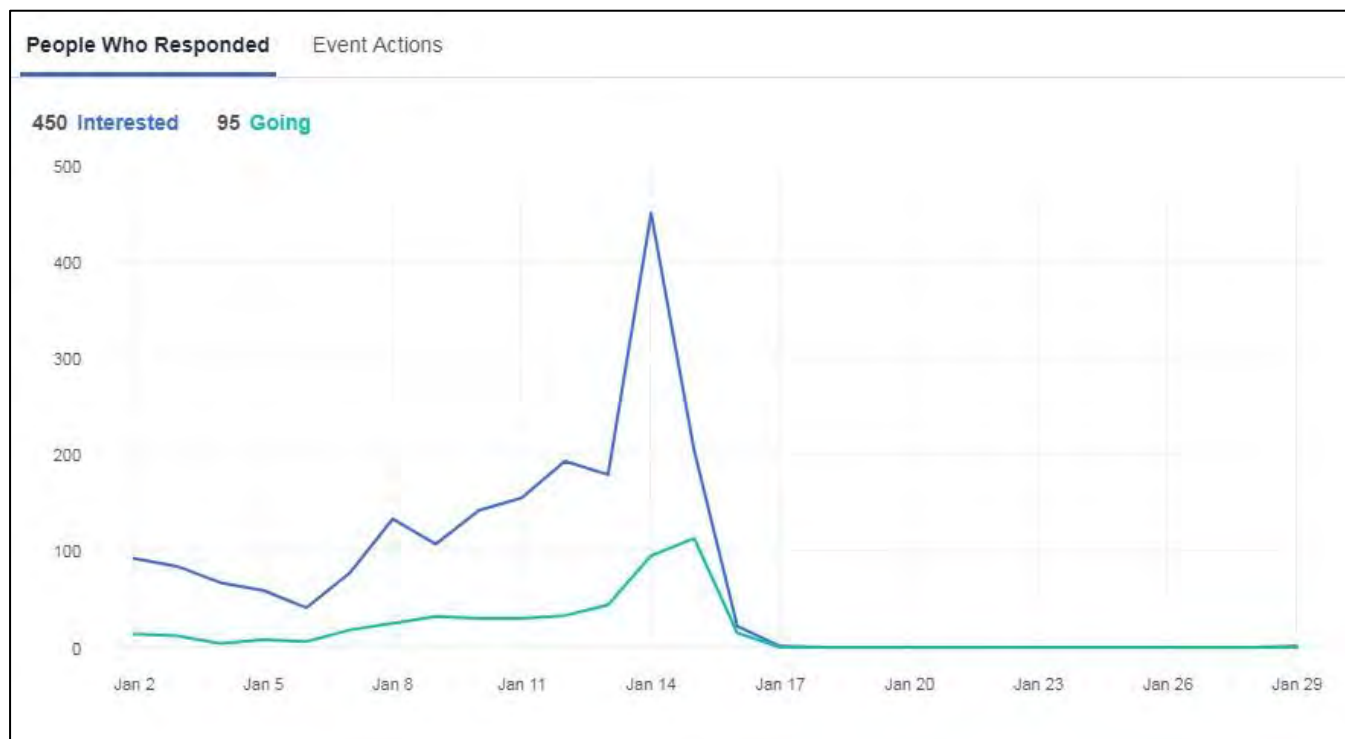
AUDIENCE: The largest demographic reached was women and men aged between 25-34 (20.2k women and 10.2k men):



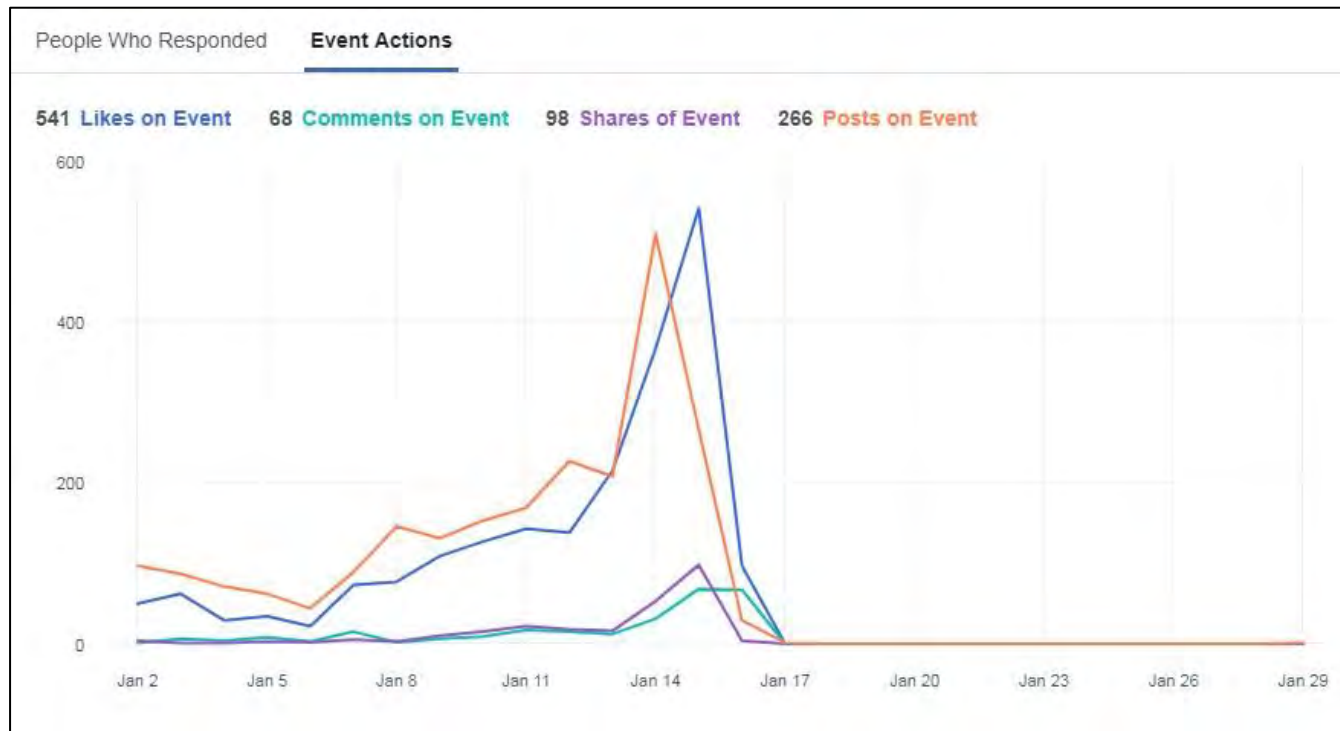
AWARENESS: The peak time for awareness of the event was on Monday 15 January with a 18k awareness rating (Organic [unpaid] reach of 17k people, combined with a paid reach of 1k people):



ENGAGEMENT: peaks in peoples' response coincided with paid advertising. The peak day for people selecting 'interested' was Sunday 14 January and 'going' on Monday 15 January:

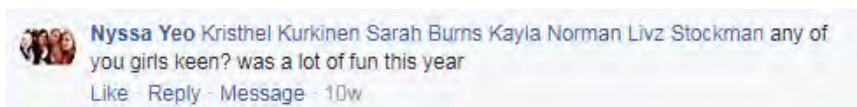
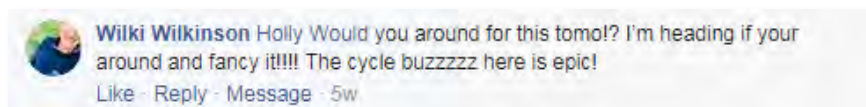
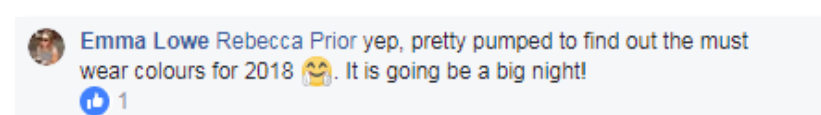
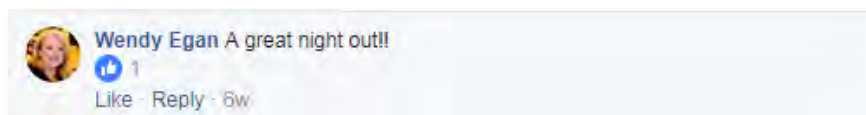


EVENT ACTIONS: Posts, likes, shares and comments by the community peaked in the lead up to event day, noticeably on Monday 15 January:



COMPLIMENTS AND FEEDBACK

The overwhelming comments on social media were positive, as people tagged and invited friends to join them at the event.



The only non-positive feedback was post-event and related to the waste bin system. This feedback was acknowledged and responded to promptly.

Note: A post to the Gala page relating to a dog locked in a car on the night was responded to quickly. When staff investigated they found that the car was no longer parked in the street and a reply was posted accordingly. Unfortunately, the post morphed into a debate around responsibly dog ownership and trolling of the person who posted the original comment. The post was deleted overnight by the original publisher, before we were able to screen capture and record.

WANT TO KNOW MORE?

If you wish to review all posts please:

- visit our social media sites
- <https://www.facebook.com/gourmetgala/>
- <https://www.facebook.com/events/120322365315750/>
- <https://www.facebook.com/cityofunleyevents/>
- <https://www.facebook.com/unleycouncil/>
- <https://twitter.com/UnleyCouncil>
- <https://www.instagram.com/cityofunley/>

OR

- search on **#unleygala** on either Facebook, Twitter or Instagram

OUR MEDIA STRATEGY & RESULTS

We worked together with JP Media to develop a targeted media strategy for the 2018 event.

This year the concept of a MAMIL Challenge was introduced, to help increase coverage. As well as providing engaging content for social media, this concept helped us to secure significant media coverage including a national TV cross on race morning.

As well as targeting a comprehensive list of handpicked media including chosen industry specific media, we targeted digital influencers such as food, fashion and sports bloggers to assist in sharing our messages across multiple online platforms.

We also worked with the TDU Media team to ensure we maximised opportunities for promoting Unley's Stage Start.

Discussions with media commenced in October to ensure event listings were included in all long lead publications.

AND THE RESULTS ARE IN!

An analysis of coverage produced in the 129 days between 01 Oct 2017 and 07 Feb 2018 found **100 items** (31 more than in 2017) mentioning '**Unley Gourmet Gala**' reaching a cumulative audience of **3,433,231**, and **243 items** (2 less than in 2017) mentioning 'Unley' in context of TDU, reaching a cumulative audience of **9,412,448**.

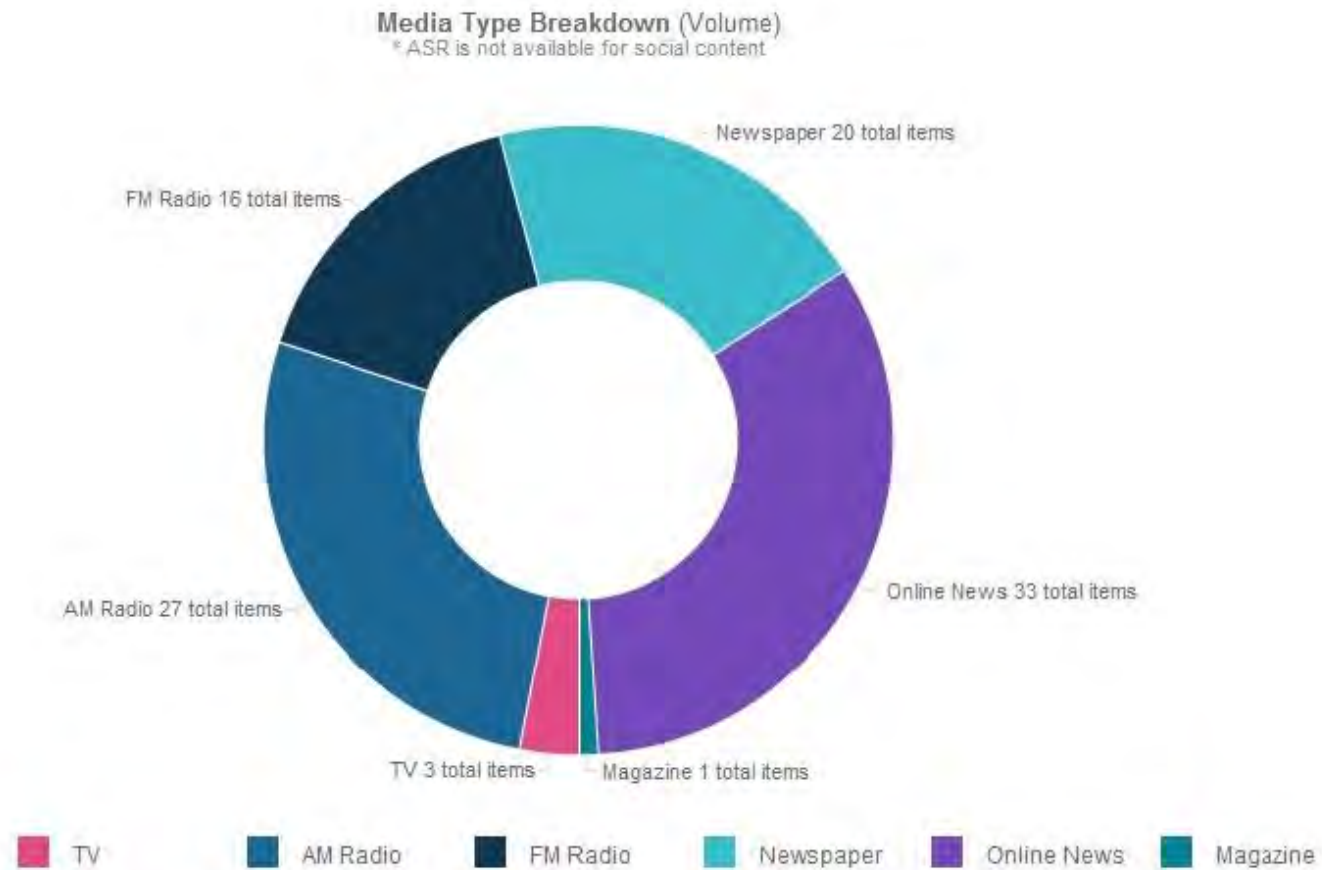
The total audience reach of the Unley Gourmet Gala and Unley stage start of the Santos Tour Down Under was **12,845,679 (31% more than in 2017)**.

Traditional newspapers continued to have the highest advertising space rate of \$320,853, an increase on 2017 (\$293,110). The quality of the coverage in terms of prominence and size of articles contributed towards the higher ASR* value in 2018.

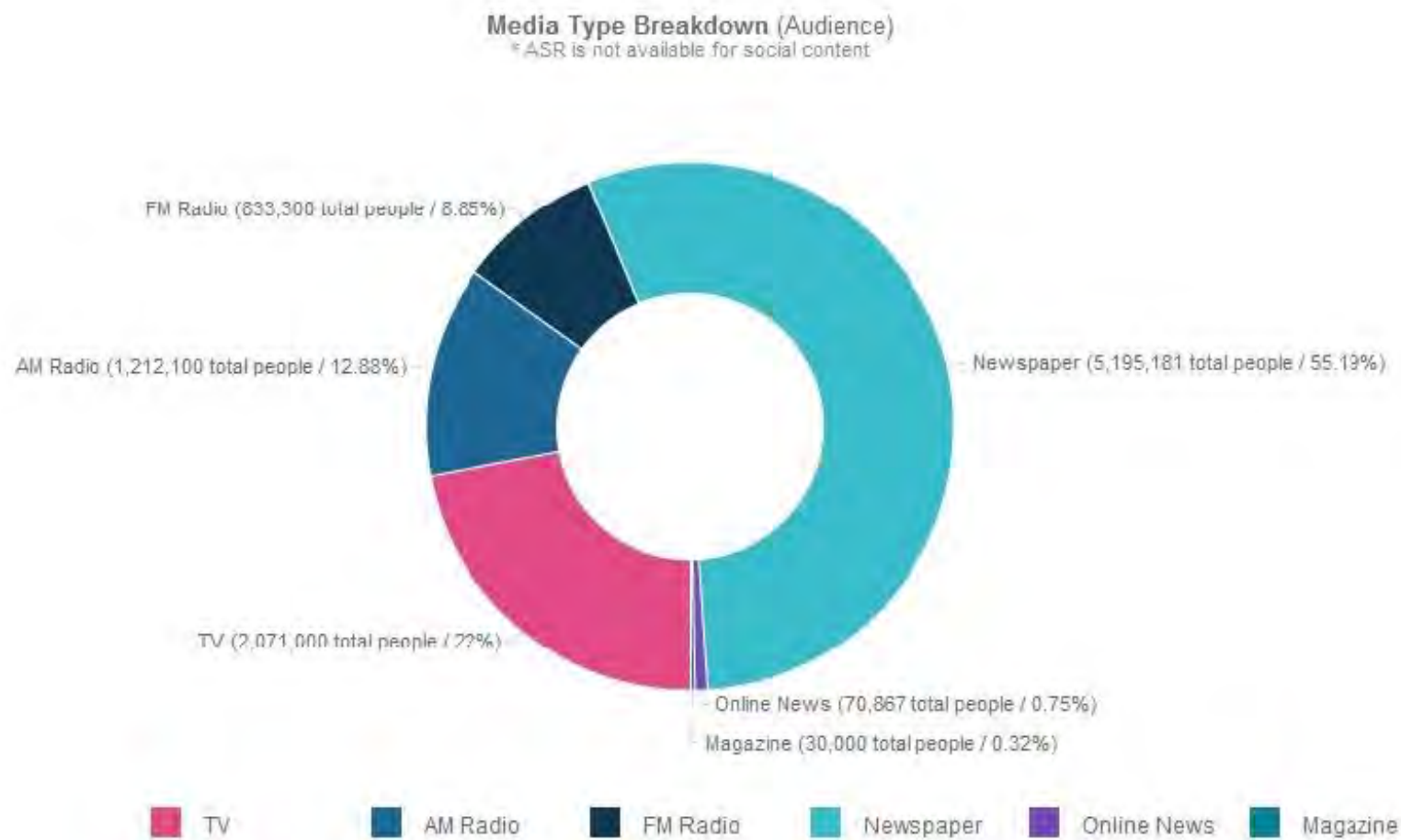
AM and FM radio, both of which are media channels are targeted at local audiences, increased in terms of volume. AM radio recorded 27 items, reaching 519,000 people and FM radio contributed 16 items, reaching an audience of 368,000.

Online news in 2018 grew from 11 in 2017 to 33 in 2018. Syndication via news.com.au represented an increase in audience reach.

Unley Gourmet Gala Coverage



Coverage mentioning Unley in context with TDU



SUMMARY OF MEDIA ITEMS SECURED BY THE CITY OF UNLEY

Date	Medium	Outlet	Title	Notes
20/12	ONLINE	Fritz	'South Australian summer events guide'	https://www.fritzmag.com.au/south-australian-summer-events-guide/
3/1	ONLINE	Adelaide Food Central	'Unley Gourmet Gala 2018'	https://adelaidefoodcentral.com/2018/01/03/unley-gourmet-gala-2018/
3/1	ONLINE	GLAM Adelaide	'KWR's summer street party is back for its 18 th year'	http://www.glamadelaide.com.au/main/the-popular-summer-street-party-is-back-for-its-18th-year/
3/1	ONLINE	GLAM Adelaide	Unley Gourmet Gala event listing	http://www.glamadelaide.com.au/main/tour-down-under-guide/
5/1	ONLINE	CHILD Mags	Unley Gourmet Gala event listing	https://calendar.childmags.com.au/event/unley-gourmet-gala/
5/1	ONLINE	Adelady	Unley Gourmet Gala event listing	https://adelady.com.au/event/unley-gourmet-gala-2/
5/1	ONLINE	Kids in Adelaide	Unley Gourmet Gala event listing	https://www.kidsinadelaide.com.au/event/unley-gourmet-gala-4/
9/1	ONLINE	AdelaideNow	Unley Gourmet Gala event listing	http://www.adelaidenow.com.au/sport/tourdownunder/where-youll-find-all-the-tour-down-under-street-parties-across-adelaide/news-story/
10/1	PRINT	Eastern Courier Messenger	'Wheels in motion'	
10/1	PRINT	Eastern Courier Messenger	Unley Gourmet Gala event listing	
10/1	ONLINE	AdelaideNow	Unley Gourmet Gala event listing	http://www.adelaidenow.com.au/messenger/your-essential-guide-to-whats-on-in-adelaide-south-australia/news-

				story/d8def9ac540e6dee8d05c6e91d5633ae
10/1	ONLINE	InDaily	Unley Gourmet Gala event listing	https://indaily.com.au/eat-drink-explore/food-wine-events/2018/01/10/tour-de-food-wine/
10/1	ONLINE	Fritz	Unley Gourmet Gala event listing	https://www.fritzmag.com.au/top-eight-events-in-adelaide-10-january/
10/1	ONLINE	GLAM Adelaide	Unley Gourmet Gala event listing	http://www.glamadelaide.com.au/main/whats-on-this-week-in-adelaide/
10/1	ONLINE	This Is Radelaide	'Soak up summer with ultimate street party: the Unley Gourmet Gala'	http://www.thisisradelaide.com.au/rad-life/2018/1/9/unley-gourmet-gala
11/1	ONLINE	Clique	Unley Gourmet Gala event listing	https://clique.adelaidereview.com.au/events/unley-gourmet-gala-2/
11/1	FACEBOOK	This Is Radelaide	Post about Gourmet Gala	
11/1	ONLINE	Adelaide Loves	'18 th Unley Gourmet Gala returns to the road'	http://www.adelaideloves.com.au/our-picks/18th-unley-gourmet-gala-hits-streets/
12/1	ONLINE	AdelaideNow	Tour Down Under 2018: Your guide to celebrations and stage starts in the suburbs	http://www.adelaidenow.com.au/messenger/sport/tour-down-under-2018-your-guide-to-celebrations-and-stage-starts-in-the-suburbs/news-story/ad5b26355e9b4ef6e29204af17a044f6
12/1	ONLINE	InDaily	'Smoky fish tacos with caramelised pineapple'	https://indaily.com.au/eat-drink-explore/recipes/2018/01/12/smoky-fish-tacos-caramelised-pineapple/
13/1	FACEBOOK	The Advertiser	'It's Tour Down Under time again and the suburbs are in party mode. Here's your guide to what's happening.'	https://www.facebook.com/theadvertiser/
13/1	PRINT	The Advertiser	'Antique bikes, child's play, our undies run and a whole	

			lot of fun'	
13/1	ONLINE	AdelaideNow	'Antique bikes, child's play, our undies run and a whole lot of fun'	http://www.adelaidenow.com.au/entertainment/confidential/antique-bikes-childs-play-our-undies-run-and-a-whole-lotta-fun/news-story/d35e052e4cd9c49abfc0b7fc831ee0ae
13/1	ONLINE	PerthNow	'Antique bikes, child's play, our undies run and a whole lot of fun'	https://www.perthnow.com.au/entertainment/confidential/antique-bikes-childs-play-our-undies-run-and-a-whole-lotta-fun-ng-d35e052e4cd9c49abfc0b7fc831ee0ae
13/1	PRINT	SA Weekend	Unley Gourmet Gala event listing in 'The Source SA'	
13/1	PRINT	SA Weekend	Unley Gourmet Gala event listing in 'Diary'	
13/1	PRINT	SA Weekend	Unley Gourmet Gala event listing in 'SA Weekend Confidential'	
15/1	PRINT	The Advertiser	'Pedal and party in the very best of fashion'	
15/1	RADIO	Radio Adelaide	Breakfast interview with Gala performers Lazy Eye Band	
15/1	ONLINE	Radio Adelaide	'Lazy Eye live in studio'	http://radioadelaide.org.au/2018/01/15/lazy-eye-adelaides-own-critically-acclaimed-blues-trio/
15/1	RADIO	5EBI	Afternoon interview with Gala performers Moonta St	
15/1	FACEBOOK	Adelaide Loves	Post about Gourmet Gala	
15/1	INSTAGRAM	Adelaide Loves	Post about Gourmet Gala	
16/1	RADIO	FIVEaa	News grab in morning news	

			bulletin	
16/1	RADIO	MIX 102.3	News grab in morning news bulletin	
16/1	RADIO	FIVEaa	Afternoons interview with Lachlan Clyne	
16/1	PRINT	The Advertiser	'Food and fashion hits the road'	
16/1	PRINT	The Advertiser	'Why build me up, buttercup?'	
16/1	FACEBOOK	Man About ADL	Post about Gourmet Gala	
16/1	INSTAGRAM	Man About ADL	Post about Gourmet Gala	
16/1	FACEBOOK	Adelaide Food Central	Post about Gourmet Gala	
16/1	FACEBOOK	Adelaide Loves	Post about Gourmet Gala	
16/1	FACEBOOK	GLAM Adelaide	Post about Gourmet Gala	
16/1	INSTAGRAM	GLAM Adelaide	Post about Gourmet Gala x2	
16/1	TWITTER	Messenger News	Post about TDU events including Unley Gourmet Gala	
16/1	TV	Channel Nine Afternoon News Adelaide	Weather cross from Gourmet Gala	
16/1	TV	Channel Nine Evening News Adelaide	Weather cross from Gourmet Gala	

16/1	TV	Channel Ten News Adelaide	Weather cross	
17/1	TV	TODAY Show	Live cross to Vic Square with MAMIL competition winner John Peet	
17/1	ONLINE	The Adelaide Review	Gourmet Gala social photos	https://www.adelaidereview.com.au/galleries/unley-gourmet-gala/
17/1	INSTAGRAM	Adelaide Food Bloggers	Post about Gourmet Gala x3	
17/1	INSTAGRAM	Adelaide Loves	Post about Gourmet Gala x2	

**The Advertising Space Rates (ASRs) methodology used by Isentia is based on:*

Print • Casual column centimetre advertising rates • Size of the content

Broadcast (Radio & Television) • 30 second cost per thousand (CPM) • Timeslot average audiences • Prime time 30 second rate cards (where CPM/audiences are unavailable) • Duration of the content.

Internet • Cost per thousand (CPM) • Monthly page impressions • Monthly unique visitors • Monthly stories served • Rate cards for internet (where CPM are unavailable) • Size of the content.

PLEASE NOTE: Average advertising rates and audience figures are not available for all content as it is dependent on published rate cards and officially audited figures. This means there is an impact on audience figures where there has been, for example, a diversification of channels for each media type (Free to air entities now have multiple channels across multiple platforms).

Of the top media outlets mentioning Gourmet Gala, six are unaudited: Adelaide Review online, Glam, Indaily, Fritz, Play and Go and Radio Adelaide online. However, all represent tier one audience targets.

Inclusive of syndication, the 243 media items that referred to 'Unley' in the context of the Tour Down Under was broadcast on 909 media channels, representing a total audience of 9,412,448 (audited audience figure only)

DECISION REPORT

REPORT TITLE:	INCREASED USE OF SPORT AND RECREATION FACILITIES
ITEM NUMBER:	1174
DATE OF MEETING:	28 MAY 2018
AUTHOR:	JOHN WILKINSON
JOB TITLE:	SPORT AND RECREATION PLANNER

1. EXECUTIVE SUMMARY

The value of open space, including sport and recreation facilities in the City of Unley are referenced in Council's Open Space Strategy and Sport and Recreation Plan; that recognises these spaces for their essential social, cultural, economic and environmental functions. As a primary owner of public space, Council has a key role in providing, promoting, encouraging, supporting and facilitating sport and recreation opportunities in order to foster positive health and wellbeing outcomes for the community.

During 2017/18, a number of initiatives have been undertaken in response to the directions of the '*Living Active*' Sport and Recreation Plan 2015-2020 and the 2017/18 CEO Key Performance Indicator (KPI) relating to KPI No. 9 'Recreation'. These initiatives include:

1. Supporting the community to lead healthy lifestyles, including:
 - Funding and promotion through Council's Active Unley program to support clubs and businesses to offer free or low cost activities to the community;
 - Free information workshops for clubs;
 - Support to clubs regarding strategic planning and grant funding;
 - Implementation of augmented reality technology (known as 'Magical Park') at Heywood Park to trial new visitor experiences;
 - Design guidelines for improving signage at Council's parks and open spaces, with the first rollout completed at Ridge Park;
 - Promotion of external programs, such as the Heart Foundation's 'Heart Week', to promote healthy lifestyles to our community; and
 - Support for large events, such as Nature Play at Ridge Park, to promote Council's open spaces and their role in supporting healthy lifestyles.
2. Visitor surveys at eight (8) selected parks, seeking information such as the profiles of park users; how they travel to and use parks in Unley; perceptions of the park; and suggestions for future improvements.
3. A survey of City of Unley sport and recreation clubs to capture baseline data relating to club membership numbers, current club use of their leased facilities, and opportunities for increasing use.
4. Investigation of Ridge Park and Orphanage Park for increased sport use for which Council allocated funding in its 2017/18 budget.

Whilst separate projects in their own right, the above-listed initiatives are closely aligned to achieve common outcomes relating to the management and optimum use of Council's sport and recreation facilities, as well as increasing membership and participation at sport and recreation clubs in the City of Unley.

This report presents the findings of key initiatives undertaken in 2017/18 with the aim of seeking Council's endorsement of priority actions for 2018/19 and beyond.

2. RECOMMENDATION

That:

1. The report and attachments be received.
 2. A master plan for Ridge Park be developed in 2018/19 to establish a long-term vision for the park, considering:
 - a. Football and cricket to suit female and junior participation, integrated into the existing amenity of the park.
 - b. Informal recreation opportunities, trees and vegetation, biodiversity and the management of Glen Osmond Creek.
 - c. Further consultation with selected City of Unley clubs as potential users of future upgraded facilities, including Goodwood Saints Football Club, Goodwood Cricket Club and Glen Osmond scouts, as well as consideration of the Open Space Survey findings.
 3. Continue to work with City of Unley based clubs, particularly those based at Goodwood Oval, to facilitate the increased use of Orphanage Park in order to reduce the overuse of Goodwood Oval and do not undertake any improvements to sports infrastructure at Orphanage Park until designs for Brownhill Keswick Creek in this park are finalised.
 4. Review lease and licence documents to investigate opportunities to increase facility use after club hours.
 5. Develop individual four year management plans for each surveyed park to integrate the findings of the Open Space Survey with asset renewal and maintenance programs. These plans will identify possible actions for consideration as part of the 2019/20 budget process.
 6. Repeat the Open Space Survey in four years to enable an evaluation of Council's initiatives.
-

3. **RELEVANT CORE STRATEGIES/POLICIES**

Community Living

Goal 1: People value our City with its enviable lifestyle, activities, facilities and services.

1.1 Our community is active, healthy and feels safe.

1.3 Our City meets the needs of all generations

1.5 Our City is connected and accessible.

The provision of sport and recreation opportunities within the City of Unley is also identified in Council's Open Space Strategy and Sport and Recreation Plan 2015-2020.

4. **DISCUSSION**

In recent years, a number of actions has been undertaken to support sport and recreation clubs to deliver services to the community, and ensure that Council's sport and recreation assets are well managed and used to optimum levels.

These actions include:

- Council's Active Unley program – a program of activities delivered in partnership with the community to promote healthy lifestyles;
- Club development program – a series of seminars to provide information to clubs regarding various administration topics, and to support them in registering with the Office for Recreation & Sport's 'Star Clubs' program;
- Liaison with clubs regarding the sustainable use of their facilities, particularly at Goodwood Oval where there is high demand to access the oval; and
- Negotiation with clubs to develop lease and licence agreements that meet club and community needs.

At its meeting on 14 August 2017 (Item 936), Council endorsed a number of KPIs for the Chief Executive Officer to achieve in 2017/18, and this report responds to KPI 9 (Recreation), as follows:

9. Recreation

Key Performance Indicator

Develop strategies with sporting clubs, tenants, and other users of Council properties to increase usage and patronage of their facilities.

Description

Optimising the use of our open spaces and recreational facilities and encouraging our clubs to grow their membership are both important levers to achieving an active and healthy community. This KPI involves gathering base line data to understand current usage of our recreational facilities and open space and sporting/ leisure club membership.

Based on the data gathered, options will be developed to increase the usage of our open space by the community and a range of incentives identified to assist clubs to increase their membership. This could involve grants being offered to clubs that satisfy some key criteria.

Milestones

- *Baseline data of usage for recreational facilities/open space will be gathered as well as club membership numbers.*
- *A report will be presented to Council discussing opportunities to assist and reward clubs who increase their membership numbers.*
- *A program will be developed to increase usage on Council owned open space/ recreational facilities.*

To achieve KPI 9, a number of actions have been completed in 2017/18:

1. Supporting the community to lead healthy lifestyles, including:
 - Funding and promotion through Council's Active Unley program to support clubs and businesses to offer free or low cost activities to the community;
 - Free information workshops for clubs;
 - Support to clubs regarding strategic planning and grant funding;
 - Implementation of augmented reality technology (known as 'Magical Park') at Heywood Park to trial new visitor experiences;
 - Design guidelines for improving signage at Council's parks and open spaces, with the first roll out completed at Ridge Park;
 - Promotion of external programs, such the Heart Foundation's 'Heart Week', to promote healthy lifestyles to our community; and
 - Support for large events, such as Nature Play at Ridge Park, to promote Council's open spaces and their role in supporting healthy lifestyles.
2. Visitor surveys at eight (8) selected parks, seeking various information such as the profiles of park users, how they travel to and use parks in Unley, perceptions of the park and suggestions for future improvements.
3. A survey of City of Unley sports and recreation clubs to capture baseline data relating to club membership numbers, current club use of their leased facilities and opportunities for increasing use.
4. Investigation of Ridge Park and Orphanage Park for increased sport use, for which Council has allocated funding in its 2017/18 budget.

The actions as summarised above are explored in further detail below.

1. Supporting our Sport and Recreation Clubs

Council has a long history of working with club administrators (who are most likely to be working in a voluntary capacity); to support the various functions required to run a successful club.

The Sport and Recreation Plan 2015- 2020 reinforces these efforts, with recent examples including:

- Administering the leases that define the roles and responsibilities for both council and clubs, including hours of use and maintenance requirements;
- Undertaking facility maintenance as required under each lease agreement;
- Supporting clubs to secure funding for various projects from external agencies;
- Providing grant funding opportunities to support club activities and promotion, including the 'Active Unley' program and Council's bi-annual community grants program;
- Hosting workshops and disseminating information on topics relating to club management, such as fund raising and using social media; and
- Encourage clubs to register with the Office for Recreation (ORS) 'Star Clubs' program and assist clubs to develop Strategic Plans to guide their activities.

The ORS 'Star Clubs' program is a free online assessment tool to assist clubs to measure their performance, and includes indicators for areas where they are performing well, and areas for improvement.

The Administration has reviewed opportunities to assist and reward clubs who increase their membership numbers, with a focus on a review of previous and current practices surrounding negotiation of and new leases, and the existing funding opportunities that Council provides to sport and recreation clubs.

The Property Management Policy was adopted in 2014 and it outlines the process for assessing lease and licence fees, which is currently 1% of the Capital Replacement Value of the asset, plus GST. Prior to this, Council used an incentive-based policy that required each club to complete a questionnaire that aligned club membership and administration practices with Council's strategic directions, and then applied a discount to the lease fee.

The current lease management process is intended to reward clubs by ensuring rental amounts are minimal and sustainable for clubs.

Whilst this process enabled both parties to review how a club was tracking against set criteria, it was time consuming, and the assessment process had an element of subjectivity based on the information provided by the club and the discount applied by the Administration.

It should also be noted that when the current policy was adopted (2014), a number of clubs had achieved high membership numbers which had been sustained for an extended period. A number of clubs were also not in a position to increase membership in some areas due to the usage limitations on their facility, particularly at Goodwood Oval, and this is certainly still the case.

Council can also assist clubs to increase membership and facility use through financial support, which is currently provided directly, such as grants and capital contributions, and indirectly, such as informing and assisting clubs with the preparation of grant applications to external agencies.

Council currently offers two grant funding opportunities that clubs may apply for to assist in increasing club membership and encourage greater facility use, as follows:

Community Grants Program

- Two rounds offered each financial year, in September and March.
- Grants of up to \$4,000 for equipment or programs that demonstrate maximum community benefit.
- Increasing club membership and facility use is a key criteria used to assess grant applications.

Active Unley Program

- An initiative of the Sport and Recreation Plan 2015-2020 that is annually endorsed as part of Council's budget preparations.
- \$20,000 committed each year since 2015/16 under Council's Healthy Communities initiative.
- Contributions of up to \$400 to assist active recreation providers offer free or low cost activities to the community.
- Examples of activities include club 'come and try days' and local yoga instructors offering free sessions at Council parks.
- Monthly activities are promoted through Council's website and social media.

Opportunities to change existing grant programs to assist clubs to further increase membership and facility use have been investigated, and feedback from relevant staff is that existing processes are working well and any changes or new grant programs for this purpose may over complicate the process and cause confusion.

Whilst the support provided through the Active Unley program is relatively minor, the aim is to assist clubs and activity providers to implement ideas quickly, without having to complete a lengthy application process and wait for an outcome regarding its success. It is noted that these funding programs are also available and provide support to all sport and recreation clubs in the City of Unley, including those who hire Council's community centres and other non-Council owned facilities, such as the Forestville Eagles basketball club based at the Adelaide Showgrounds.

This report outlines the achievements in 2017/18, and for each action provides a list of suggested actions for Council's consideration in 2018/19 and beyond. Many of the actions can be implemented within existing resources and budgets, and it is suggested that a small allocation from the 'Healthy Communities' initiative proposed in the 2018/19 draft budget could be used. The list of actions is outlined in further detail in Attachment 1.

Attachment 1

2. Open Space Survey

To achieve the CEOs KPI in relation to gathering baseline data regarding the use of open space, an independent survey of users at eight (8) parks was commissioned. This involved face-to-face interviews with 365 randomly selected park users, with their permission. The questions covered topics including:

- The demographic profile of park users, including age, gender, place of residence and cultural background;
- Why they use a particular park and the activities they undertake;
- How users travel to the park;
- Other parks they use; and
- Suggestions for improving the park.

The parks were selected based on:

- An even spread of locations across the council area;
- Including parks of different sizes and recreation opportunities, such as quiet reflection, play for children of various ages, active recreation and organised sport;
- Potential future upgrades at the park, including those mentioned in this report at Ridge Park and Orphanage Park; and
- Locations that may be under used (anecdotally) and survey information could inform place activation initiatives.

Key park user demographics and characteristics include:

- 53% of respondents were female;
- 70% of respondents were aged between 20-49 years;
- Children provided feedback alongside their parents, however, in line with common survey practice, only the parent's profile was recorded;
- The majority of respondents were born in Australia, however the highest number of respondents born elsewhere was at Wayville Reserve (29%);
- Of the locations where surveys were undertaken, Fullarton Park attracts visitors from the greatest distance (up to 7.1km from the park on average), with most visitors driving to this park;
- Driving was a popular mode of travel for visitors at six (6) of the eight (8) parks where surveys were undertaken.

Key findings from the survey for Council's consideration are summarised as follows:

Patterns of use

- Respondents visit the surveyed parks between 2-3 times per week on average, with smaller 'local' parks visited more often, mostly due to the ease of travel (walking rather than using a car).
- Page Park (2.8 times per week) and Wayville Reserve (3 times per week) are visited most frequently.
- Unley Oval (1.7 times per week) and Fullarton Park (once a week) are visited less frequently, with the majority of respondents indicating they were at the park for other reasons, such as attending a class at the community centre or going to an appointment nearby.

Reasons for use

- For nearly all of the surveyed parks, walking the dog featured as one of the top three (3) reasons for people to use the parks. Aside from highlighting the social and health benefits of pet ownership, this finding shows the importance of supplying space and supporting infrastructure for dogs at City of Unley parks.
- Visiting the park with children and using the playground also featured as a key reason for park use, strengthening the importance of providing safe, innovative and interesting play spaces across the City.
- As the park with the most frequent use per week (of those surveyed), most visitors to Wayville Reserve were on a work break, highlighting the role of open space for those who work in the City of Unley, as well as for local residents and visitors.

Overall satisfaction

- The survey results indicated high levels of satisfaction with City of Unley parks, with nearly all survey respondents stating they are satisfied or somewhat satisfied with each park. The highest level of satisfaction were identified at Everard Park Reserve and Unley Oval (100% of respondents), and lowest levels were at Fullarton Park (87%).

Suggested improvements

- From the comments received, the following common themes have emerged regarding improving Council's approach to the ongoing management of local parks. These are summarised as follows:
 - Additional park furniture to improve user experiences, including additional seating, drinking fountains, bins, BBQs and picnic settings.
 - Improved park signage to assist in way finding and orientation.
 - Improvements to increase dog related uses, where appropriate.
 - Additional sports equipment, including exercise equipment where appropriate.
 - Increased areas of shade and shelter where park users commonly gather (such as playgrounds, picnic areas, BBQs and renewal of play grounds to increase appeal for all ages and abilities in natural/landscaped settings.
 - Improved entry points into parks with improved access paths and new connections between features within each park, including greater day and night circulation.
 - Improved approach to park maintenance including watering and mowing of grassed areas, litter collection, repair of existing equipment and presentation of garden beds.
- In response to the survey findings, the Administration will incorporate the feedback into the designs for current projects, including the Heywood Park upgrade (funded via Fund My Neighbourhood), and Everard Park (proposed upgrade subject to Council endorsing its 2018/19 budget).

To enable benchmarking and evaluation of Council initiatives, it is recommended that the Open Space Survey be undertaken every four (4) years.

The final Open Space Survey report is included as Attachment 2.

Attachment 2

Suggested Actions – Management Plan

The findings from the Open Space Survey will inform future park upgrades and ongoing maintenance and should include development of an implementation plan to progress the survey findings. This plan should be prepared to inform the 2019/20 budget process and be consistent with the open space asset renewal program.

3. Club Survey

The City of Unley provides and manages facilities for 23 sport and recreation clubs and Council works closely with clubs to manage facilities and assist clubs with their administration functions to achieve success both on and off the field.

For the purposes of this report, sport and recreation clubs include all clubs who regularly use Council open space/ recreational facilities through a lease, which allows exclusive use at all times (usually a building), or licence, which allows for exclusive use during designated times (usually an oval or court). The clubs include:

- Established sports club tenants of Council facilities (16 clubs);
- Goodwood Saints Tennis Club (sub-user of Millswood Tennis Complex, leased to Tennis SA);
- Fern Avenue Community Garden (Alternative 3 Inc. were surveyed as the lessee of this facility);
- Unley United Soccer Club, who licence Goodwood Oval (hockey field) for training;
- Unley Swimming Club, who licence space at Unley Swimming Centre; and
- Scouts and Guides groups who lease Council-owned facilities (3 groups).

A summary of findings relating to club membership is as follows:

- There are 3124 total participants, including 1452 junior (under 18 years of age) and 1672 senior participants (over 18 years of age).
- Based on club figures (and estimations in some cases), there are 2175 male participants and 949 female participants.
- The percentage of City of Unley residents is at least 50% for all clubs.
- The majority of clubs (15 in total) have experienced growth in participation over the last 5 years, commonly attributed to quality of facilities, coaching, growth in female participation and improved marketing.
- Five clubs experienced no change in participation and three clubs experienced a decrease in participation, commonly attributed to the capacity of their facilities or change in management structures.
- The Goodwood Oval complex has the highest amount of organised sport use, with club membership at this facility totalling 1,233 or 40% of total membership in the City of Unley.

A summary of findings relating to the use of club facilities is as follows:

- Five clubs use their facilities two days per week, and there are variety of reasons for this, including clubs having access to other facilities for training or matches; however, other clubs only require their facilities for two days per week and suggest increased use could be achieved.
- Four clubs use their facilities 3-4 days per week.
- Lawn Bowls and Lawn Tennis clubs use have exclusive use of their facilities all year round; however, their season is limited to summer only. Each club suggested they could accommodate greater use in winter, providing appropriate insurances, agreements and fees were in place.
- One club (Highgate Guides) uses their facility one day per week and indicated greater use could be achieved.
- 13 clubs use their facilities 5-7 days per week and suggested the capacity to increase use of their facilities was limited, primarily due to limited available times and the need for the playing surface to recover.

The majority of clubs were supportive of additional use of their facilities beyond existing club use, and they also indicated their facilities are currently used by other groups, such as yoga and exercise groups. Some clubs were cautious of actively encouraging increased use of their facilities due to insurance considerations, security, impact on residents and other users, and the perception of potential damage to building and open space assets.

The survey findings indicate an even spread of junior and senior participation, noting that female participation is considerably lower than male participation, however there is an increase in female participation in both cricket and Australian Rules football. Whilst these sports are supported by their state and national bodies to grow female participation, Council should complement these efforts and also assist other sports to identify and remove barriers for female participation as a priority for 2018/19.

The detailed club survey results are outlined in Attachment 3.

Attachment 3

The club survey highlighted the intensity of use at the Goodwood Oval complex, particularly the football and cricket oval, attributed to the growth in female and junior participation. In recent years, the Administration has been working closely with clubs regarding the sustainable use of their facilities, particularly at Unley Oval and Goodwood Oval. A particular focus has been the increase in female and junior participation in football and cricket, resulting in club growth, but also placing increased pressure on the playing surface and ability for the broader community to access these areas for recreation.

As it is home to two successful and well-managed clubs, Goodwood Oval must cater for the highest levels of use compared with other sport facilities in the City of Unley. This includes over 700 participants at the Goodwood Saints Football Club and over 350 participants at the Goodwood Cricket Club.

The growth in female participation in traditionally male dominated sports has been unprecedented in recent years and efforts should be made to accommodate this use. While this growth has created opportunities to secure funding to upgrade the Goodwood Oval and Unley Oval grandstands, it is anticipated that demand will continue to rise placing increased pressure on the playing surfaces at these venues.

Through ongoing efforts to inform and educate clubs of the need to limit use of the playing surfaces at both ovals, clubs have proactively made arrangements to hire other venues to accommodate their participants.

Suggested Actions – Club Survey

The club survey also identified common themes regarding greater use of club facilities. All clubs agreed that opportunities to achieve optimum use of their facilities should be explored and it is recommended that the Administration reviews lease and licence documents to include provisions to increase facility use after club hours, including but not limited to amending public liability insurance arrangements relating to third party use of club facilities.

There is also a need to explore under-utilised playing areas in the City of Unley, such as Ridge Park or Orphanage Park. Discussions have also occurred and will continue with other land owners, such as the Adelaide Showgrounds and City of Adelaide, to realise opportunities for City of Unley clubs.

Other opportunities that can be achieved quickly and at minimal cost relate to the support that Council provides to clubs, such as promotion, developing strategic plans and providing training on topical issues and these are outlined further in Attachment 1.

4. Investigations at Ridge Park and Orphanage Park

This project was undertaken in recognition that the use of Goodwood Oval playing surface for football and cricket is at capacity and opportunities to use other facilities to their full potential should be actively explored to maintain the condition of the playing surface and to sustain further membership growth, particularly for junior and female participants.

Currently, the oval is used three nights per week for football training (with lighting) and all day on weekends for football matches. The club has recently lodged a development application to support an increased use to five nights and four Saturday night games. For cricket, the oval is used three nights per week for training and all day on weekends for matches.

Investigations into increasing sports use at Ridge Park in Myrtle Bank, and Orphanage Park in Millswood were undertaken during 2017/18. Both sites are currently used for organised sport on an ad hoc basis, managed through casual use permits. This is primarily only for junior sport due to limitations such as the size of existing playing areas, availability of lighting for training, and other supporting infrastructure (such as change and storage facilities). Discussions with the Goodwood Saints Football Club indicate that minimum requirements for junior sport include sports lighting, toilets and a small area for changing and storage.

This investigation provides an understanding of the opportunities to accommodate various sports at each site, the infrastructure requirements, scope of works and potential costs and is included as Attachment 4.

Attachment 4

The investigation showed that the existing oval at Ridge Park can be extended to accommodate various junior level sports, as follows:

- Australian Rules football – age 7-11 years
- Cricket – age 5-16 years
- Soccer – potential for a full-size pitch

The existing hard cricket pitch can be reoriented from its current east-west axis to be on a north-south axis and resurfaced with a hybrid year-round synthetic surface. Opportunities for senior or full-size playing fields were investigated but are not able to be accommodated due to limited space.

Playing field dimensions for other sports were investigated (such as athletics, lacrosse and rugby), however further action to accommodate these sports is not recommended due to lower levels of demand at this time. It is acknowledged that works to accommodate the priority sports could cater for other sports at junior levels.

To accommodate the needs of a potential user group, minimum facilities should include a quality level playing surface, toilets, change facilities and sports lighting, the provision and design of which should be investigated as part of further master planning in 2018/19.

To date, verbal consultation with the Goodwood Saints Football Club and Goodwood Cricket Club has occurred and both clubs have indicated their support for short term upgrades. Any proposed upgrades should also consider existing community access at these parks, which are both popular locations for community recreation and dog exercise (off leash at all times except during organised sport), as well as local amenity.

Suggested Actions – Investigations at Ridge Park and Orphanage Park

It is recommended that a master plan be developed for Ridge Park in 2018/19 in order to establish a long-term vision for the park that considers sport and recreation needs, trees and vegetation, biodiversity and the management of Glen Osmond Creek. Further consultation with key stakeholders should occur during 2018/19 in order to achieve this outcome.

For the purposes of this report, investigations were also undertaken at Orphanage Park regarding the opportunity to cater for various sports and this is included in Attachment 3. It is recommended that no facility improvements be undertaken at this time, until the designs for the upgrade of Brownhill Keswick Creek in Orphanage Park are completed. However, Council should continue to work with City of Unley based clubs, particularly those based at Goodwood Oval, to facilitate the increased use of Orphanage Park that will in turn reduce the overuse of Goodwood Oval.

5. ANALYSIS OF OPTIONS

Option 1 – A master plan for Ridge Park be developed in 2018/19 to establish a long-term vision for the park, considering:

- a. Football and cricket to suit female and junior participation, integrated into the existing amenity of the park.
- b. Informal recreation opportunities, trees and vegetation, biodiversity and the management of Glen Osmond Creek.
- c. Further consultation with selected City of Unley clubs as potential users of future upgraded facilities, including Goodwood Saints Football Club, Goodwood Cricket Club and Glen Osmond scouts, as well as consideration of the Open Space Survey findings.

Continue to work with City of Unley based clubs, particularly those based at Goodwood Oval, to facilitate the increased use of Orphanage Park in order to reduce the overuse of Goodwood Oval and do not undertake any improvements to sports infrastructure at Orphanage Park until designs for Brownhill Keswick Creek in this park are finalised.

Review lease and licence documents to investigate opportunities to increase facility use after club hours.

Develop individual 4-year management plans for each surveyed park to integrate the findings of the Open Space Survey with asset renewal and maintenance programs. These plans will identify possible actions for consideration as part of the 2019/20 budget process.

Repeat the Open Space Survey in four years to enable an evaluation of Council's initiatives.

This option enables Council to continue its investigations into the increased sports use at Ridge Park, whilst also considering their use in the broader context of Council's Open Space Strategy.

The proposed improvements identified to date will provide benefit to City of Unley sport and recreation clubs, and will enable the use of Goodwood Oval to sustainable levels for the longer term. This option also considers the growth in female participation of various sports and provide opportunities to encourage more participation and attract new sports in the City of Unley.

Further investigation during 2018/19 will ensure that potential future users are consulted, and opportunities to secure external funding also explored to inform Council's future budget preparations.

This option also achieves the objectives of the 2017/18 CEO KPI relating to capturing baseline data on sport and recreation club membership and assisting and rewarding clubs to increase membership and facility use.

Option 2 – Endorse an amended or alternative option.

Council may wish to amend or endorse an alternative option; however, consideration should be given to the costs and benefits of undertaking the improvements at Ridge Park, and the objectives of the CEO KPI as outlined in this report.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

7.1 *Financial/Budget*

- Cost estimates for the proposed future works at Ridge Park and Orphanage Park have been identified by a consultant for Council's information, however no funding allocation is recommended in Council's 2018/19 budget until further investigation is completed. This work will be done by the Administration within an existing operational budget.
- The actions recommended as part of the CEOs KPI can be achieved within existing operational budgets, with any significant costs covered by the Healthy Communities (Active Unley) budget, assuming this is endorsed by Council in its 2018/19 budget preparations.

7.2 *Legislative/Risk Management*

- There are no specific legislative or risk management implications associated with this option.

7.3 *Staffing/Work Plans*

- Further investigations for increased sports use at Ridge Park and Orphanage Park and the delivery of Council's Healthy Communities program can be achieved within current work plans.

7.4 *Environmental/Social/Economic*

- The achievement of positive environmental, social and economic outcomes for the community is a key driver of the three actions outlined in this report. Opportunities to increase sports use at Ridge Park have been identified and will be further assessed in 2018/19 in relation to environmental, social and economic benefits.
- The recommendations identified in this report deliver environmental, social and economic benefits by supporting City of Unley sport and recreation clubs to deliver services and use their facilities to optimum levels.

7.5 *Stakeholder Engagement*

- Preliminary consultation has been undertaken with the Goodwood Saints Football Club and Goodwood Cricket Club regarding their potential use of Ridge Park. Both clubs have shown interest in using other sites, however they have identified a need for quality level playing surface, toilets, change facilities and sports lighting.

- Further consultation with City of Unley sport and recreation clubs would be undertaken as part of the investigations during 2018/19. Consultation with the local community should be undertaken to develop and refine designs and obtain relevant development approvals, prior to any works commencing.

8. **REPORT CONSULTATION**

Consultation has occurred with:

John Devine	General Manager City Development
Ben Willsmore	Manager Urban Planning, Design and Transport
Alan Johns	Manager Property Assets
Ben Parkinson	Coordinator Open Space and Trades
Steve Shepherdson	Team Leader Open Space, Sports and Recreation

9. **ATTACHMENTS**

- Attachment 1 – List of suggested actions 2018/19.
- Attachment 2 – Open Space Survey.
- Attachment 3 – Club Survey.
- Attachment 4 – Report into sports opportunities at Ridge Park and Orphanage Park.

10. **REPORT AUTHORISERS**

<u>Name</u>	<u>Title</u>
Peter Tsokas	Chief Executive Officer
John Devine	General Manager City Development

Increasing Use of Council's Sport & Recreation Facilities

Actions completed – 2017/18

Action	
1	<p>Funding and promotion through Council's Active Unley program to support club's and businesses to offer free or low cost activities to the community.</p> <p>At the time of writing this report (May 2018), this has included partnering with 28 groups, offering over 100 different activities and events, including come and try activities, ongoing fitness sessions for targeted audiences and promoting other sports and activities, such as Roller Derby at the Showgrounds.</p> <p>This initiative is funded in 2017/18 under the 'Healthy Communities' budget initiative.</p>
2	<p>Five free information workshops for clubs, including topics relating to fundraising, seeking sponsorship, food preparation and hygiene, using social media and developing a strategic plan.</p> <p>This initiative is funded in 2017/18 under the 'Healthy Communities' budget initiative.</p>
3	<p>Support to clubs regarding strategic planning and applying grant funding, provided by Council staff within existing resources.</p>
4	<p>Implementation of augmented reality technology (known as 'Magical Park') at Heywood Park to trial new visitor experiences.</p> <p>This initiative is funded in 2017/18 under the 'Healthy Communities' budget initiative.</p>
5	<p>Design guidelines for improving signage at Council's parks and open spaces, with the first roll out completed at Ridge Park.</p> <p>This initiative is implemented via an existing operational budget, with upgrades funded as part of future project budgets.</p>
6	<p>Promotion of external programs, such the Heart Foundation's 'Heart Week', to promote healthy lifestyles to our community.</p> <p>This initiative (and other similar initiatives) is completed within existing resources with a funding allocation not required.</p>
7	<p>Support for large events, such as Nature Play at Ridge Park, to promote Council's open spaces and their role in supporting healthy lifestyles.</p> <p>This initiative is funded in 2017/18 under the 'Healthy Communities' budget initiative.</p>

List of Suggested Actions – 2018/19

10 Priority Actions

Following the work undertaken in 2017/18 as outlined in this report, the following actions can be implemented immediately with minimal or no need for funding and are listed in order of priority.

1	Review signage at each sport and recreation facility and assist clubs to implement improved signage to promote activities, times and club contact details. Priority locations include Sturt Bowling Club, Unley Park Sports Club and Millswood Lawn Tennis Club.
2	Improve Council's online information relating to sport and recreation clubs, including activities and contact information.
3	Provide images of Council's parks and sport and recreation facilities on Council's website to promote spaces to a wider audience, particularly parents of young children.
4	Develop materials to promote cycling in the City of Unley, considering different users, such as recreational cyclists, commuters, children, young people, older people and people with a disability.
5	Develop a pilot program to encourage young people to participate in cycling, including cycling awareness and skills, and bicycle maintenance. This program could then be trialled with other target audiences.
6	Produce videos to promote Council's sport and recreation clubs and other activities and promote these via Council's website and social media.
7	Use Council's social media channels to promote parks and reserves and sport and recreation clubs in the City of Unley.
8	Improve signage at priority parks and reserves, in line with Council's parks signage suite. Priority locations include parks with proposed improvements in 2018/19, including Heywood Park, Everard Park, North Unley Playpark and Fern Ave Reserve.
9	Assist clubs to increase the use of their facilities within the conditions of existing lease agreements, including promoting out-of-hour programs and providing cheap equipment (such as yoga mats and sporting equipment).
10	Implement another 'Magical Park', using augmented reality at a new location on the eastern side of the City of Unley.

Suggested Actions - for implementation during 2018/19

Action	Responsibility	Budget	Timing
Open Space			
Develop individual 4-year management plans for each surveyed park to integrate the findings of the Open Space Survey with asset renewal and maintenance programs. These plans will identify possible actions for consideration as part of the 2019/20 budget process.	<ul style="list-style-type: none"> • Sport & Recreation Planner • Manager Urban Planning, Design and Transport • Manager Strategic Assets • Coordinator Open Space & Trades • Landscape Architect 	Within existing resources and budgets.	2018/19
Complete the upgrade of the play space at Heywood Park as part of the Fund My Neighbourhood program.	<ul style="list-style-type: none"> • Sport & Recreation Planner • Manager Urban Planning, Design and Transport • Landscape Architect 	State Government funding via 'Fund My Neighbourhood' program.	2017/18 – 2018/19
Repeat the Open Space Survey in 4 years to enable an evaluation of Council's initiatives.	<ul style="list-style-type: none"> • Sport & Recreation Planner 	An allocation of approximately \$10,000 will be required, for consideration in a future budget.	2021/21
Sport & Recreation Clubs			
Review lease and licence documents to investigate opportunities to include provisions to increase facility use after club hours, including but not limited to amending public liability insurance arrangements relating to third party use of club facilities.	<ul style="list-style-type: none"> • Sport & Recreation Planner • Manager Property Assets • Property Services Coordinator 	Within existing resources and budgets.	2018/19 and ongoing
Continue discussions with other land owners, such as the Adelaide Showgrounds and City of Adelaide, to realise opportunities for City of Unley clubs.	<ul style="list-style-type: none"> • Sport & Recreation Planner 	Within existing resources and budgets.	2018/19 and ongoing
Support and encourage all clubs are registered with the 'Star Club's program and have developed planning documents, such as strategic or business plans, that outline key focus areas for their club over a 3-5 period.	<ul style="list-style-type: none"> • Sport & Recreation Planner 	May require a budget allocation (approximately \$5,000), within the proposed 'Healthy Communities' budget initiative.	2018/19 and ongoing
Investigate and promote City of Unley sport and recreation clubs and open space in new and innovative ways.	<ul style="list-style-type: none"> • Sport & Recreation Planner 	May require a budget allocation (approximately \$5,000), within the proposed 'Healthy Communities' budget initiative.	2018/19 and ongoing
Continue to provide support to sport and recreation clubs to inform them of internal and external grant funding opportunities, including Council's Active Unley program, to promote club's and increase membership.	<ul style="list-style-type: none"> • Sport & Recreation Planner 	May require a budget allocation (approximately \$10,000), within the proposed 'Healthy Communities' budget initiative.	2018/19 and ongoing
Investigate an awards program, such as an annual function (similar to the Australia Day Awards) that recognises and rewards the success of clubs.	<ul style="list-style-type: none"> • Sport & Recreation Planner 	Within existing resources and budgets.	2018/19

Investigations at Ridge Park			
<p>Develop a master plan for Ridge Park in 2018/19 to establish a long-term vision for the park, considering:</p> <ol style="list-style-type: none"> Football and cricket to suit female and junior participation, integrated into the existing amenity of the park. Informal recreation opportunities, trees and vegetation, biodiversity and the management of Glen Osmond Creek. Further consultation with selected City of Unley clubs as potential users of future upgraded facilities, including Goodwood Saints Football Club, Goodwood Cricket Club and Glen Osmond scouts, as well as consideration of the Open Space Survey findings. 	<ul style="list-style-type: none"> • Sport & Recreation Planner • Manager Urban Planning, Design and Traffic • Landscape Architect • Manager Strategic Assets 	<p>Within existing resources and budgets.</p>	<p>2018/19</p>

UNLEY PARKS

ENGAGEMENT FEEDBACK



PREPARED FOR:
THE CITY OF UNLEY
4 MARCH 2018
DRAFT



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BACKGROUND

Intermethod was commissioned by the City of Unley to carry out park user surveys for eight parks within the Council:

- Everard Park Reserve
- Fullarton Park
- Heywood Park
- Orphanage Park
- Page Park
- Ridge Park
- Unley Oval
- Wayville Reserve

Parks were selected based on following criteria:

- spread out across the City of Unley, considering the locations of suburbs, demographic profile, access to public transport and Council wards
- size and function, including a spread of local, neighbourhood, district and regional parks
- consideration of future upgrades being planned by Council
- parks where Council had limited information regarding the use.

This park user survey project gathered information relating to the use of specific parks, to inform future investment in services, programs and facility developments.

Results of the park interviews will also inform other Council projects currently in progress, including a survey of Council's sport and

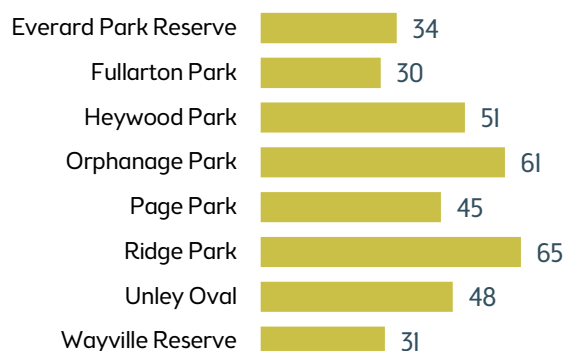
recreation clubs, and review of possible facility improvements to encourage sports use at Ridge Park, Myrtle Bank, and Orphanage Park, Millswood.

The park user interviews were completed between 10 February and 26 February 2018 by a team of three experienced Intermethod interviewers.

This document provides a complete report of the feedback received. Initially it presents some of the key trends for all parks, allowing comparison. Following, it provides more in-depth feedback for each park.

Intermethod thanks the visitors to Unley parks who contributed their time and ideas during this engagement process. We sincerely hope that this engagement feedback will result in exciting new park improvements that will make the City of Unley a more vibrant and successful place.

A total of 365 interviews were conducted with the following split at each park:

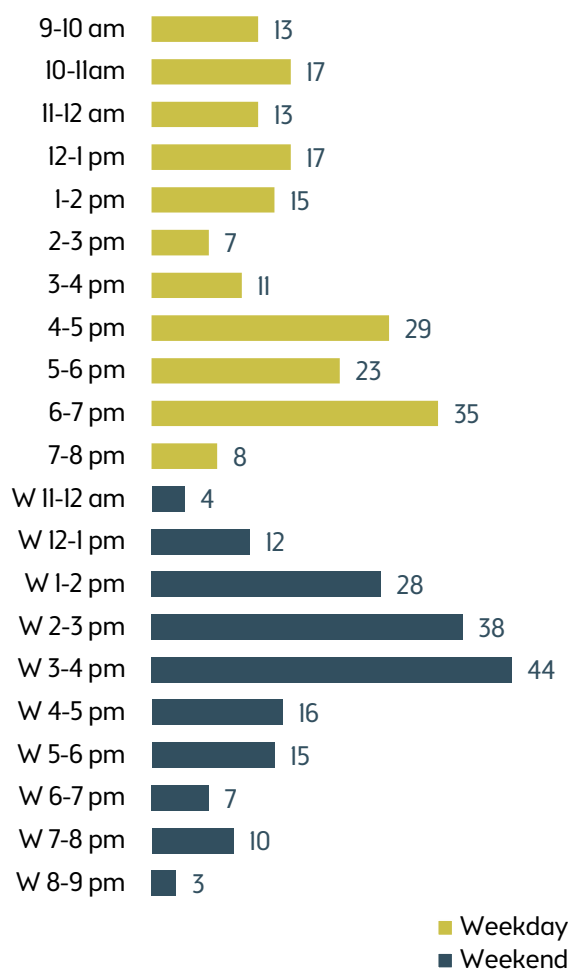


COMPARISON BETWEEN PARKS

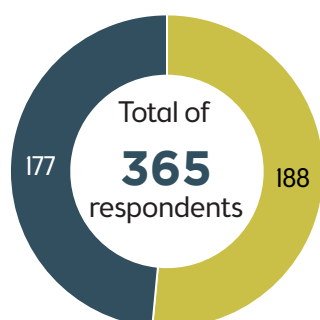
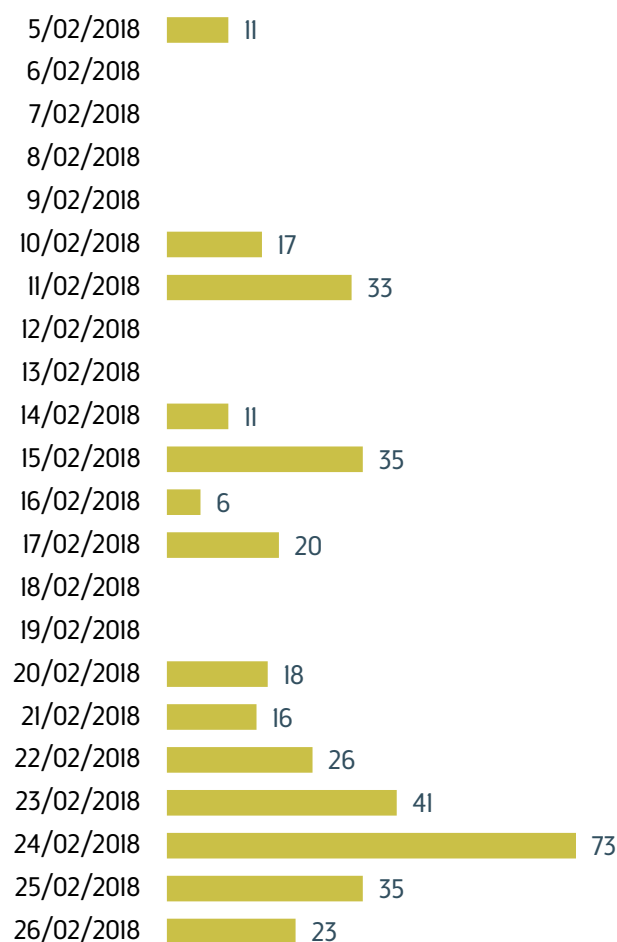
INTERVIEW DAYS AND TIMES

Number of interviews in relation to time slots

(Note that W refers to a weekend slot)



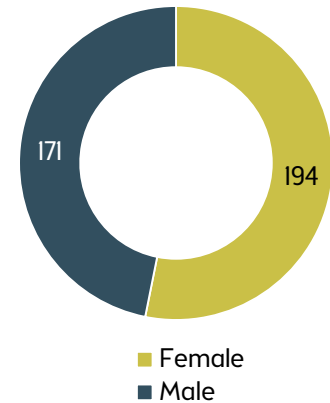
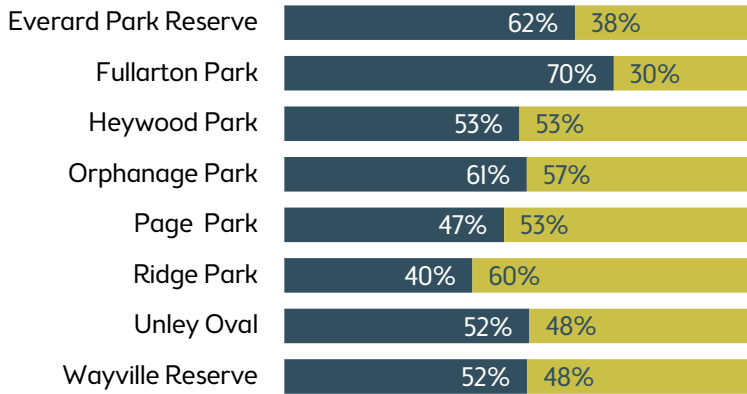
Interview dates



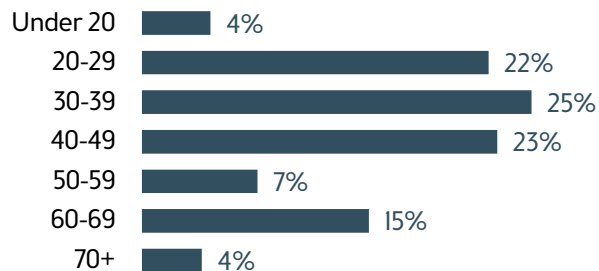
Subsequent to the pilot interviews on 5 February 2018, interviews were carried out across 13 days between 10 February and 26 February 2018 by three interviewers. Because parks are busiest on the weekends, 48% of the interviews were carried out on Saturdays and Sundays. Effort was made in conducting interviews during all hours. On weekdays, interviews were carried out between 9 am and 8 pm and on weekdays, between 11 am and 9 pm.

RESPONDENT PROFILE

GENDER



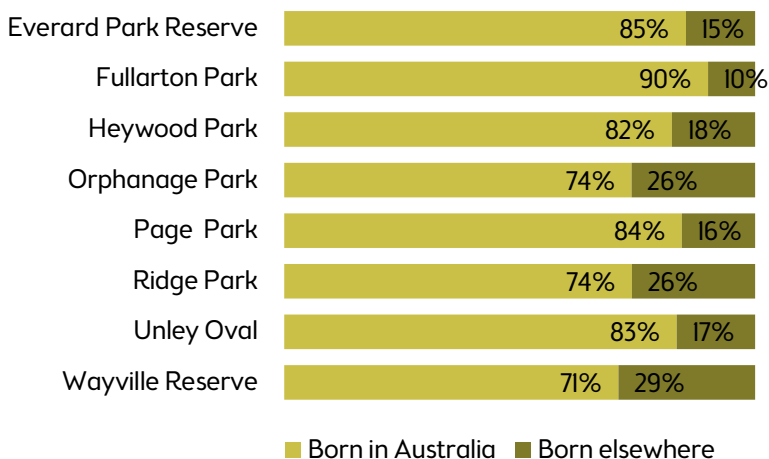
AGE GROUP



194 females took part in the interviews (53% of all respondents) and 171 males (47% of all respondents). The highest proportion of males was observed and interviewed in Ridge Park.

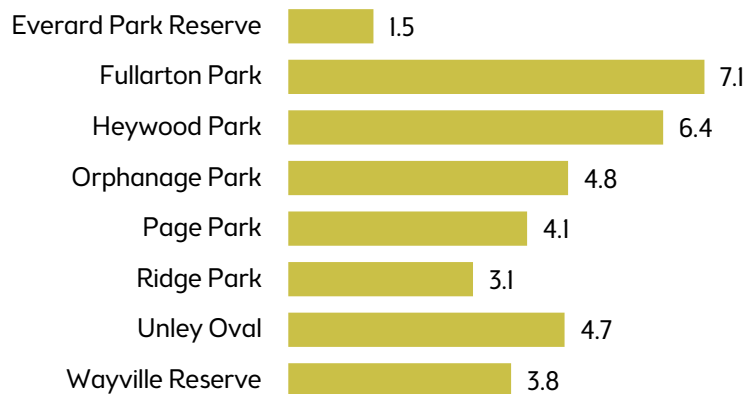
All age groups were represented in the sample of respondents. In many instances, children provided feedback alongside their parents. However, the parents' profile was recorded and not the child's. Only parents in these instances were counted towards the sample size. 'Under 20' age group here represents teenagers, who took part in the survey.

COUNTRY OF BIRTH



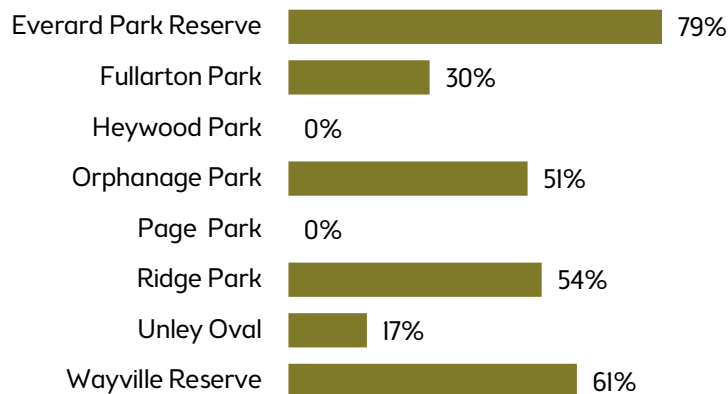
TRAVEL TO THE PARK

Average distance travelled in kilometres from home to the park

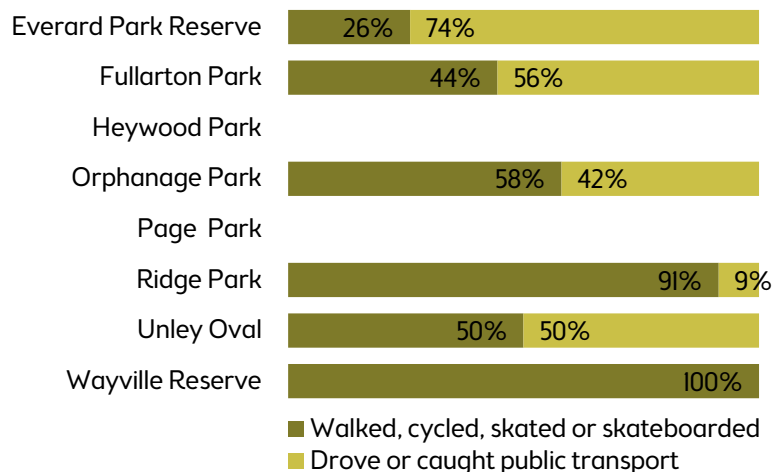


Please note that 13 of the surveys for Everard Reserve were obtained via door knocking, skewing the results in terms of the distance travelled.

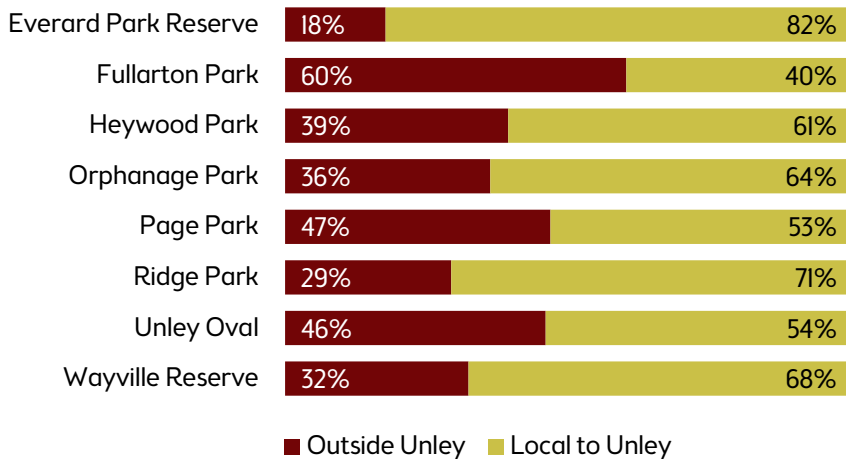
Proportion of respondents who lived 1 km or less from the park



Proportion of respondents living within 1 km radius of the park who walked, cycled or skateboarded



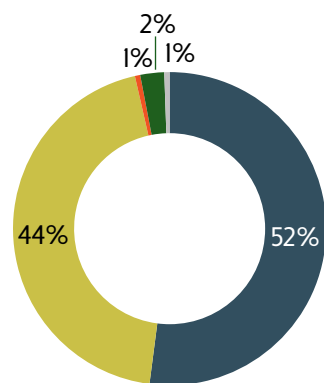
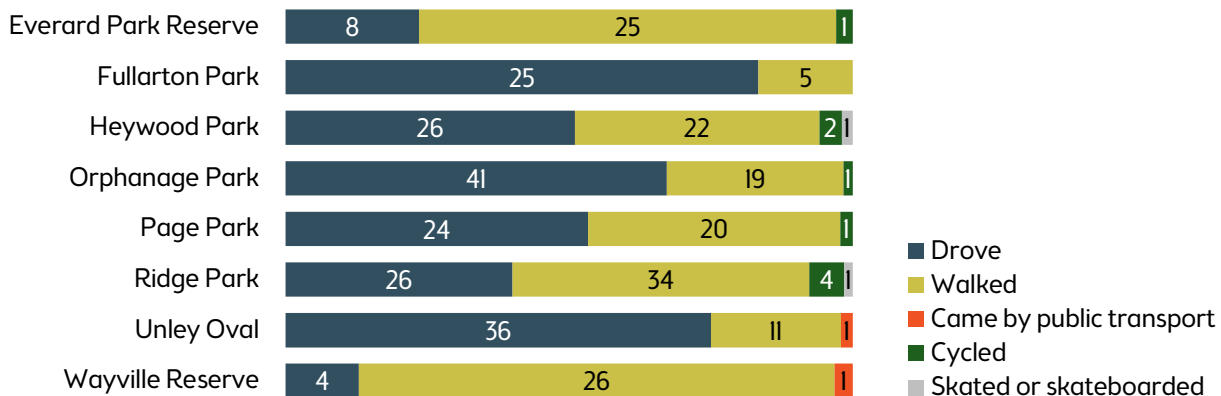
Residents of Unley or otherwise



Fullarton Park attracts visitors from the greatest distance, 7.1 km on average. Proportion of visitors at Fullarton Park who were not Unley residents was also the highest, 60%.

All parks attracted a notable proportion of visitors from outside Unley Council area (between 18% and 60%).

Mode of travel to the park



■ Drove
■ Walked
■ Came by public transport
■ Cycled
■ Skated or skateboarded

52% majority of visitors arrived to the park by car and 44% walked. Only 2% of visitors cycled and 1% caught public transport.

The highest proportion of people walked up to Wayville Reserve than to other parks. The park with the largest number of visitors driving was Fullarton Park.

FACILITIES SOUGHT IN OTHER PARKS

Type	Number of respondents	Facility or destination
Dog parks and facilities		
	3	Other dog parks - Glenunga
	2	Dog park open 24x7
	2	Glenunga dog park
	2	Off leash dog park in Glenunga
	1	Angas Road dog park
	1	Brownhill Creek for walking dog
	1	Dedicated dog park which is fully fenced
	1	Dedicated small dog park in City of West Torrens
	1	Dog and cycle areas - Victoria Park
	1	Dog park at Glenunga
	1	Dog park in Marion
	1	Dog parks
	1	Dog parks at Glenunga and Parkside (in Unley)
	1	Dog parks including Glenunga
	1	Dog walking including Park Lands
	1	Off leash dog play in Adelaide Park Lands
	1	Other dog parks
	1	Other parks including CC Hood and Hazelwood Park
	1	Park Lands for dogs
	1	Small dog/big dog park
	1	Special dog drinking fountains
	1	Walk dog at other parks



Type	Number of respondents	Facility or destination
Activities in nature		
	9	Walking trails
	6	Beach
	3	Walking trails in the Adelaide Hills
	1	Belair National Park
	1	Bike trails
	1	Brighton Beach
	1	Brownhill Creek
	1	Brownhill Creek and other walking trails
	1	Hiking and walking trails
	1	Hiking and walking trails
	1	Live in West Lakes so use beach, bike paths and other coastal activities.
	1	Morialta
	1	Morialta nature park
	1	Mountain bike trails
	1	National parks for hiking
	1	Nature play stuff
	1	Off-road bike track (i.e. through nature)
	1	Walk in Brownhill Creek and in the Hills
	1	Walk to Mount Lofty
	1	Walking in Hills
	1	Walking on the beach
	1	Water puddles for ducks
	1	We have weekender in Strathalbyn so use Hills walking trails
Community centres and libraries		
	5	Libraries
	1	City library
	1	Community centre at Marion
	1	Kinder gym
Other parks or playgrounds with general comments		
	3	Nil as like to walk to facilities and therefore tend to stay within City of Unley
	1	Like a mix so go to parks all over Adelaide
	1	Live in northern Adelaide but work around Unley area so use parks and clubs in north
	1	Live in Urrbrae so use local parks for grandchildren visits
	1	Live outside of Unley Council so use other parks for playgrounds. Only come here for training
	1	My daughter takes children to other playgrounds

Type	Number of respondents	Facility or destination
Swimming		
	1	Burnside swimming pool
	1	Marion Swim Centre
Playgrounds and play facilities		
	18	Other different playgrounds
	5	Other better playgrounds
	4	Park at Glenunga School Oval with water play
	2	More advanced play equipment
	2	Other playgrounds - Princess Elizabeth and Marshmallow parks
	1	Barbeque facilities and picnic facilities
	1	Glenunga water park and oval
	1	Go to the Apex Park for the flying foxes and larger play equipment
	1	Large playground with more exciting equipment, like Hazelwood Park or Bonython Park
	1	Live at Woodcroft so use playgrounds and facilities in that area
	1	Live In Blair Athol so use playgrounds over there.
	1	Morialta - new timber playground
	1	Other playgrounds around Hallett Cove
	1	Other playgrounds for grandchildren as there is not much here for small children that they like
	1	Other playgrounds in Burnside and Adelaide Park Lands
	1	Other playgrounds in northern Adelaide
	1	Other playgrounds in Payneham area
	1	Other playgrounds in the Adelaide Park Lands
	1	Other playgrounds including Glover Park
	1	Other playgrounds including Mitcham Reserve
	1	Other playgrounds including Princess Elizabeth
	1	Other playgrounds including Princess Elizabeth in the Adelaide Park Lands
	1	Other playgrounds mainly in the City
	1	Other playgrounds particularly for young children
	1	Other playgrounds with better equipment such as slides and more exciting
	1	Playgrounds - Princess Elizabeth, St Kilda
	1	Playgrounds in Onkaparinga Council area
	1	Tunnel pipes
	1	Water play
	1	Water play areas in Hazelwood Park during summer
Skate parks		
	3	Different skate park designs
	2	Skate ramp in the city and Marion

Type	Number of respondents	Facility or destination
	1	Other skate parks including on Oaklands Road in Marion
	1	Skate parks including Avenue Rd
Bike riding		
	2	Bike jumps in Adelaide Park Lands
	1	Bike jumps in Adelaide Park Lands
	1	Bike jumps in Park Lands
	1	Bike riding trails
	1	Good bike paths for bike riding
	1	Proper bike tracks
Walking, running and exercising		
	2	Exercise facilities
	1	Now live at Beaumont so use walking, running and playgrounds in Burnside Council
	1	Other exercise areas - they are good here but closer to friend that I train with
	1	Running and exercising
	1	Walking group that uses parks across Unley
Sport facilities, clubs and classes		
	7	Sports ovals for oval and/or football
	2	Formal sport
	2	Golf clubs
	2	Tennis clubs
	2	Tennis courts
	1	Bowling
	1	Different basketball courts which have better ground surface
	1	Fencing (sport)
	1	Go to gymnasiums so do not use outdoor areas much
	1	Golf courses
	1	Gym at Adelaide Oval
	1	Kids soccer grounds
	1	Other sports grounds
	1	Other sports grounds for tennis, soccer and mountain biking
	1	Paint ball
	1	Petanque at Kensington Oval
	1	Soccer team - Croydon
	1	Softball
	1	Sport - baseball
	1	Sports - football and cricket
	1	Sports - golf and cricket

Type	Number of respondents	Facility or destination
	1	Sports - softball and hockey
	1	Sports fitness training business so also use other parks in and outside of Unley
	1	Sports grounds for basketball and tennis
	1	Sports ovals across Adelaide
	1	Sports ovals in North Adelaide
	1	Square-dancing at Magill
	1	Swimming centres
	1	Tai Chi at Kilburn Community Centre
	1	Tennis at Clearview
	1	Tennis clubs in other parks and clubs
	1	Tennis courts and hockey fields
	1	Victoria Park Racecourse for horse riding
	1	Yoga
Specific destinations		
	5	Hazelwood Park
	3	Park Lands
	3	Victoria Park
	2	Mortlock Oval
	1	Glenelg foreshore with beach and the fountains
	1	Japanese Garden
	1	Jervis St Park
	1	Kids sports across Adelaide
	1	Mitcham Reserve
	1	Mitcham Reserve - good play equipment
	1	Mitcham Reserve and other parks in Mitcham Council
	1	Mortlock Park for sports
	1	Oval at Colonel Light Gardens
	1	Ovals including Angas Rd and Mortlock
	1	Ovals including Mortlock
	1	Price Oval at Hawthorn
	1	Tusmore Park

Many people seek variety in facilities they access (different dog parks, different skate parks, etc), which does not impact their level of satisfaction with parks in Unley. There is an indication however that better playground equipment is provided in parks within some other Council areas, such as Hazelwood Park, Princess Elizabeth and Mitcham Reserve, and there is an opportunity to match that level of experience in Unley. Sport users generally left the Council due to club membership or training in other locations. The offer of walking and hiking trails in the Adelaide Hills or the coast attracted park users at certain times.

KEY IMPROVEMENTS SOUGHT AT INDIVIDUAL PARKS

Every park offers unique facilities and attracts a diversity of users. Therefore, recommendations for every park differed and are presented in detail in the subsequent chapters of this report. This section highlights most commonly requested improvements for each park.



EVERARD PARK RESERVE

- Improvements to the playground including: new shade over the play equipment, improved play equipment safety, additional features such as water play, sand pit, swings and trampolines.
- Improved maintenance including more regular mowing, removal of leaf matter and weeds.
- Additional shade, seating and shelter.



FULLARTON PARK

- Expanding existing playground to include additional play equipment.
- Introduction of a cafe/kiosk selling food and drinks.
- Improved landscape maintenance and removal of dead/dropped tree limbs.



HEYWOOD PARK

- Improvements to the playground including additional shade, updating of play equipment and installation of new play equipment such as sand pits, trampolines, rotating swings, climbing walls and tunnels.
- Introduce shade over the picnic areas and some of the lawn areas.
- Addition of new drinking fountains and improve water pressure of the existing water fountain.



ORPHANAGE PARK

- Improvements to the playground including additional shade, opportunities for nature play and additional play equipment such as water play, sand pit, swings, climbing structures and a flying fox.
- Installation of additional water drinking fountains, accessible by toddlers and with dog bowls.
- Additional fencing (adjacent main dog area and between tennis courts and the playground).



PAGE PARK

- Improved dog facilities including water fountains with dog bowls, fencing off tennis courts and extending dog access hours.
- More water drinking fountains close to the tennis courts.
- Improved lighting.



RIDGE PARK

- Expansion of the playground to include better and larger swings and slides, water play, sea-saws, monkey bars, a jungle gym, nature play trails and a flying fox. There was a recognition that this could be a premier playground in Unley, like Queen Elizabeth playground in the City of Adelaide.
- Improved dog facilities (including dog poo dispensers and new or fixed dog drinking bowl(s)).
- Improved maintenance including weed and leaf removal (especially of the tennis courts) and mowing.



UNLEY OVAL

- More and improved water drinking fountains.
- Improvements to playground including new play equipment and additional shade.
- Repair BBQ facility.



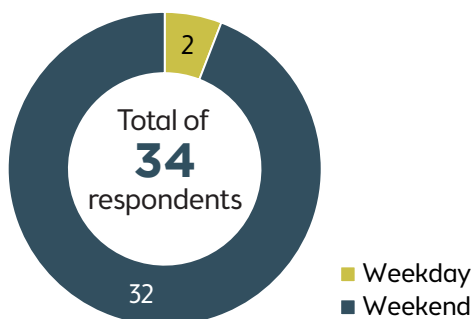
WAYVILLE RESERVE

- Improvements to the playground including better swings, new climbing structures and better slides.
- Improved dog facilities and control (including dog poo dispensers, better enforcement and separation).
- New shaded seating picnic area.



EVERARD PARK RESERVE

INTERVIEW TIMES

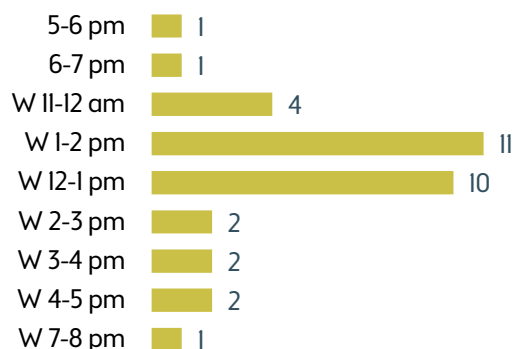


34 interviews were conducted at Everard Reserve Park over 2 days. Due to low visitation numbers, 13 interviews were obtained via door-knocking of adjoining houses. For these interviews, visit pattern data was not collected.

32 interviews, 94% of all interviews, were conducted on a weekend due to low visit numbers during weekdays.

Intermethod team visited the park on 7 weekdays and only twice there was a person at the park who could be interviewed. Therefore, most of the surveys were conducted on a weekend.

Number of interviews in relation to time slots
(Note that W refers to a weekend slot)



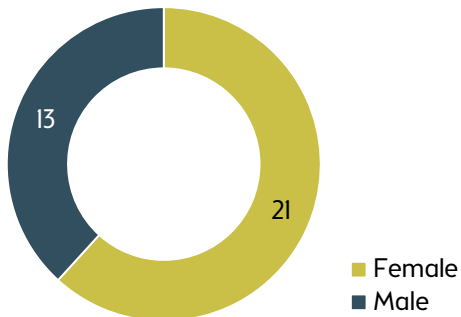
Interview dates



■ Weekday
■ Weekend

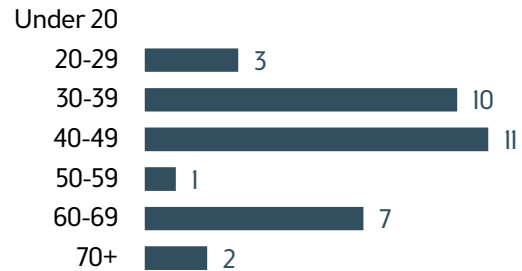
RESPONDENT PROFILE

GENDER



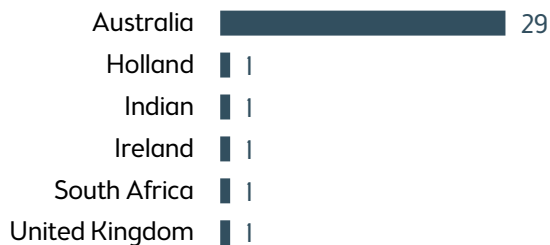
21 (57%) females were interviewed at Everard Reserve Park, more than males. A larger proportion of female adults accompanying children was observed than males.

AGE GROUP



Adults in their 30s and 40s (accompanying children at the playground) were the dominant respondent group, 65% of all respondents.

COUNTRY OF BIRTH

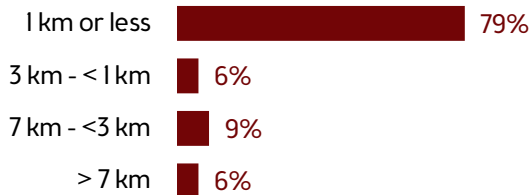


ANCESTRY



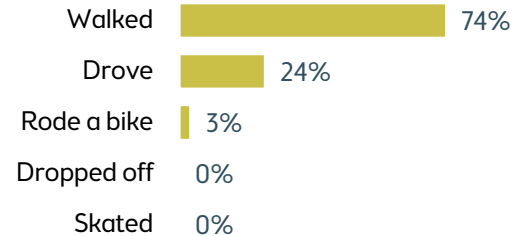
DISTANCE TRAVELLED

DISTANCE TRAVELLED FROM HOME

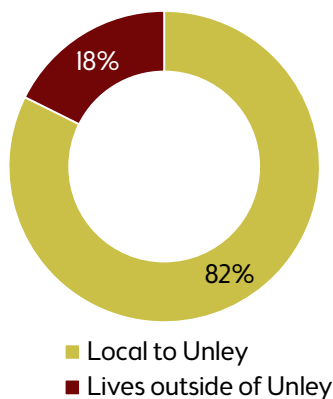


79% of park visitors lived 1 km or less from the park.

MODE OF TRAVEL



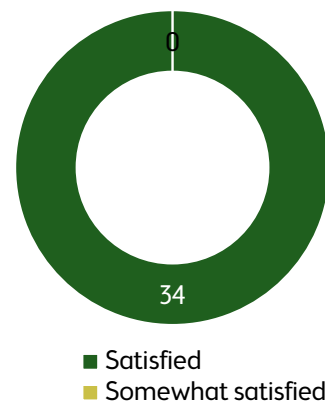
Resident of Unley or otherwise



Postcodes of visitors living outside of the Unley Council area

Postcode	Number of respondents
5033	1
5039	1
5042	1
5043	2
5073	1

Level of satisfaction with car parking



- 5 people parked in Hillsley Ave.
- 2 people parked in Africane Ave.
- 1 person parked in Nibley Ave.

1.5 km was the average distance travelled to reach the park.

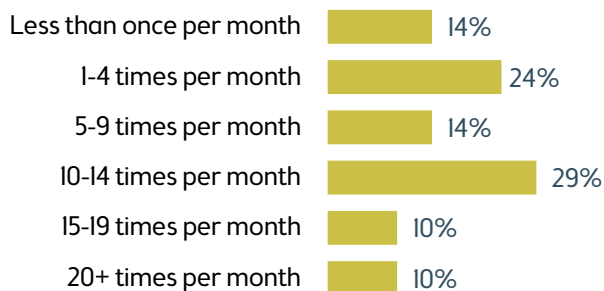
18% of visitors were from outside of the Unley Council area.

79% of respondents lived 1 km or less from the park and **74%** walked to the park on the day.

24% of respondents drove and all were satisfied with car parking.

PARK VISIT PATTERNS

FREQUENCY OF VISITS

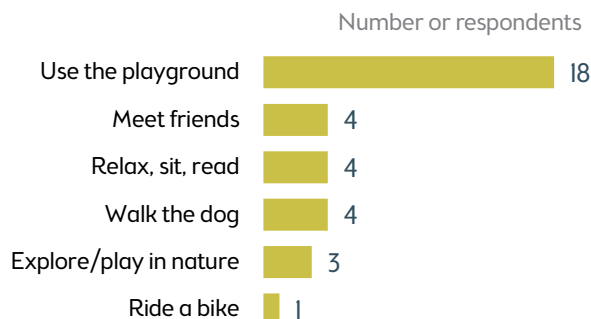


13 Everard Reserve Park interviews were obtained by door knocking adjacent properties. Data for visit patterns for these respondents was not obtained.

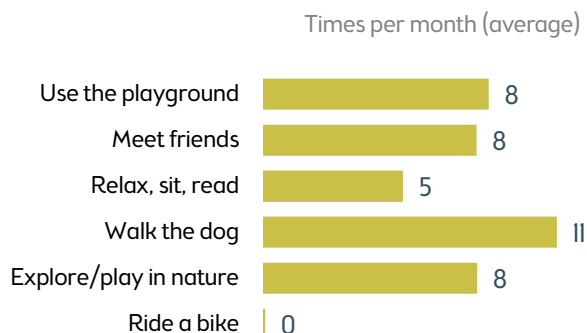
Average frequency of visiting the park was 8.6 times per month, i.e. **2 times per week**. **19%** of visitors came to the park every day or every second day.

FREQUENCY AND TYPES OF VISITS

Number of respondents who on this or other occasions were engaged in various activity types

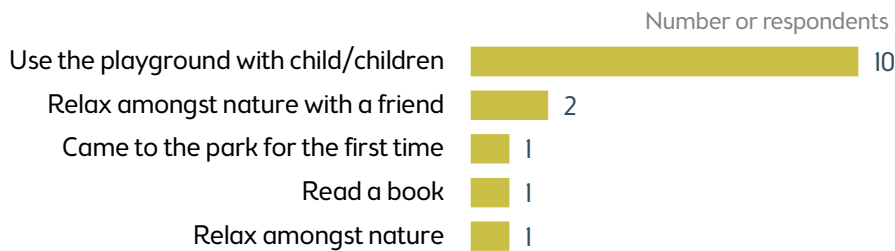


Average times per month each visitor engaged in each activity type



Visible majority of park visitors were playground users. Dog walkers were the most frequent visitors to the park (visiting the park 11 times per month). Other popular uses of the park, with an average of 8 visits per month per person, were playground use, meeting friends and exploring nature.

MAIN REASON FOR BEING IN THE PARK ON THE DAY



SUGGESTED IMPROVEMENTS

Improvement types raised by the survey respondents
(See complete information later in this section)



53 improvements (some repeated) were suggested by Everard Reserve Park visitors.

27 respondents, 79% of all respondents, wanted to see additional features at the playground, such as a shade cover, water play, sand pits and additional play equipment. Concerns were raised about the safety of the metal ladders.

7 respondents, 21% of all respondents, wanted better maintenance of weeds, grass and leaf matter.

7 respondents, 21% of all respondents, commented on their satisfaction with the park.

Playground

- Shade needed over the playground. (repeated by 12 respondents)
- More safety for little kids/toddlers on play equipment.
- Install a basketball rink.
- Waterplay and sandplay should be installed for kids.
- More play equipment and water park.
- A community toy box should be installed, it's a great idea.
- Install a sand pit, cubby house and safer equipment for toddlers.
- Install safer equipment for toddlers.
- More play equipment should be installed for toddlers and bigger kids.
- Ok mix but would like trampolines.
- Would like a sandpit.
- More creative play such as swings and challenges.
- Install a trampoline in the playground.
- Some of the equipment is a bit dated. Need taller swings.

Maintenance - weeds, grass and leaf matter

- More maintenance is needed. (repeated by 4 respondents)

- Better maintenance is required of the leaves which fall onto the neighbouring properties.
- Sometimes when the lawn mowing worker comes to cut the lawn, he only focuses on the lawn and does not pick up fallen branches.
- More maintenance is needed. Leaves are piling up and blowing onto the neighbouring residences.

Satisfied with the park

- Keep it up, the park is great!
- The park is great as is and it is normal that there is a lot of fall out from the gum trees.
- Very happy with the park.
- It is a beautiful park and is well used.
- Park has a nice feel.
- Here with 3 kids aged 2-7 and they are happy. Do not lose the park.
- Keep the park quiet, as is.

Shade and shelter

- Need some shade and additional seating around the BBQ. This would make it more useable in summer.
- BBQ's are good but need same shade nearby.
- More shade is needed in the grassy area, but it should be natural/considerate of nature (not plastic).



Dog-related

- A bin with a doggy bag dispenser is needed. (repeated by 2 respondents)
- No changes are needed except for a doggy bag dispenser.

Fencing

- Maybe fence in all of park to keep dogs and small children from straying into the street.
- It would be good if the whole park could be fenced off, so that dogs can run freely.
- Sometimes dogs go onto the neighbouring properties, so perhaps a fence could be installed all around the park.

Exercise equipment

- Install a small outdoor gym equipment area.
- Install some exercise equipment.

Safety and security

- Some dangerous issues - metal ladders and spinner in the playground.
- One of the big gum trees behind the bench appears to be slanting, making it a possible safety hazard.

Seating

- More seating is needed.
- More seating is needed, otherwise perfect place.

Drinking fountains

- Water fountain is needed for people and dogs.

Maintenance - landscaping

- Tree pruning near the swings as they overhang.

Nature play

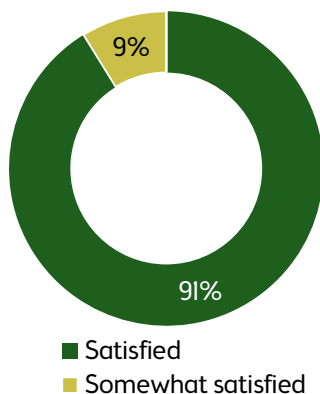
- Install nature play areas, like waterplay and sandpit.

Watering

- More watering of the lawn and other plants is required. The sprinkler system currently only waters the lawn. During hot weather watering once a week is not sufficient.

Wildlife

- Install more bird boxes as this park attracts a lot of birds.

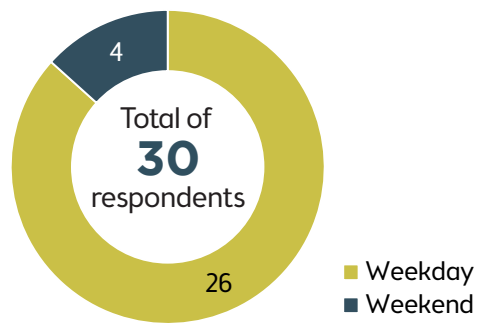
SATISFACTION WITH THE PARK

100% of visitors, were either satisfied or somewhat satisfied with Everard Reserve Park.



FULLARTON PARK

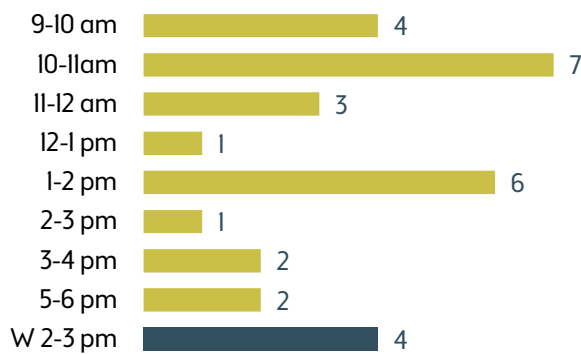
INTERVIEW TIMES



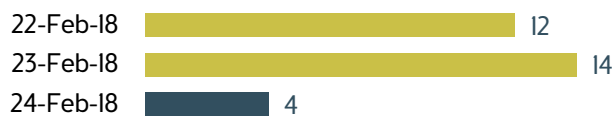
30 interviews were conducted at Fullarton Park over 3 days.

26 interviews, 87% of all interviews, were conducted on a weekday and 4 interviews on a weekend. It was noted that Fullarton Community Centre was very busy with classes and workshops during the week and markets were held on a weekend. No interviews were conducted while the Fullarton Market was being held on 24 February 2018.

Number of interviews in relation to time slots
(Note that W refers to a weekend slot)



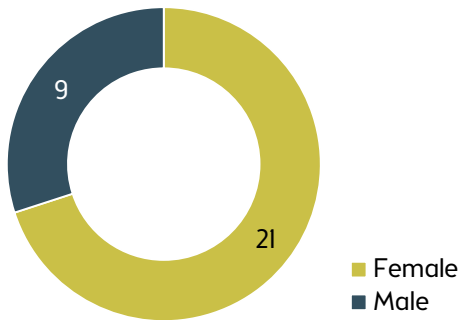
Interview dates



■ Weekday
■ Weekend

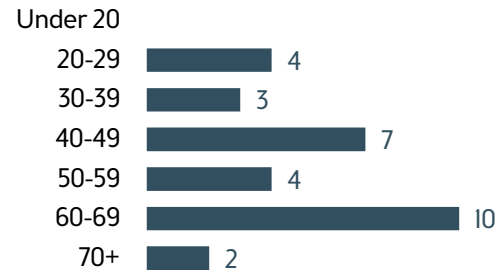
RESPONDENT PROFILE

GENDER



21 (70%) females were interviewed at Fullarton Park, more than males.

AGE GROUP

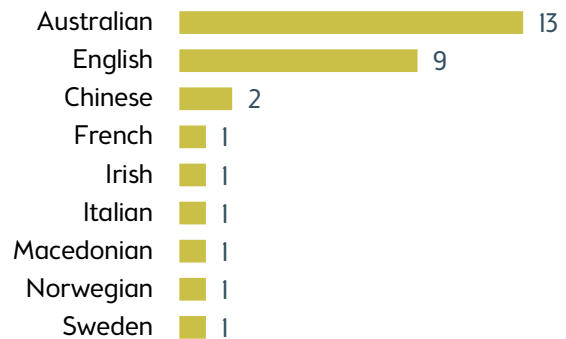


All age groups were represented in the survey sample. Seniors in their 60s were the dominant age group among the respondents.

COUNTRY OF BIRTH



ANCESTRY



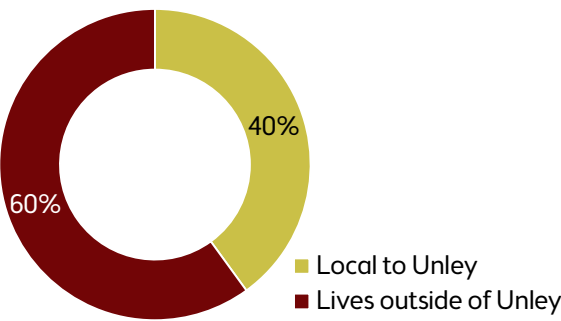
DISTANCE TRAVELLED

DISTANCE TRAVELLED FROM HOME



30% of visitors lived 1 km or less away from the park. However, less than half of them walked to the park.

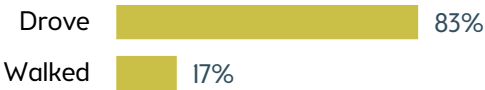
Resident of Unley or otherwise



Postcodes of visitors living outside of the Unley Council area

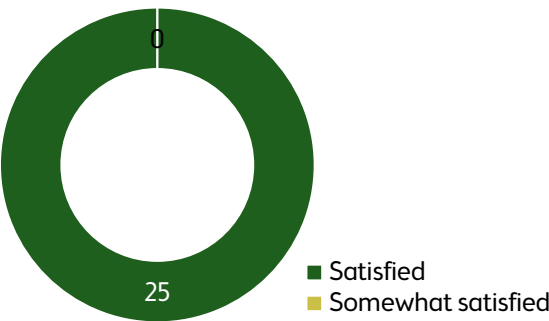
Postcode	Number of respondents
5000	1
5021	1
5022	1
5038	1
5041	2
5044	1
5050	1
5062	3
5064	2
5065	1
5069	1
5107	1
5164	1
5211	1

MODE OF TRAVEL



Driving was the dominant mode of travel to the park. With a large car park on the grounds of Fullarton Park, all visitors were satisfied with car parking.

Level of satisfaction with car parking

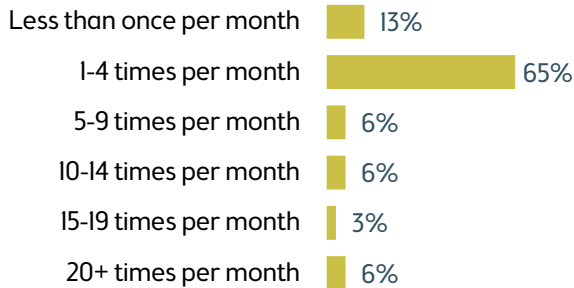


Location or parking	Number of respondents
Main car park	22
Car park next to toilets	3

7.1 km was the average distance travelled to reach the park.
60% of the respondents lived outside the Unley Council area.
30% of respondents lived 1 km or less from the park.
83% of park visitors drove and all of them were satisfied with car parking.
16% walked to the park.

PARK VISIT PATTERNS

FREQUENCY OF VISITS



Average frequency of visiting the park was 4.5 times per month, i.e. **once per week**.

7% of the visitors came to the park every day or every second day. This statistic is dominated by the number of users who come for a weekly class or group lesson, a very popular activity in this park

FREQUENCY AND TYPES OF VISITS

Number of respondents who on this or other occasions were engaged in various activity types



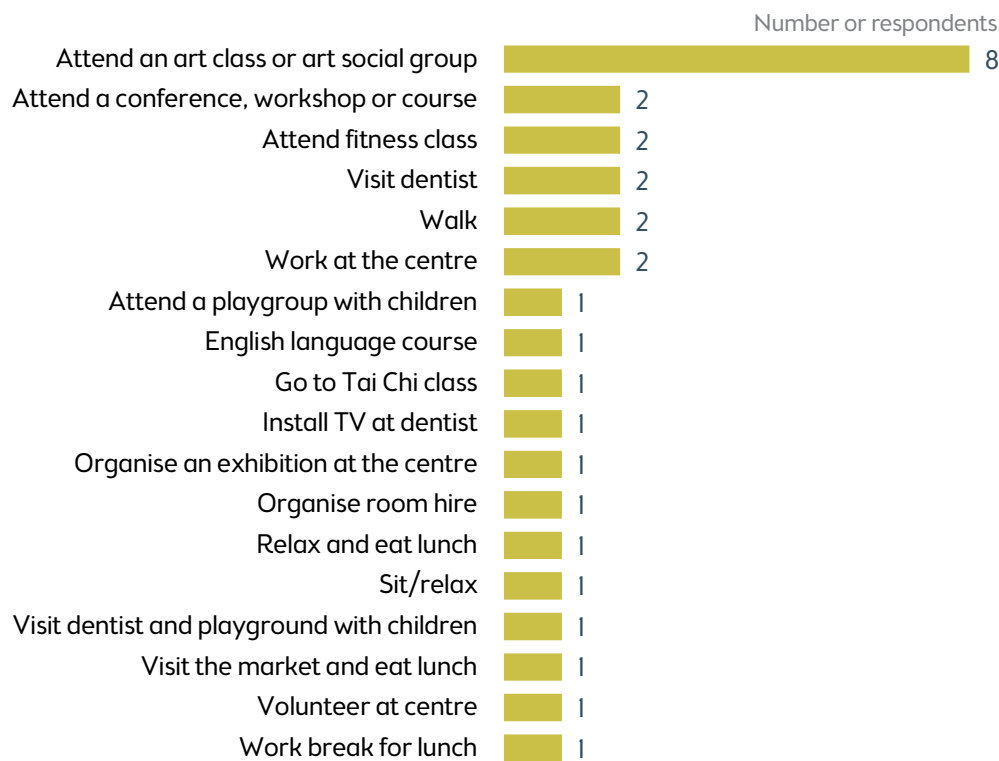
Average times per month each visitor engaged in each activity type



Visible majority of park visitors were those attending classes and workshops at the Fullarton Community Centre.

Two respondents who run in the park came to the park every second day and were the most frequent visitors.

MAIN REASON FOR BEING IN THE PARK ON THE DAY



SUGGESTED IMPROVEMENTS

Improvement types raised by the survey respondents
(See complete information later in this section)



25 improvements (some repeated) were suggested by Fullarton Park visitors.

17 respondents, 57% of all respondents, were satisfied with the park.

6 respondents, 20% of all respondents, wanted the playground expanded and more play equipment installed.

3 respondents, 10% of all respondents, would like to a cafe/kiosk in the park.

Satisfied with the park

- A good looking park.
- Looks good. No changes needed. Like the market.
- Fine for visiting art class.
- No changes needed. It is a nice studio and space.
- Nothing as surroundings are beautiful.
- We think it is a good park. No change needed.
- Good park.
- Love the park especially new recycling bin.
- Good for my needs.
- It is a great park. Unley Council should be congratulated.
- I like the park as it has good toilets, facilities and trees.
- Happy with facilities as consider they are good compared to other councils.
- It is a great park.
- Keep the trees - fantastic.
- Trees are nice and like the fenced off playground (safe for kids).
- It is a great park and like it as it is. We used to come more often when children were young.
- Like the two parks within the centre and good shade.

Playground

- Bigger play ground - too small for grandchildren.
- More play equipment for older children (i.e. 8 plus).
- More play equipment for grandchild.
- Playground good for toddlers or very small children. Need play equipment for 5+ age group.
- Playground looked small and could be bigger.
- Maybe a better playground like Glenunga (at Glenunga School oval).

Café/kiosk

- Would like a coffee shop/kiosk/pop-up for somewhere nice to have a drink.
- A good place to be a drink that is not the petrol station.
- Maybe some more tea and coffee making provisions as current coffee machine not always enough. Is there demand for a kiosk?

Maintenance - landscaping

- Better maintenance of landscaping.
- Replanting has been good, however, watering system has been laid poorly and is a trip hazard. Should be better covered.
- Keep on maintaining the trees so they do not drop limbs.



Shade and shelter

- Remove small pergola in southern park.
- A shelter over the chess board seats would be good particularly for summer shade.
- Some additional shade structures over picnic tables.

Dog-related

- Area for dogs (off leash).
- A dog park.

Maintenance noise

- Thursday morning maintenance is noisy and disturbs art class, (repeated by 2 people)

Car park surface

- Maybe get rid of bitumen in the carpark and have more natural surfacing. This would suit the look of the centre.

Picnic areas

- More seating and tables in the northern park.

Seating

- Maybe some seating under the small pergola to make it useable.

Signage

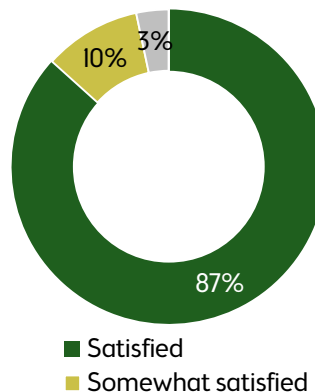
- There is now a sign for the art studio, but suggest more signage is needed for other buildings in the park.

Swimming pool

- Swimming pool please.

Watering

- Keep watering the trees so they are happy.

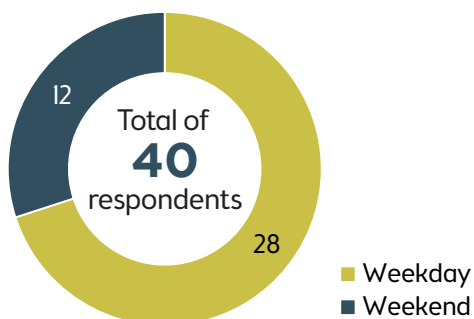
SATISFACTION WITH THE PARK

87% of visitors were satisfied with the park, 3 visitors (10%) were somewhat satisfied and one visitor was neither satisfied nor unsatisfied with Fullarton Park.



HEYWOOD PARK

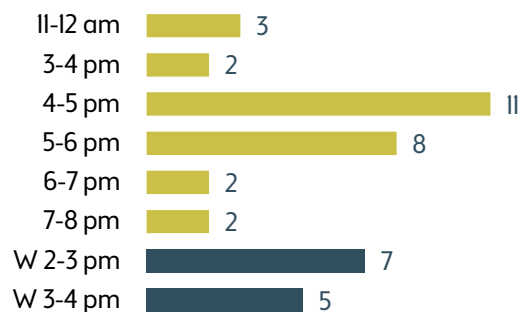
INTERVIEW TIMES



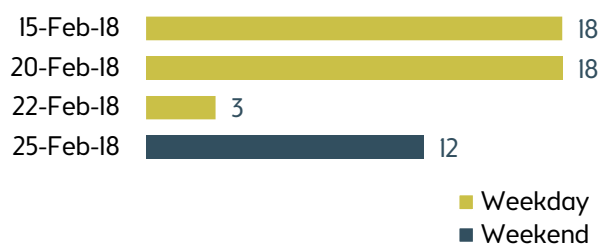
40 interviews were conducted at Heywood Park over 4 days.

28 interviews, 70% of all interviews, were conducted on a weekday and 12 interviews on a weekend.

Number of interviews in relation to time slots
(Note that W refers to a weekend slot)

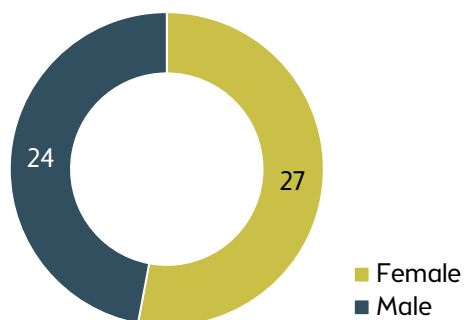


Interview dates



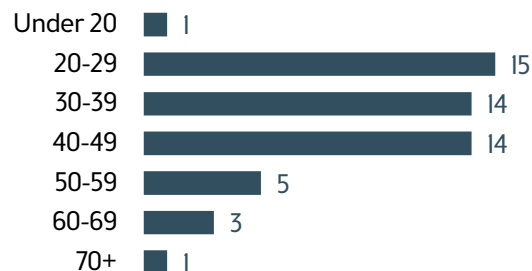
RESPONDENT PROFILE

GENDER



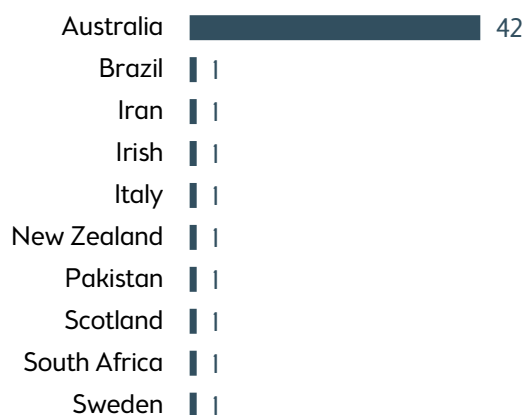
27 (53%) females were interviewed at Heywood Park, slightly more than males.

AGE GROUP

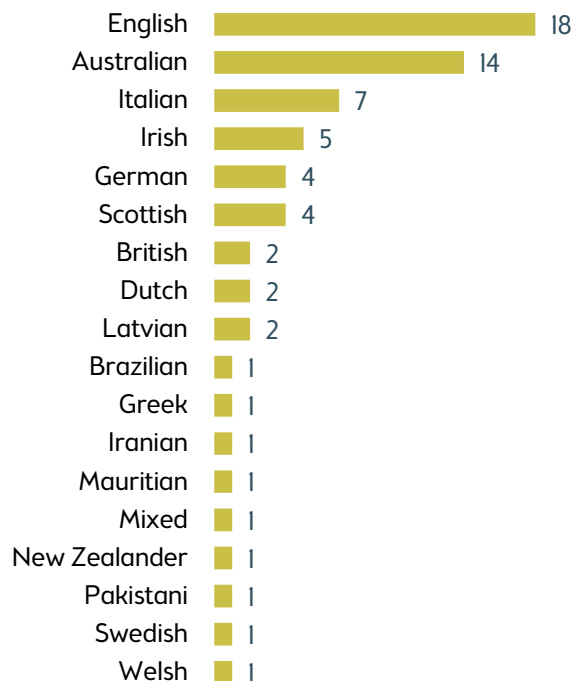


All age groups were represented in the survey sample. Young adults in 20s, 30s and 40s (who typically come to the park with children) were the dominant age group of the visitors.

COUNTRY OF BIRTH

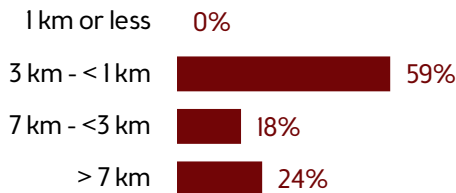


ANCESTRY



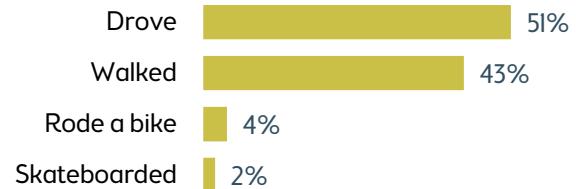
DISTANCE TRAVELLED

DISTANCE TRAVELLED FROM HOME



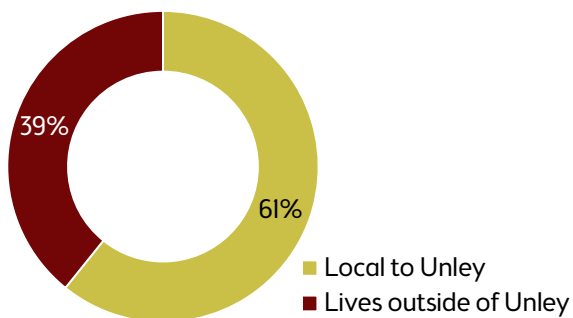
All park visitors lived more than 1 km away from the park. 59% majority of the respondents lived within 3 km of the park.

MODE OF TRAVEL

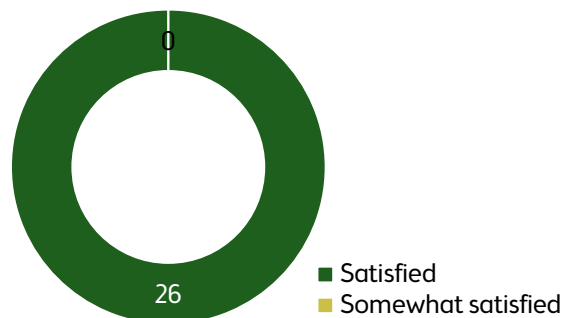


Despite no people living within 1 km radius of the park, 43% walked to the park on the day of the interviews.

Resident of Unley or otherwise



Level of satisfaction with car parking



Postcodes of visitors living outside of the Unley Council area

Postcode	Number of respondents
5000	2
5021	1
5039	1
5048	2
5052	1
5062	4
5064	1
5073	1
5086	1
5090	1
5131	2
5142	1
5159	1
5171	1

Location or parking

Location or parking	Number of respondents
Addiscombe PI	23
Grove St	1
King William Rd	1
Unley Rd	1

6.4 km was the average distance travelled the park.

39% of visitors lived outside the Unley Council area.

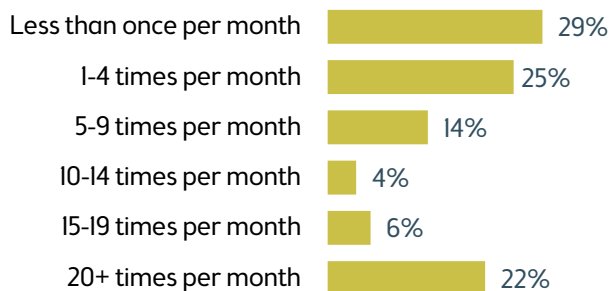
No respondents lived 1 km or less from the park.

51% of respondents drove and all of them were satisfied with car parking.

43% of respondents walked to the park.

PARK VISIT PATTERNS

FREQUENCY OF VISITS

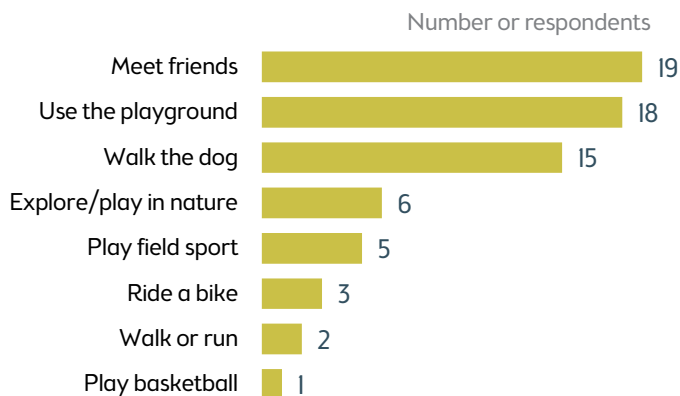


Average frequency of visiting the park was 10.7 times per month, i.e. **2.5 times per week.**

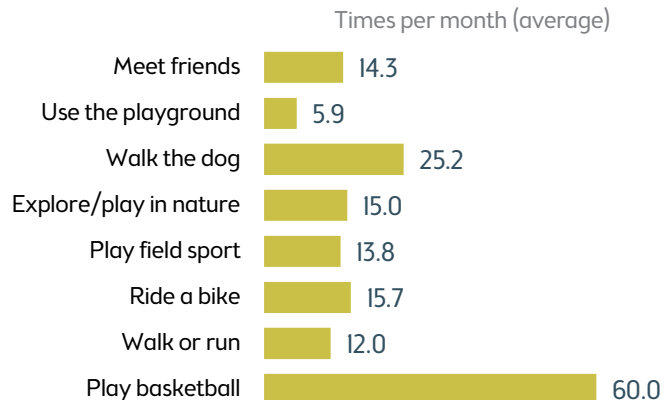
27% of visitors came to the park every day or every second day.

FREQUENCY AND TYPES OF VISITS

Number of respondents who on this or other occasions were engaged in various activity types



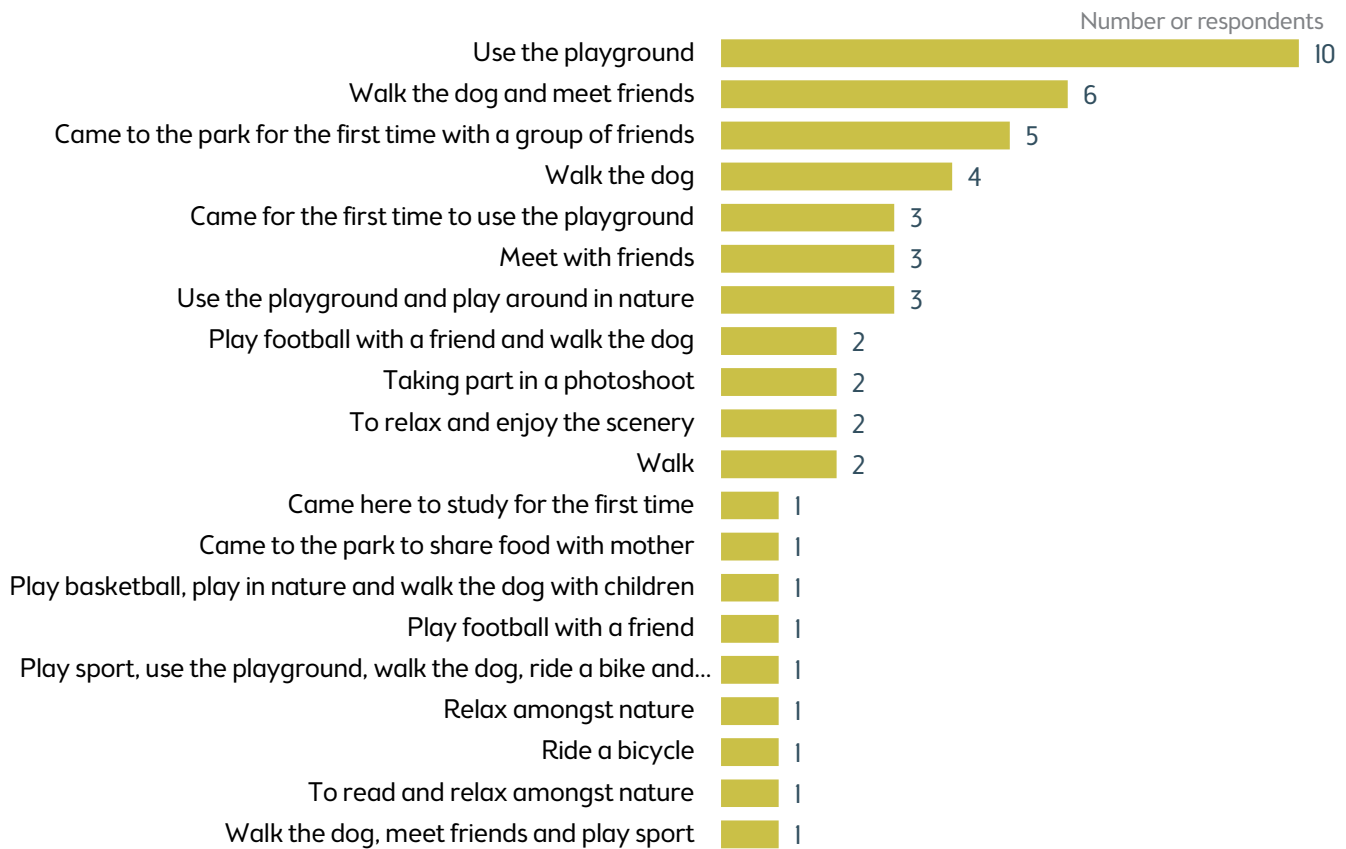
Average times per month each visitor engaged in each activity type



The most popular activity types in the park was meeting up with friends and using the playground.

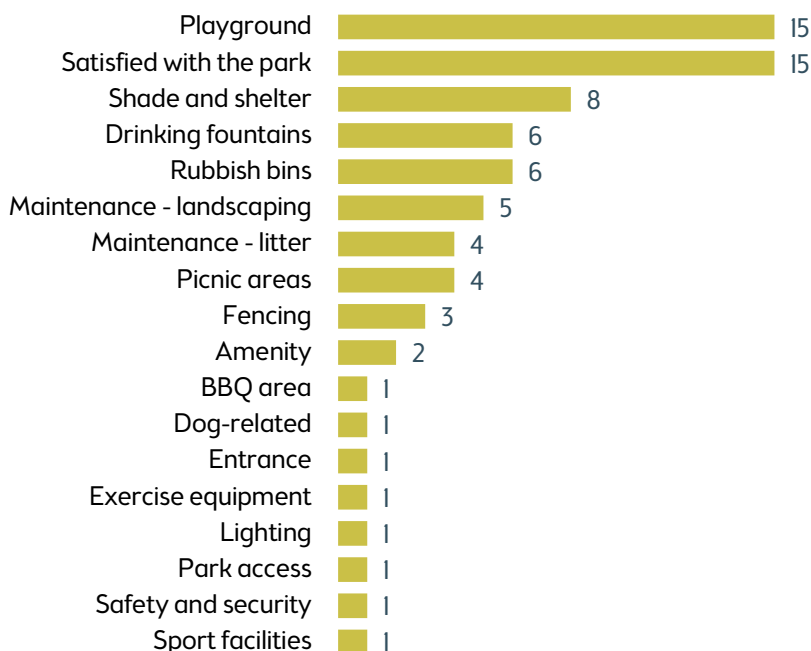
One respondent practised basketball at the park twice per day and was the most frequent park visitor. Dog walkers also visited the park almost every day.

MAIN REASON FOR BEING IN THE PARK ON THE DAY



SUGGESTED IMPROVEMENTS

Improvement types raised by the survey respondents
(See complete information later in this section)



62 improvements (some repeated) were suggested by the Heywood Park visitors.

15 respondents, 29% of all respondents, wanted the playground equipment to be painted, updated and more shade over the playground to be installed.

15 respondents, 29% of all respondents, were satisfied with the park as it was.

8 respondents, 16% of all respondents, wanted more shade to be installed in the park.

Playground

- More shade needed over the playground. (repeated by 4 respondents)
- Update equipment - painting. (repeated by 3 respondents)
- Install something bouncy for kids.
- A sand pit should be installed in the playground as well as more play equipment for toddlers.
- Update the horse equipment.
- Install a swing that rotates and is made out of stainless steel.
- More play equipment should be installed, such as flying foxes, another set of swings, in-ground trampoline, horizontal bars and a climbing wall, which could possibly be made on a tree. Play equipment should also be painted.
- Install little tunnels for kids.
- Install a spider web - traffic cone style, for kids.
- Playground equipment could do with an upgrade, but this is not an adventure park.

Satisfied with the park

- 14 respondents commented that the park was already nice.

- None. I have no expectations of a park, I adjust my expectations to the space I'm in, not vice versa.

Shade and shelter

- Shade needed over the picnic tables. (repeated by 5 respondents)
- A rotunda in the middle of the open space would be nice.
- Lawn area should be shaded.
- More shade needed over the playground and other sitting areas.

Drinking fountains

- Water fountain is needed near the playground.
- More water fountains are needed.
- Drinking fountain next to the toilet block has very low pressure.
- Cold drinking water facility in summer would be great.
- The water fountains should be upgraded so that water bottles can be easily filled up.
- Update the water fountain on the Northgate St side of the park to a modern one, current one has a high stream and splashes your whole face.



Rubbish bins

- One more bin is needed on Northgate St side with doggy bags. (repeated by 2 respondents)
- Northgate St side of the park needs a bin with doggy bags. (repeated by 2 respondents)
- More bins are needed, especially on Northgate St side.

Maintenance - landscaping

- Prickle bushes need to be removed or better maintained. (repeated by 5 respondents)

Picnic areas

- Relocate picnic tables from current position to under the big central tree. (repeated by 2 respondents)
- Relocate picnic tables from current position to under the big central tree, preferably 1 in each direction.
- More picnic tables are needed.

Fencing

- For me, everything is great, but thinking from a mother's perspective - a low fence around the park would be great for toddlers.
- A short fence along Northgate St would be useful, so that balls don't go onto the road.
- More fencing is needed as children can run out onto the road.

Maintenance - litter

- Bins are always full on the weekends, need more bins or better maintenance. (repeated by 2 respondents)
- Rubbish bins are always full on the weekends.
- Bins overflow on the weekends.

Amenity

- Perhaps a hedge could be established to keep the noise down from traffic.
- Cover the water tank with a wall of flowers, it is currently an eyesore.

Sport facilities

- Install a basketball ring.

BBQ area

- Install shade over BBQ.

Dog-related

- Extend dog park hours.

Entrance

- Southern entrance to the park should be made more inviting.

Exercise equipment

- Install outdoor gym equipment on North/West side of the park.

Lighting

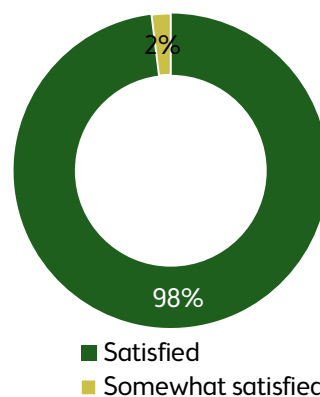
- More lighting needed at night.

Safety and security

- Low lying shrubs on the Northgate St side are often used by the homeless for sleeping or coitus.

Park access

- Pedestrian crossing is needed adjacent to the park.

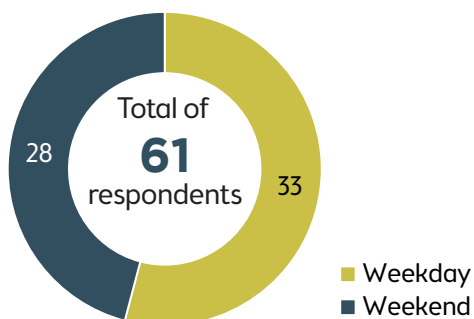
SATISFACTION WITH THE PARK

98% of visitors were satisfied with the park and one visitor was somewhat satisfied.



ORPHANAGE PARK

INTERVIEW TIMES

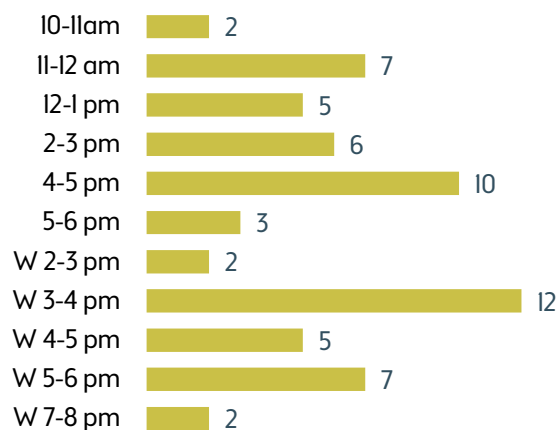


61 interviews were conducted at Orphanage Park over 3 days.

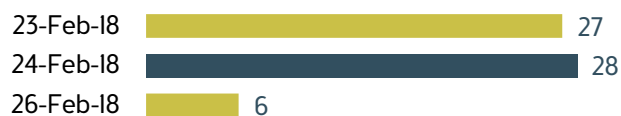
33 interviews, 54% of all interviews, were conducted on a weekday. 28 interviews, 46% of all interviews, were conducted on a weekend (Saturday or Sunday).

Orphanage Park is significantly busier on the weekends than during weekday.

Number of interviews in relation to time slots
(Note that W refers to a weekend slot)



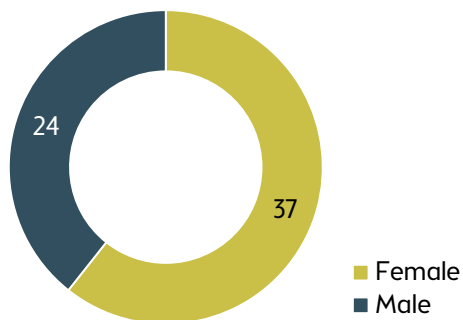
Interview dates



■ Weekday
■ Weekend

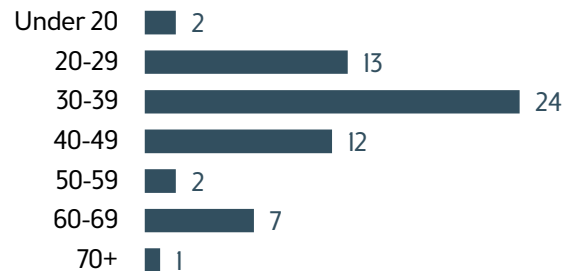
RESPONDENT PROFILE

GENDER



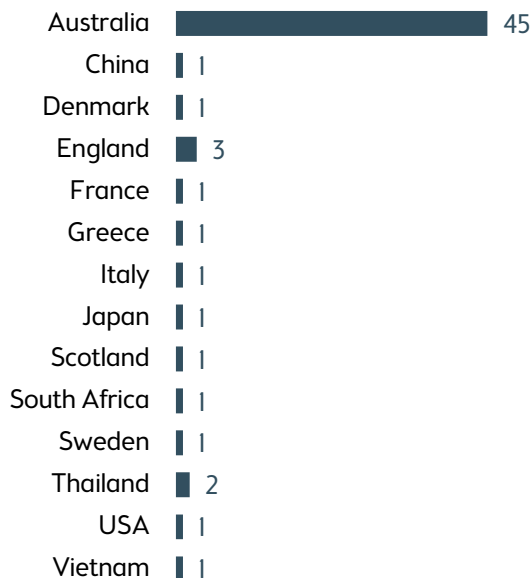
37 (57%) females were interviewed at Orphanage Park, more than males. A larger proportion of female adults accompanying children was observed than males.

AGE GROUP

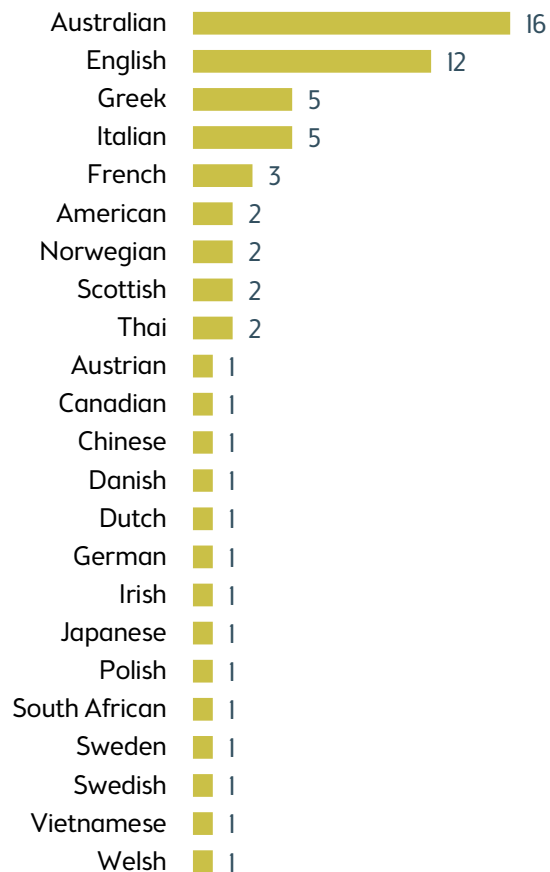


All age groups were represented in the interview sample. The park was most popular with children in the age group of 4 to 9, with accompanying adults in their 30s.

COUNTRY OF BIRTH

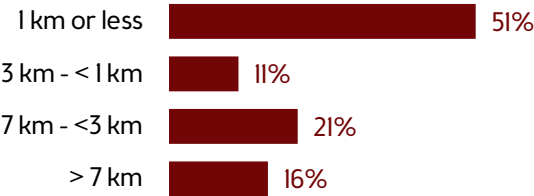


ANCESTRY



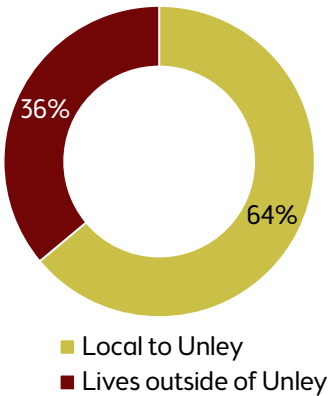
DISTANCE TRAVELLED

DISTANCE TRAVELLED FROM HOME



51% of park visitors lived 1 km or less from the park. 49% of visitors travelled 3 km or more. 36% of visitors were not residents of Unley.

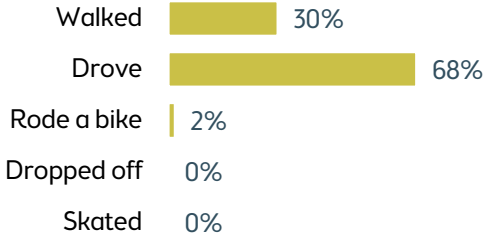
Resident of Unley or otherwise



Postcodes of visitors living outside of the Unley Council area

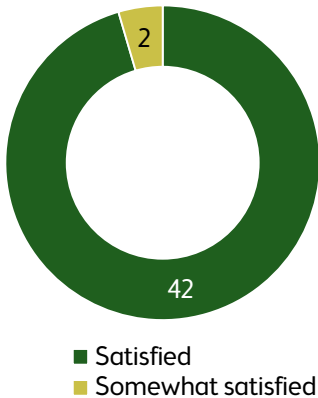
Postcode	Number of respondents
5038	2
5041	6
5048	1
5051	1
5052	1
5062	3
5063	1
5066	2
5107	1
5152	1
5158	1
5162	1
5360	1

MODE OF TRAVEL



For all people that lived 1 km distance from the park or less, 12 drove and 17 walked to the park. A high percentage of visitors drove to the park, 68%.

Level of satisfaction with car parking

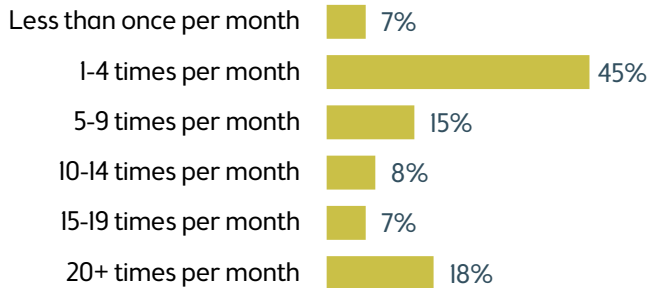


- 34 people parked in the car park fronting Orphanage Park.
- 4 people parked in Percy St.
- 1 person parked next to Tabor College.
- 1 person parked in Mitchell St.

4.8 km was the average distance travelled to reach the park.
36% of visitors were from outside of the Unley Council area.
51% of respondents lived 1 km or less from the park and **30%** walked to the park on the day.
68% of respondents drove and 95% were satisfied with car parking, while 5% were somewhat satisfied.

PARK VISIT PATTERNS

FREQUENCY OF VISITS



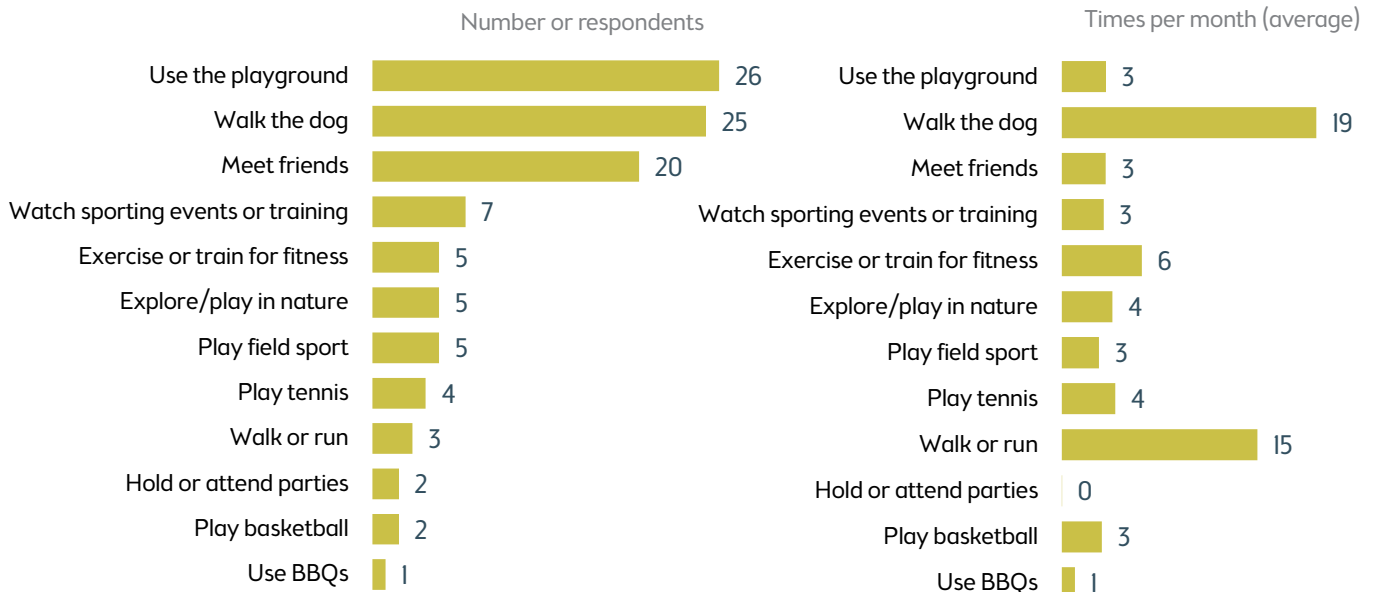
Average frequency of visiting the park was 10.7 times per month, i.e. **2.5 times per week.**

25% of visitors came to the park every day or every second day.

FREQUENCY OF VISITS

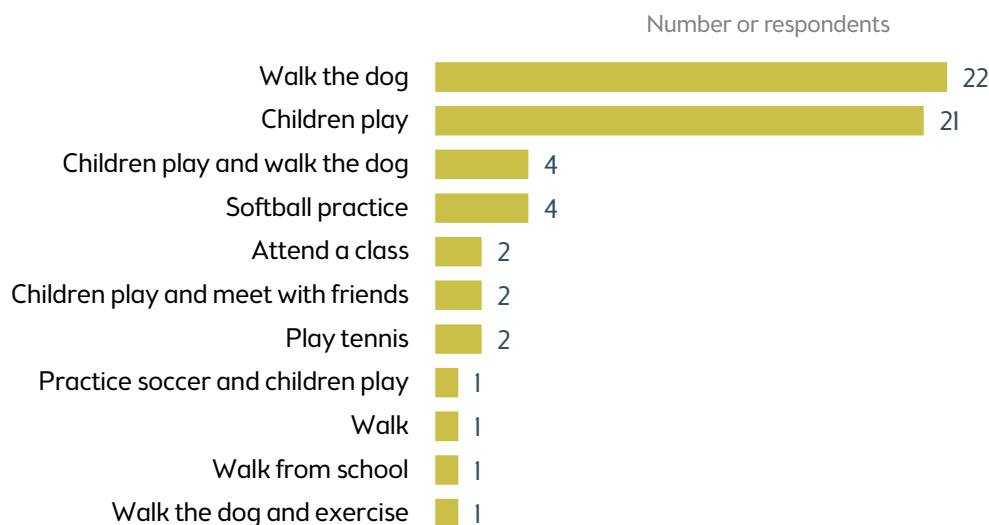
Number of respondents who on this or other occasions were engaged in various activity types

Average times per month each visitor engaged in each activity type



The most popular activity types in the park were using the playground and walking a dog. Dog walkers were the most frequent visitors to the park (visiting the park 19 times per month), followed by people walking or running (15 times per month).

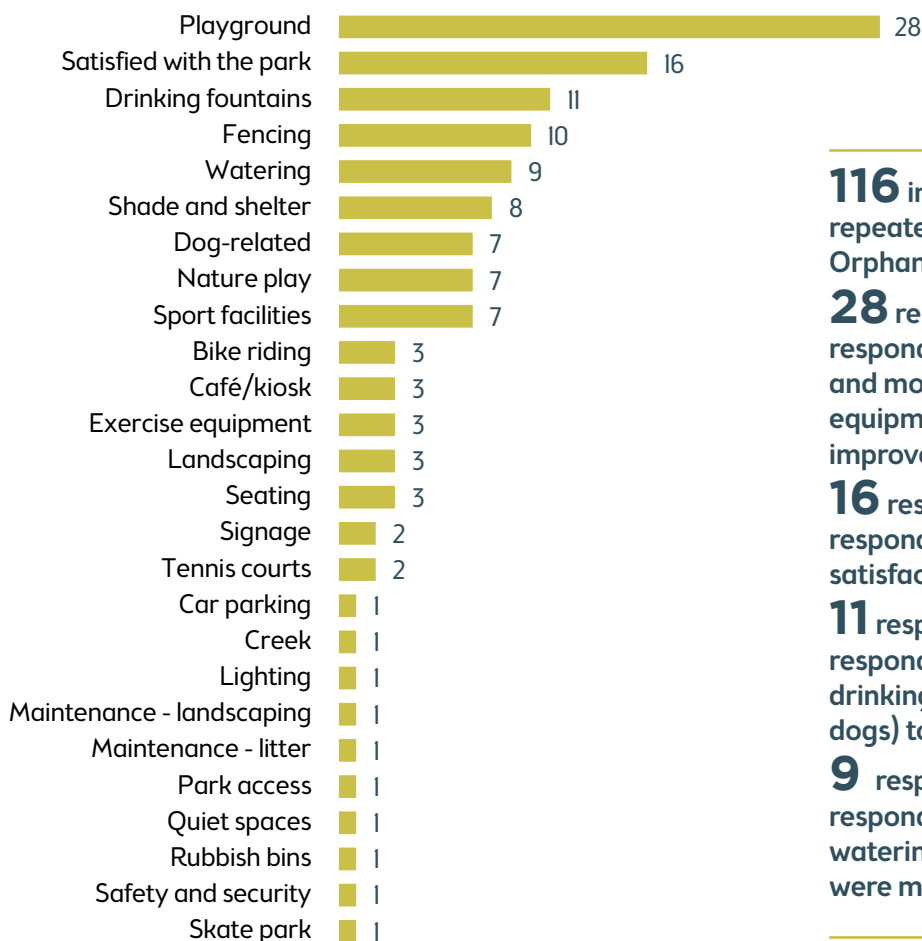
MAIN REASON FOR BEING IN THE PARK ON THE DAY



SUGGESTED IMPROVEMENTS

Improvement types raised by the survey respondents

(See complete information later in this section)



116 improvements (some repeated) were raised by Orphanage Park visitors.

28 respondents, 46% of all respondents, wanted better and more exciting playground equipment or other playground improvements.

16 respondents, 26% of all respondents, commented on their satisfaction with the park.

11 respondents, 18% of all respondents, wanted more drinking fountains (including for dogs) to be installed in the park.

9 respondents, 15% of all respondents, wanted better watering of grassed areas. These were mainly dog walkers.

Playground

- More shade needed over the playground.
- Would like a water play area possible with spray fountains (repeated by others).
- A sandpit (repeated by others).
- Bigger play ground - it is a great space and would love more equipment.
- More play equipment in the fenced playground.
- More play equipment such as a swing. It is a premier park and the play equipment is not up to standard of others such as in the Park Lands.
- Would like to see something for older children. Not sure what but maybe some challenging equipment.
- Better play equipment - bigger slides.
- Playground good for toddlers or very small children. Need play equipment for 5+ age group (like Heywood Park).
- More play equipment including bigger swings and flying fox.
- Would like water play.
- Sand pit would be good.
- More play equipment including climbing pyramid and flying fox.
- Water play area.
- Good playground with fencing and range of play, but suggest more play equipment and a bigger slide for older kids.
- More equipment for older children as choice is very limited.
- Would like to see a sand and water play area like at Glenunga School oval.
- Like a specific area for toddlers or very small children/baby.
- Would like more play equipment including slides and swings.
- More play equipment would be good including swings/slides for toddlers.
- Water play area.
- Sandpit in the playground.
- A small park. Play equipment for older children is needed.
- Water play area.
- More play equipment for older children including monkey bars and bigger slides
- Playground is good for very young and needs more for older kids.
- Have play for older kids.
- More play equipment including climbing pyramid.



Satisfied with the park

- It's already great. (repeated by 3 respondents)
- Like the fenced area for kids playground so please keep.
- The park has lovely trees.
- It is a good park. Only one sport can practice at a time but can't make bigger.
- Like the fencing and the grass.
- Good park and we like the shade.
- It is a nice space and good park. Will come again.
- Renovations have been good and seats and drinking fountains are ok.
- It is a nice park and beautiful space.
- It is a good playground.
- Good park. Keep well maintained.
- It is a great park.
- Good park and full dog poo dispensers.
- The area is generally clean which is good.

Drinking fountains

- Like water point/dog bowl near playground/ west oval. (repeated by 6 respondents)
- The water fountain next to the playground needs upgrading as it splashes your whole face.
- More water fountains are needed.
- Improve water fountain in the playground.
- Improve water fountain in the playground. So it can be reached by toddlers and fill a water bottle.
- Lots of dog walkers use the park. Need water point/dog bowl near playground/west oval.
- Improve water fountain in the playground. So it can be reached by toddlers and fill a water bottle.

Fencing

- Need to separate the tennis court with a fence as it is not safe next to playground. (Repeated by 5 respondents).
- Fencing along main driveway next to dog oval - absolutely critical. (Repeated by 4 respondents).

- Another fence next to Tabor College along edge of west oval.

Watering

- Grassed died on the dog oval during Summer - needs better watering.
- Need better watering maintenance as water was turned off for 6 weeks during Summer.
- Better watering of grass.
- Better summer watering of grass.
- Need better watering of dog park.
- Good park. Fine but dogs are dusty when grass is not watered.
- Better watering of grass.
- Better summer watering of grass.
- Better watering behind the tennis court.

Shade and shelter

- Shade structure for dog park. (Repeated by 3 respondents.)
- More seating and shade in west oval (next to Goodwood Road). Lots of parents watch sports. (Repeated by 2 respondents.)
- More shade needed over the playground.
- More shade on west oval (next to Goodwood Road).
- Some more shade around the west oval for sports.

Dog-related

- More sensory play for dogs.
- A separate area for little and larger dogs.
- Used to be a rock area before renovation which provided nice place for sitting and off leash area. Off leash area removed and no sitting. Should reinstate both.
- Need interesting experiences for dogs along the creek (sensory) and return the on leash area behind the tennis courts to off leash area.
- Another dog poo dispenser.
- More capacity and/or dog poo stations.
- Always fill dog poo dispensers before the weekend.

Nature play

- More nature and sensory play. (repeated by 2 respondents).
- Sure there used to be a rock climbing area before park was changed. Good to see more nature areas for kids.
- Need more nature play and innovative activities like Marshmallow Park. Use the trees for a rope bridge.
- Make more of the creek such as an adventure nature park.
- More nature and water play.
- Nature play including a treehouse.

Sport facilities

- Fix the basketball net ring.
- Install soccer goals on the oval.
- Would like soccer goals to be installed on the oval.
- Another tennis court.
- Fix basketball ring netting.
- Install soccer goals in the oval.
- Install a netball ring.

Bike riding

- Have a bike trail like in the city as there is enough space.
- Place for riding bikes.

- Space for bike riding as have to share with tennis court. Also space for scooters.

Café/kiosk

- A coffee shop, van or kiosk would be good.
- A coffee place would be good.

Exercise equipment

- Not much for teenagers as the playground is a bit of a 'baby park'. Maybe some gym equipment.
- Install an exercise trail and equipment.
- Install exercise equipment.

Landscaping

- Plant fruit trees for the community.
- More flowers and bright plants.

Seating

- Another seat around the east oval.
- More seats in dog park (west oval).

Signage

- Sign for toilets. (Repeated by 2 respondents.)

Tennis courts

- Need more tennis courts as one is not sufficient for demand. (Repeated by 2 respondents.)



Car parking

- Car parking.

Creek

- Make more of a feature of the creek.

Lighting

- More lighting at night.

Maintenance - landscaping

- Better landscape maintenance. Used to be good. Bark has been sitting in a maintenance for long time.

Maintenance - litter

- Keep bins clean.

Park access

- Improve entry onto Mitchell St which is narrow and should be widened.

Quiet spaces

- Nice quiet area for chat.

Rubbish bins

- Need a bin near the exist on the east oval (next to Percy St).

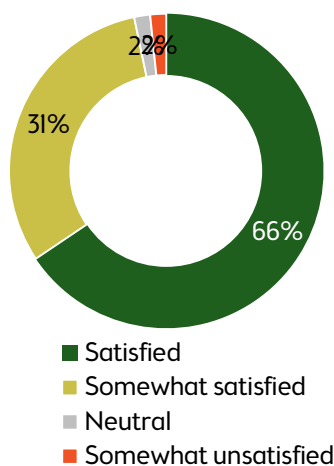
Safety and security

- Travellers living in car park is a problem and needs better policing.

Skate park

- Install a skate park (another one is needed in Unley Council)

SATISFACTION WITH THE PARK



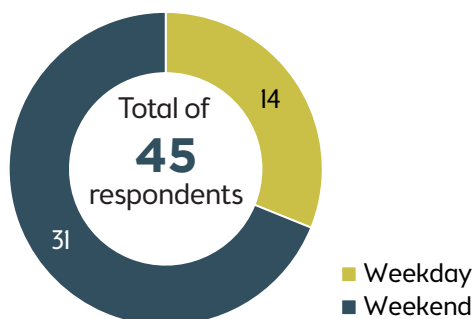
96% of visitors were either satisfied or somewhat satisfied with Orphanage Park.

2 people, 4% of all respondents, were neutral or somewhat unsatisfied.



PAGE PARK

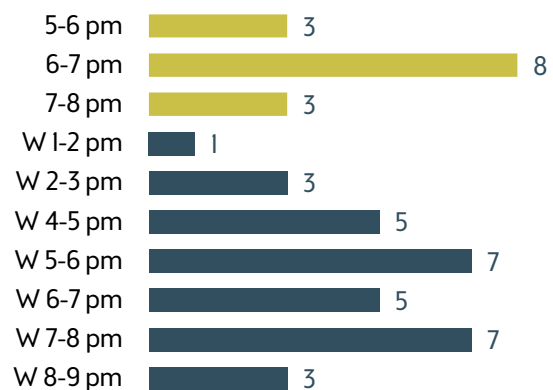
INTERVIEW TIMES



45 interviews were conducted at Page Park over 3 days.

31 interviews, 69% of all interviews, were conducted on a weekend, when Page Park was the busiest.

Number of interviews in relation to time slots
(Note that W refers to a weekend slot)



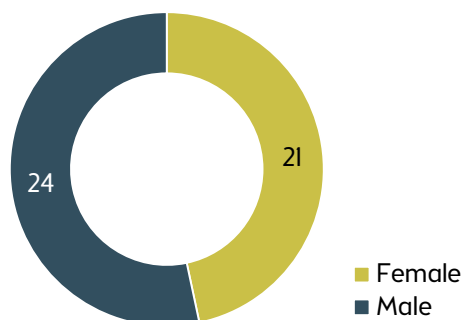
Interview dates



■ Weekday
■ Weekend

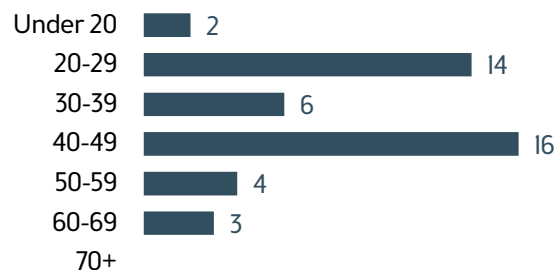
RESPONDENT PROFILE

GENDER



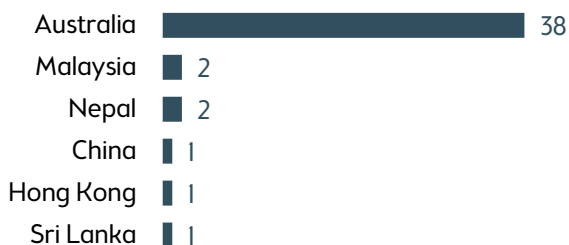
Almost even numbers of females (47%) and males (53%) were interviewed.

AGE GROUP

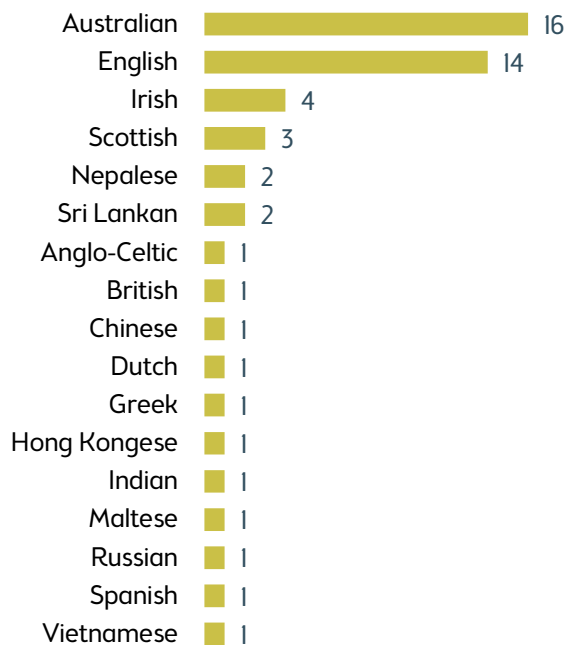


All age groups were represented in the interview sample apart from senior adults in their 70s. The park was most popular with adults in their 40s.

COUNTRY OF BIRTH

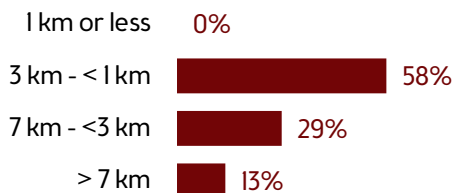


ANCESTRY



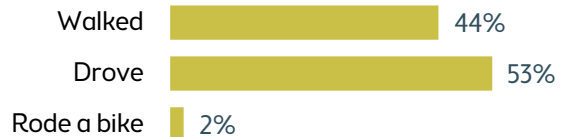
DISTANCE TRAVELLED

DISTANCE TRAVELLED FROM HOME



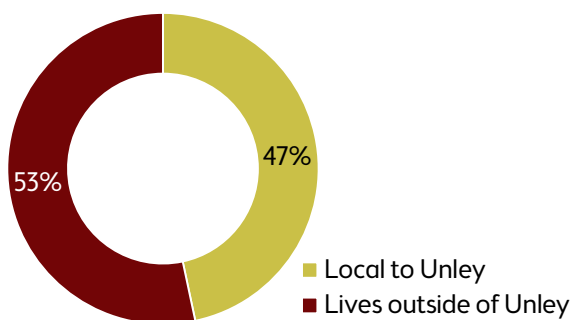
All park visitors lived more than 1 km away from the park. 58% majority of respondents lived within 3 km of the park.

MODE OF TRAVEL



Despite no people living within 1 km radius of the park, 44% walked to the park on the day of the interviews.

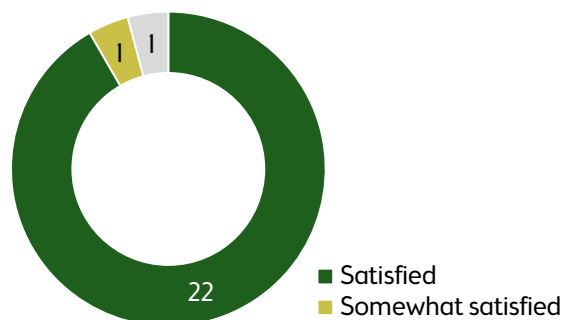
Resident of Unley or otherwise



Postcodes of visitors living outside of the Unley Council area

Postcode	Number of respondents
5037	1
5038	2
5039	6
5041	6
5046	1
5047	1
5062	2
5067	1
5152	1

Level of satisfaction with car parking



Location or parking

Location or parking	Number of respondents
East Ave	14
Oakfield Ave	9
Cross Rd	1

4.1 km was the average distance travelled the park.

53% of visitors were from outside of the Unley Council area.

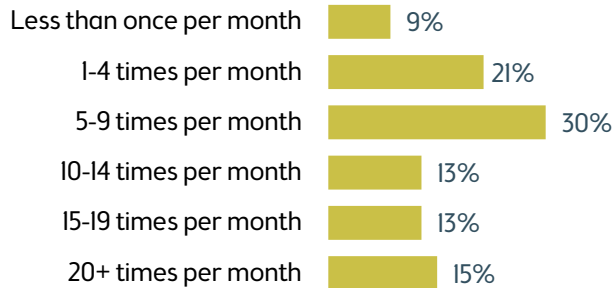
No respondents lived 1 km or less from the park.

53% of respondents drove and all of them were satisfied with car parking.

44% of respondents walked to the park.

PARK VISIT PATTERNS

FREQUENCY OF VISITS



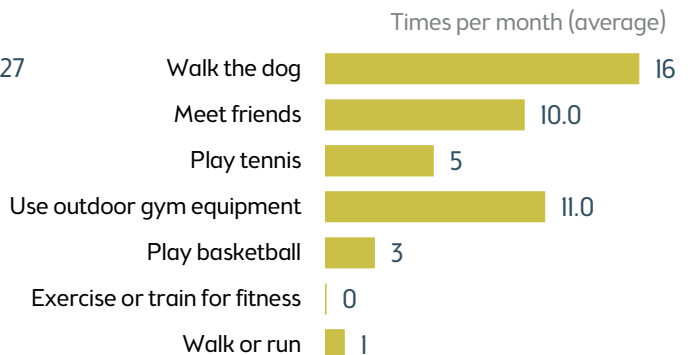
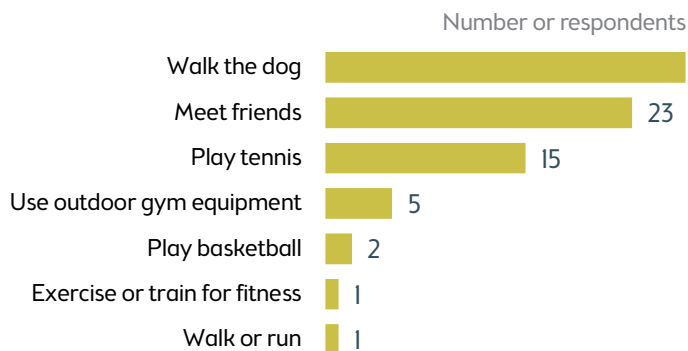
Average frequency of visiting the park was 12.1 times per month, i.e. **2.8 times per week.**

29% of visitors came to the park every day or every second day.

FREQUENCY AND TYPES OF VISITS

Number of respondents who on this or other occasions were engaged in various activity types

Average times per month each visitor engaged in each activity type



Walking dogs was the most popular and most frequently repeated activity by the visitors to the park (visiting the park 16 times per month), followed by using outside gym equipment (11 times per month).

MAIN REASON FOR BEING IN THE PARK ON THE DAY



SUGGESTED IMPROVEMENTS

Improvement types raised by the survey respondents
(See complete information later in this section)



65 improvements (some repeated) were raised by Page Park visitors.

26 respondents, 58% of all respondents, wanted small improvements to dog-related park facilities, such as installation of dog drinking points, extending dog hours and erecting fencing around tennis courts.

10 respondents, 22% of all respondents, wanted to see more drinking fountains at the park.

10 respondents, 22% of all respondents, were happy with the park as it was.

Dog-related

- Water facility for the dogs is needed. (repeated by 10 respondents)
- Extend dog park hours. (repeated by 7 respondents)
- Tennis courts should be segregated from the dog park. (repeated by 4 respondents)
- Install a small dog play area/equipment, even if small.
- Tennis players sometimes get bothered by dogs running onto the tennis courts and grabbing balls, maybe a fence is needed.
- Fence should be installed next to the tennis court, so dogs don't run onto the courts.
- Tap next to the tennis club needs re-instating.
- Tap next to the tennis club needs re-instating. Install drinking fountains for dogs.
- Sometimes dogs come onto the court if playing at night time.
- Segregate the tennis court from the dog park.

Drinking fountains

- More water fountains are needed. (repeated by 5 respondents)
- Water fountain could be placed closer to the tennis courts. (repeated by 2 respondents)
- Drinking fountain for dogs and people.
- Water fountain is needed next to the courts.
- All seems fine, except for the water fountain which could be closer to the tennis courts.

Satisfied with the park

- None needed. (repeated by 6 respondents)
- The park is already good/great. (repeated by 3 respondents)
- It is great that Unley Council cares!

Lighting

- Better lighting is needed, especially in winter as it gets darker earlier. (repeated by 2 respondents)
- More lighting is needed in winter. (repeated by 2 respondents)
- Install more lighting posts as it is dark at night, especially in the winter time. (repeated by 2 respondents)

- Better lighting is needed.
- Install more lighting.

Fencing

- Gate next to the tennis court should be latched. (repeated by 2 respondents)
- Put a fence around the basketball court to fend off dogs.
- Short fence is needed around the gym equipment area to ward off dogs.

Playground

- A small children's play area would be nice.
- Play equipment for children would be nice.
- Install play equipment for children if someone would like to have a party.

Maintenance - weeds, grass and leaf matter

- Better maintenance of tennis courts (debris). (repeated by 2 respondents)

Rubbish bins

- Bin needed next to the tennis court.
- Two bins are needed.

Sport facilities

- Install some goals for the kids.
- Basketball ring needs a new chain.

BBQ

- BBQ is needed.

Exercise equipment

- Shelter is needed over the exercise area to shield from the sun.

Landscaping

- More native species should be planted.

Park access

- Gate next to the tennis court should be latched to prevent children or animals running out. Currently all of the other gates are latched.

Public showers

- Public showers needed.

Seating

- Another bench next to the tennis court is needed.

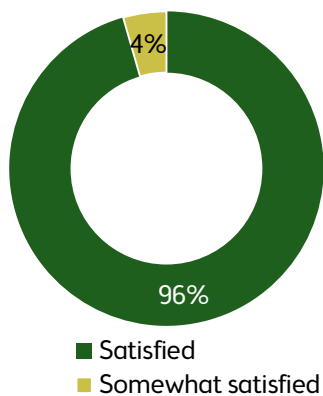
Shade and shelter

- Shading needed over the outdoor gym equipment.

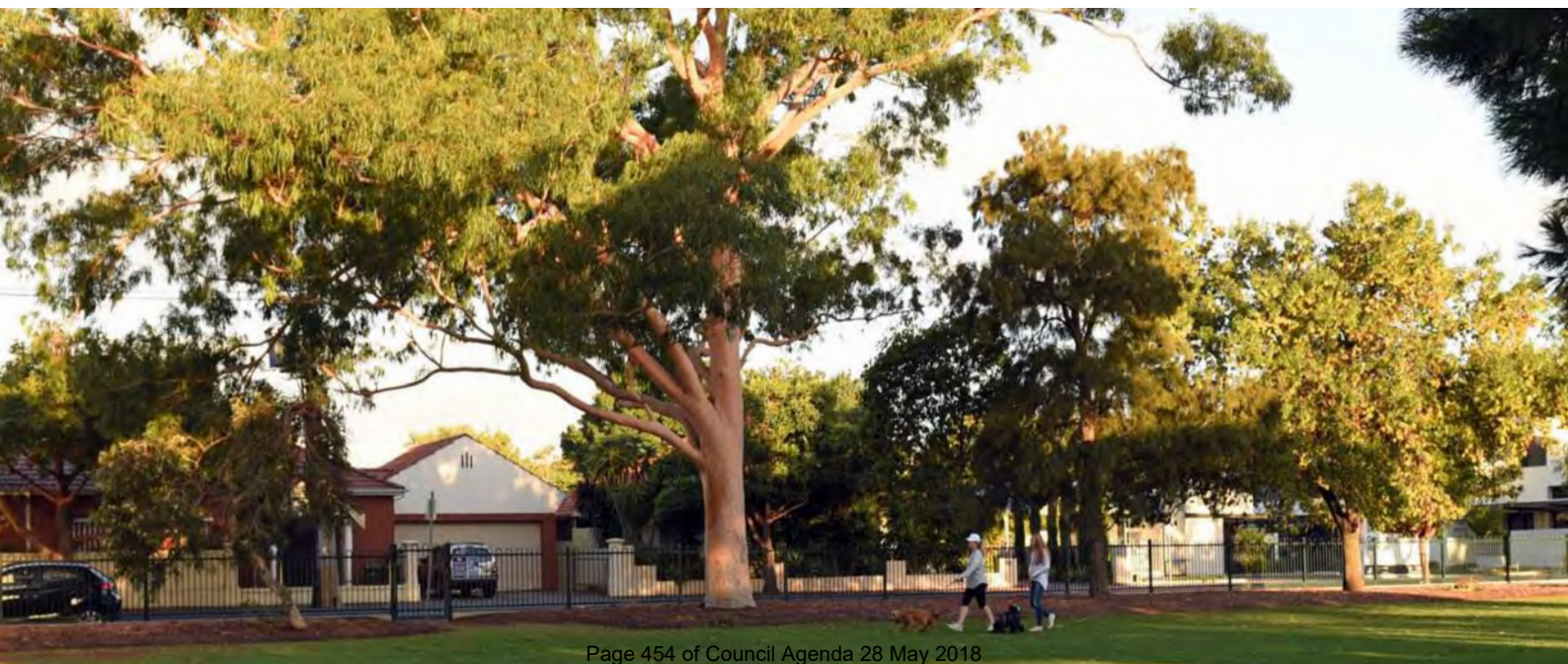
Toilets

- There is no sign for male toilet on the toilet block, only female.

SATISFACTION WITH THE PARK



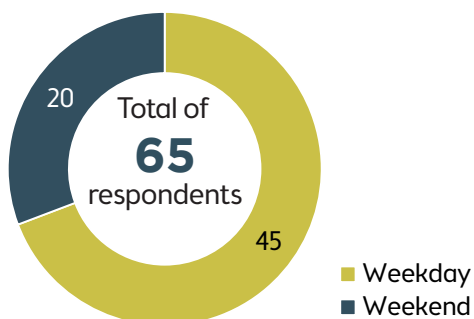
96% (43 out of 45) of visitors were satisfied with Page Park and 2 people were somewhat satisfied.





RIDGE PARK

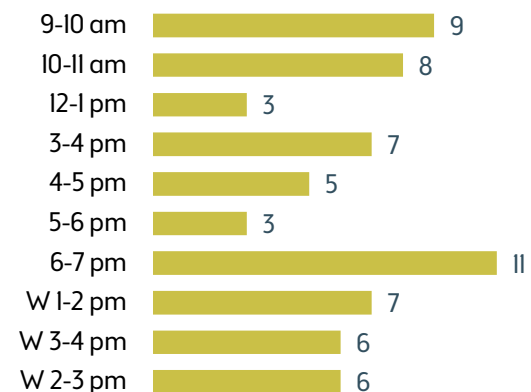
INTERVIEW TIMES



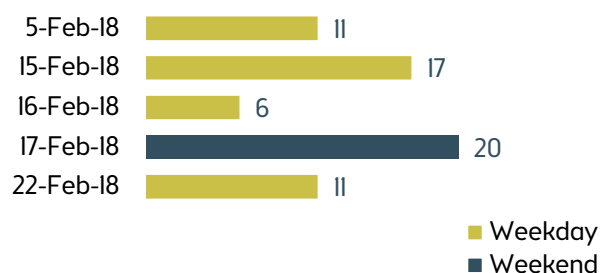
65 interviews were conducted at Ridge Park over 5 days.

45 interviews, 69% of all interviews, were conducted on a weekday. 19 interviews, 31% of all interviews, were conducted on a weekend (Saturday or Sunday).

Number of interviews in relation to time slots
(Note that W refers to a weekend slot)

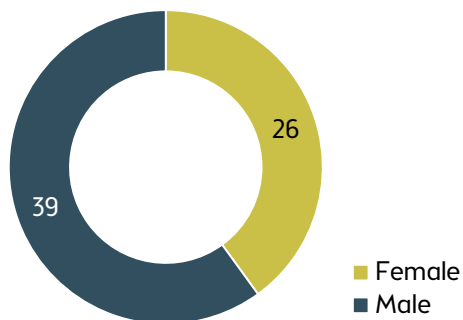


Interview dates



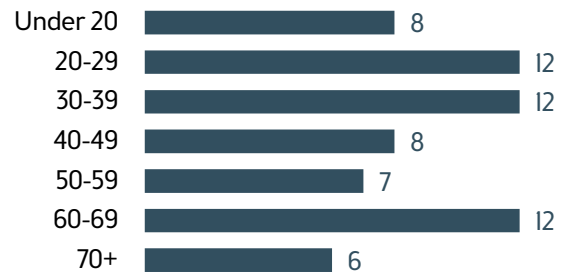
RESPONDENT PROFILE

GENDER



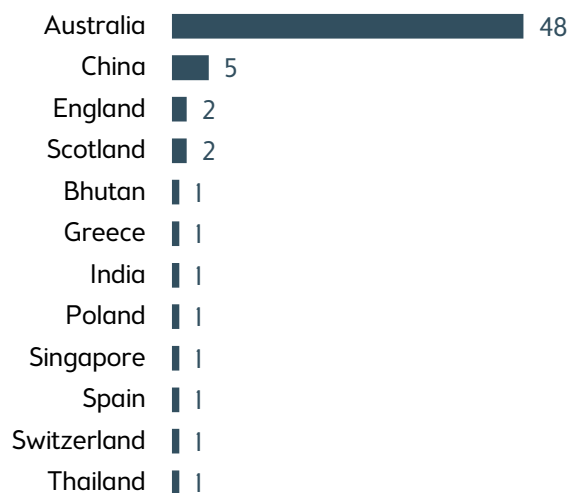
26 (40%) females were interviewed at Ridge Park, significantly less than males. It was observed that a larger proportion of males were playing sports and using the skate park, which explains why a larger number of males than females were interviewed.

AGE

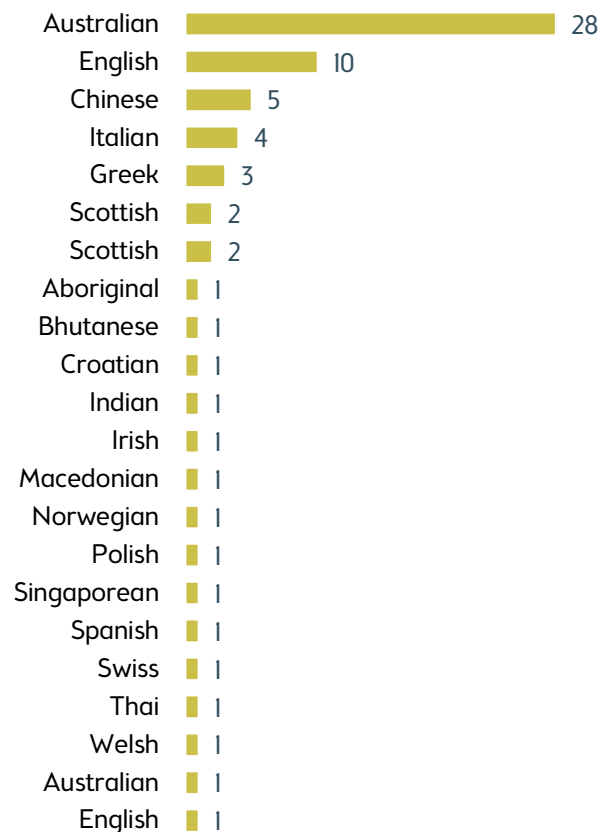


All age groups were represented in the interview sample. The park attracts a diversity of users, from young children at the playgrounds, dog walkers typically in the 30 - 60 age bracket to retirees (generally from adjoining retirement and aged care facility) who enjoy walking or exercising in the park.

COUNTRY OF BIRTH

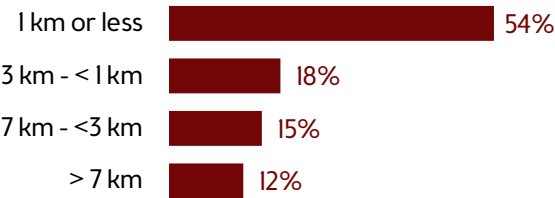


ANCESTRY



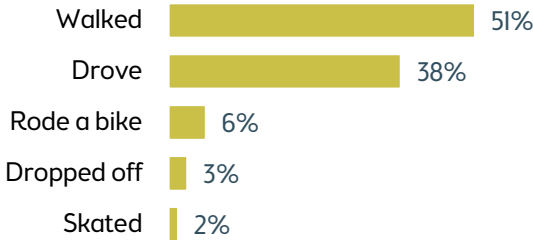
DISTANCE TRAVELLED

DISTANCE TRAVELLED FROM HOME

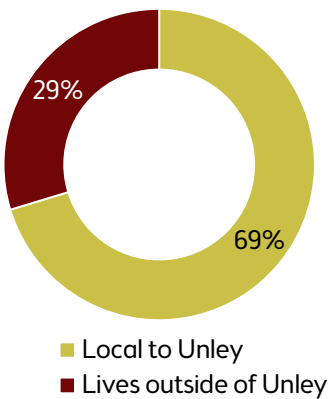


54% of the park visitors lived 1 km or less from the park. 27% of visitors travelled 3 km or more. 29% of visitors were not residents of Unley.

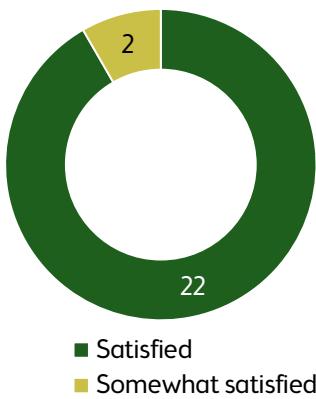
MODE OF TRAVEL



Resident of Unley or otherwise



Level of satisfaction with car parking



Postcodes of visitors living outside of the Unley Council area

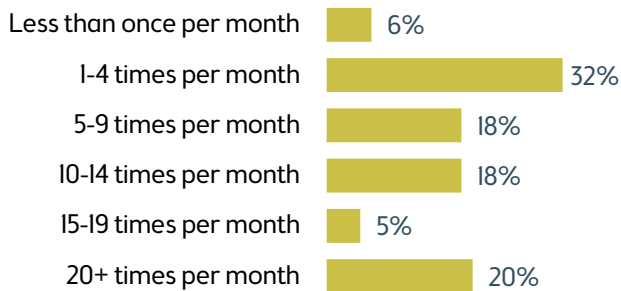
Postcode	Number of respondents
5000	2
5031	1
5045	1
5048	1
5062	3
5064	2
5066	3
5084	1
5086	1
5151	1
5152	2
5251	1

- 19 people parked in Barr-Smith Ave
- 3 people parked in the car park located off Barr-Smith Ave next to the tennis courts
- 3 people parked in Spencer St
- 1 person parked in Ridge Ave.

3.1 km was the average distance travelled to reach the park.
31% of visitors were from outside of the Unley Council area.
54% of respondents lived 1 km or less from the park and **51%** walked to the park on the day.
38% of respondents drove and 83% were satisfied with car parking, while 17% were somewhat satisfied.

PARK VISIT PATTERNS

FREQUENCY OF VISITS

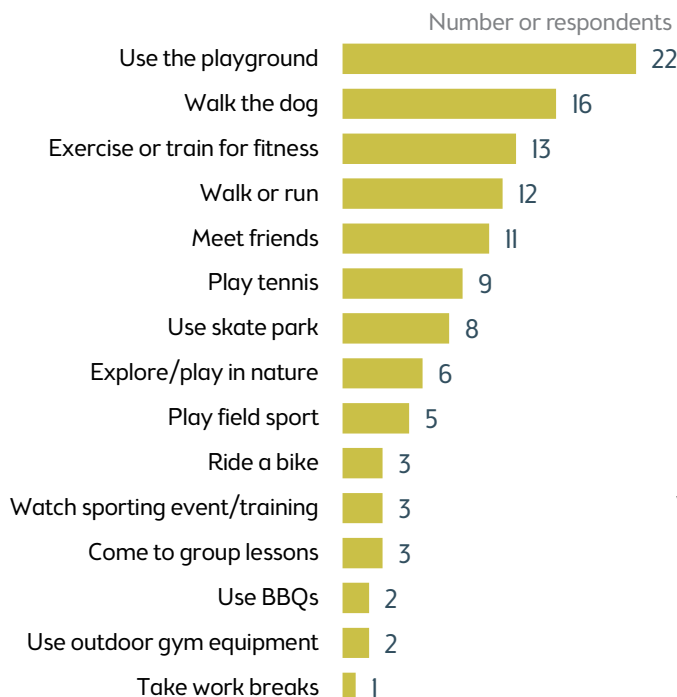


Average frequency of visiting the park was 10 times per month, i.e. **2.3 times per week.**

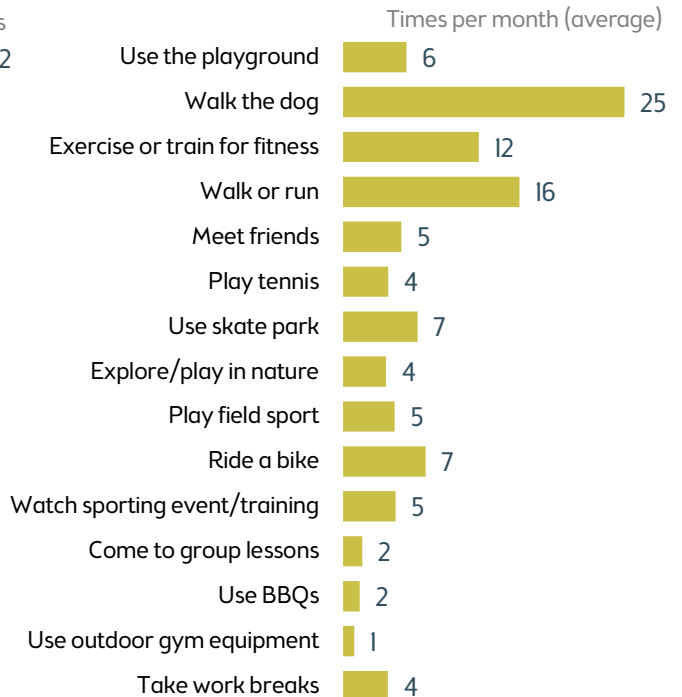
25% of visitors came to the park every day or every second day.

FREQUENCY OF VISITS

Number of respondents who on this or other occasions were engaged in various activity types



Average times per month each visitor engaged in each activity type

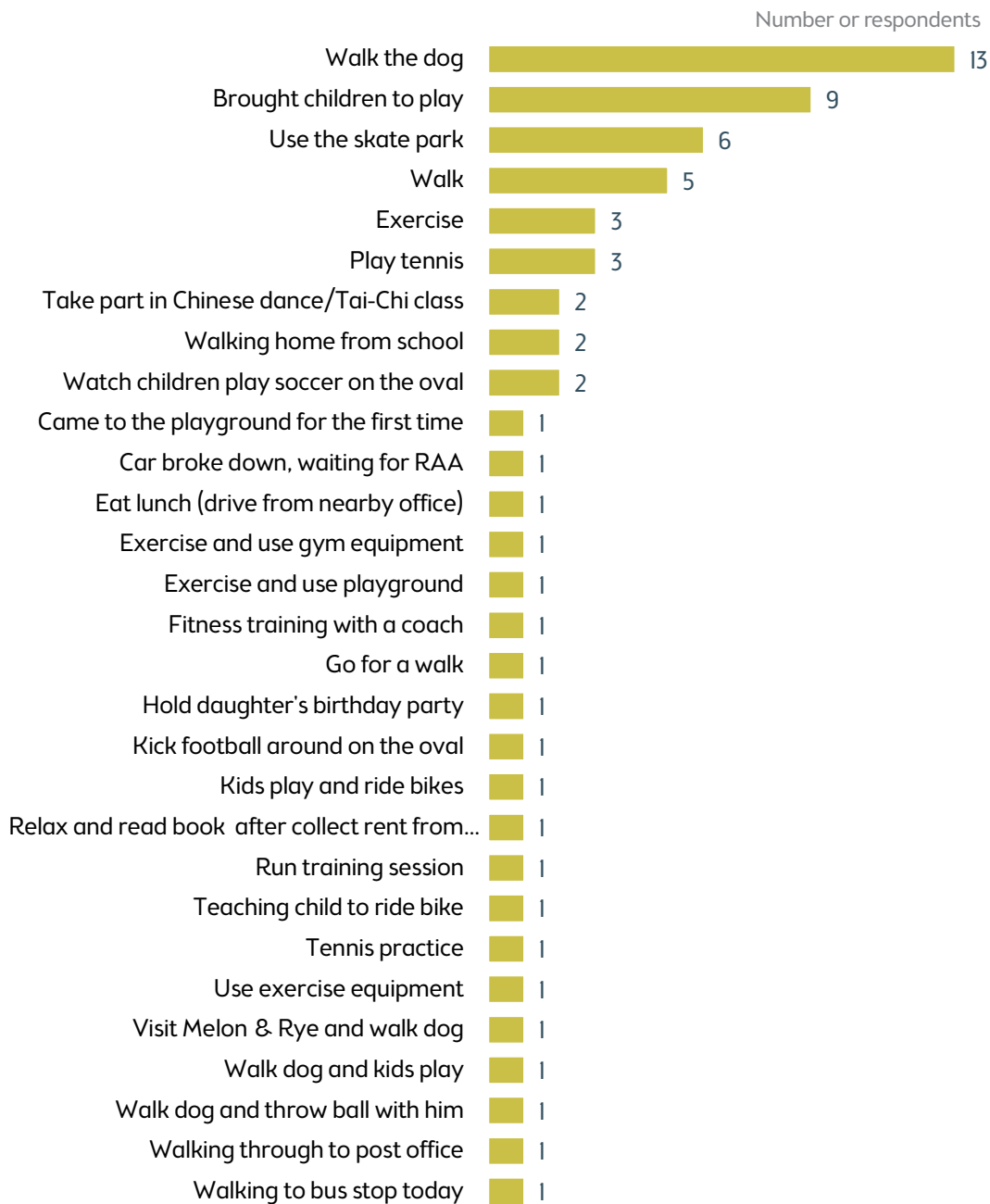


Other reasons for visiting the park given were:

- Going to 'Melon and Rye' cafe
- Relaxing and reading a book
- Relaxing with children
- Waiting for RAA service.

The most popular activity types in the park were using the playground and walking a dog. Dog walkers were the most frequent visitors to the park (visiting the park 25 times per month), followed by people walking or running (16 times per month).

MAIN REASON FOR BEING IN THE PARK ON THE DAY



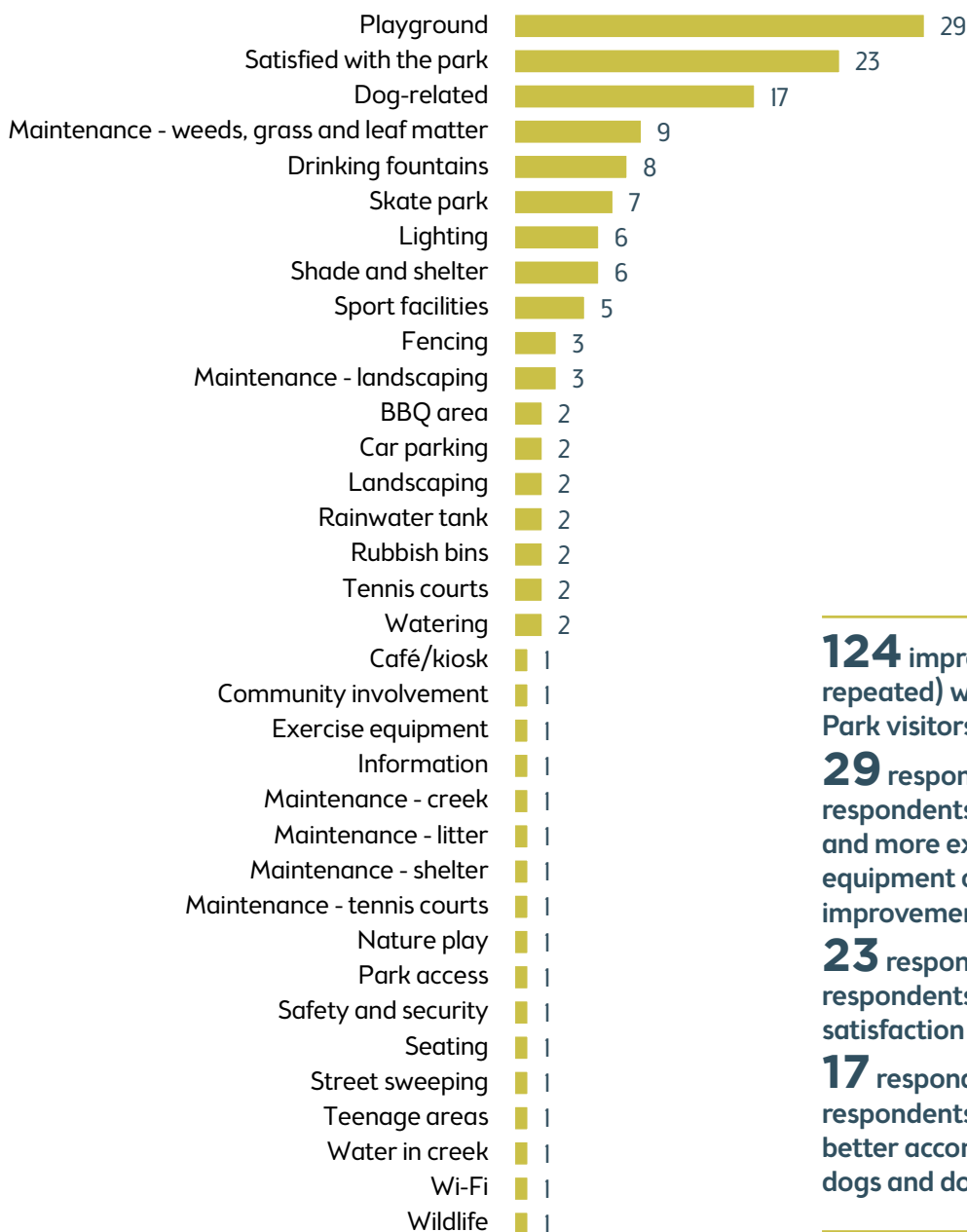
SUGGESTED IMPROVEMENTS

All comments were categorised by their content, so that repeating improvement types could be identified. The list of all of the mentioned improvement types is provided on the next page and the chart below shows improvement types that were raised by 3 people or more. The purpose of this list is to provide a quick summary. Later in this section of this report there is a complete feedback grouped under these themes as headings.

The approach of categorising responses into improvement types was used for each of the parks, to develop an understanding regarding trends and to group related feedback together.

Improvement types raised by the survey respondents

(See complete information later in this section)



124 improvements (some repeated) were raised by Ridge Park visitors.

29 respondents, 45% of all respondents, wanted better and more exciting playground equipment or other playground improvements.

23 respondents, 35% of all respondents, commented on their satisfaction with the park.

17 respondents, 26% of all respondents, wanted the park to better accommodate the needs of dogs and dog walkers.

Playground

- Fix the broken swing, (Repeated by 8 respondents).
- More play equipment. (Repeated by 8 respondents).
- More swings for small children. (Repeated by 3 respondents).
- Expand the playground to include: better and large slides, large spinning see-saw, swings for young children and a water play area.
- Expand the playground, so children would want to stay longer.
- Need more play equipment - swings and slides; there is plenty of room and the park could be a really popular destination.
- More play equipment and places for kids to sit.
- Better play equipment.
- More play equipment including monkey bars.
- Play equipment for young children - no kids swing.
- Need better playground. Should be like playgrounds in Adelaide Park Lands as there is enough space.
- Big slide like just installed at Unley Oval.
- Jungle gym.
- More play equipment as children bore easily.
- More play equipment like Queen Elizabeth playground in the city. Could attract more people from along Glen Osmond Road and

good for business.

- Maybe some more nature play trail activities.
- Maybe a flying fox over the creek.

Satisfied with the park

- Cannot think of improvements, the park is already great. (Repeated by 4 respondents).
- Like park now with recent changes. (Repeated by 2 respondents).
- Like replanting - feels barren but will grow.
- Like the texture of the park and like the trees. Nice ambience.
- I like the park.
- Like when water running along the creek.
- There is a nice mix of shade and sun areas and like the trees as they smell fantastic.
- Good park for training. Council should be congratulated.
- Park suits us and is good for walking.
- Leave park alone, it needs time to settle after recent changes.
- Not much, it is a good park.
- It is a good park.
- Impressed by recent changes.
- Like park and very impressed with changes.
- Like the exercise equipment and biodiversity notes on the trees.
- Good exercise equipment and like park after improvements.



- Seems empty, thought more people would be here. It is nice here.
- Sometimes competition with basketball court users.
- Good that courts are free to use.

Dog-related

- More dog poo dispensers. (Repeated by 4 respondents).
- Install another dog water bowl. (Repeated by 2 respondents).
- Keep dog poo dispenser full. (Repeated by 2 respondents).
- Should allow dogs on leashes in the park, if they respond to being called.
- Dog off leash area.
- More bags and equipment for cleaning dog poo.
- Would like fencing dog area but realise hard to fit.
- Install dog bowl near the oval.
- Love a dog park like they have built in the Adelaide Park Lands.
- Fix dog water bowl as it does not work most of the time.
- Need dog cleaning area.
- Fix dog water bowl.
- Needs the bin at the entrance to Ridge Avenue to have poo bag dispenser. All dog poo dispensers should be labelled as 'poo carrier'.

Maintenance - weeds, grass and leaf matter

- Better cleaning/removing of debris on tennis courts. Repair holes.
- Clean creek and remove weeds (a comment repeated by others).
- Like the dam/creek system but needs to be cleaned and maintain plants better.
- Clean creek and remove weeds.
- Leaves from trees makes it hard to play. Need more cleaning of courts.
- Debris on courts is a nuisance. Could something be done?
- Clean creek and remove weeds.
- Leaves from trees makes it hard to play. Need more cleaning of courts.

- Remove weeds.

Drinking fountains

- Install more drinking fountains.
- Water fountain is always broken and it needs to be fixed.
- Install drinking fountains throughout the park, that do not break easily.
- Install drinking fountains throughout the park, that do not break easily.
- Install more drinking fountains.
- Existing water fountains always breaks. A better one is needed at the skate park location.
- More water fountains - people drink from the tap.
- More drinking water access.

Skate park

- Redesign the skate park to have a more varied terrain, not just the bowl.
- A skate/bike area for smaller kids (including scooters).
- A skate/bike area for smaller kids. Current facility too hard for small children and scared of bigger kids. Maybe some jumps/concrete area for kids. Can use courts but they are often busy.
- Skate area could be bigger with some more area to do tricks. It is too small for bikes and skating together. Use the area next to the skate park for more stuff. There is enough grassed areas.
- More facilities for bikes/skater. It is next to busy road so no noise for neighbours. Use space next to current park for more including a ramp.
- Some more skate park facilities - we do not upset anyone.
- Create more shade around the skate park.

Lighting

- More lighting would be good.
- Lighting at night.
- Improve lighting around bbq areas and paths.
- More lighting.
- Better night time lighting for when walk home from bus in winter.

- More lighting.

Shade and shelter

- Maybe lights under pergola and get rid of spiders.
- More shade over play area.
- Bigger shelter would be great.
- Install roof vents on the shelter to improve air circulation for people watching training on the oval.
- Shade over tables and better shade seats near play areas.
- Install new and better seating in the shelter area.

Sport facilities

- A dedicated space for softball.
- Would love to see a golf range.
- Mark track on the oval for sporting games.
- Like the sports equipment box but gone now.
- Install soccer goals on the oval.

Fencing

- Good to fence a playground as hard to take care of very small children.
- Install fences along all sides of tennis courts as ball often go out.
- Low fence along Glen Osmond Road as sometimes feels unsafe with cars/trucks/buses.

Maintenance - landscaping

- More information on why dead trees are left. Is this for biodiversity or too expensive to remove?
- Mow grass more regularly.
- Keep prickly plants trimmed.
- More information on why dead trees are left. Is this for biodiversity or too expensive to remove?

BBQ area

- More inviting and sheltered BBQ areas. (Repeated by 2 respondents.)

Car parking

- Car parking is ok except when Scouts is on.
- Can we have angled parking along Barr-Smith Avenue.

Landscaping

- More tree planting.
- More flowers and bright plants.

Rainwater tank

- Install a rainwater tank to collect run-off from the shelter.
- Install a rainwater tank to collect run-off from the shelter.

Rubbish bins

- Need bin next to Ridge Park sign on Barr



Smith Avenue. Was previously there but removed and now there is more litter from kids/car users.

- Maybe a bin for poo near oval/playground.

Tennis courts

- Leave brooms at courts so players can clean as well.
- Maybe keep broom for players to use.

Watering

- Repair broke sprinkler heads on Barr Smith Avenue. Broken by cars going over kerb.
- Like new creek plants to be watered and maintained.

Café/kiosk

- Maybe a café or place to buy drink.

Community involvement

- Maybe run competition for public to vote for best park.

Exercise equipment

- More exercise equipment. The jumping equipment near playground and path is not used so maybe some more equipment like weights.

Information

- Install education boards describing wildlife in the area especially gum trees.

Maintenance - creek

- Clean the creek.

Maintenance - litter

- Improve cleaning of the park to remove litter.

Maintenance - shelter

- Improve shed maintenance, especially internally, to keep it clean from dust, leaves and spider webs.

Maintenance - tennis courts

- Some cleaning of tennis courts. Repair holes.

Nature play

- Maybe some more nature play trail activities.

Park access

- Nicer entry at Ridge Ave.

Safety and security

- Guys cutting lawns do not have seat belts and safety bar.

Seating

- More seating.

Street sweeping

- Need more regular street sweeping on Barr Smith Avenue.

Teenage areas

- More areas for teenagers to enjoy.

Water in creek

- Like to see water in the creek.

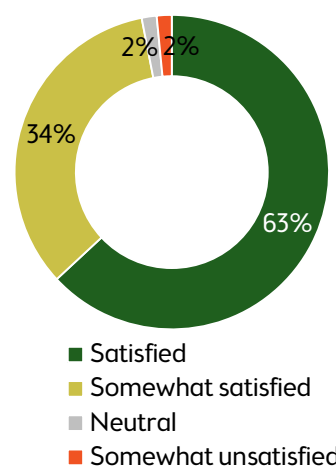
Wi-Fi

- Provide free Wi-Fi.

Wildlife

- Magpies are scary can anything be done.

SATISFACTION WITH THE PARK



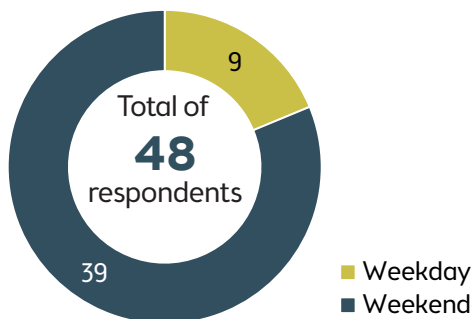
96% of visitors were either satisfied or somewhat satisfied with Ridge Park.

2 people, 4% of all respondents, were neutral or somewhat unsatisfied.



UNLEY OVAL

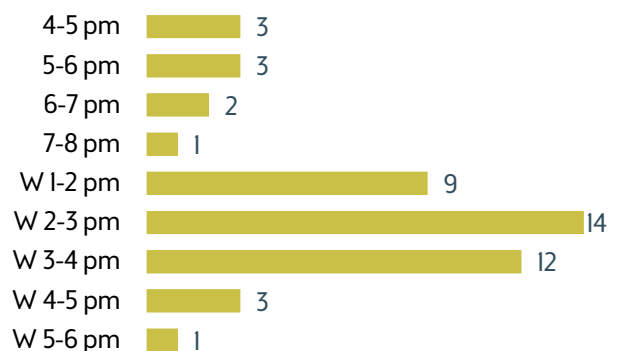
INTERVIEW TIMES



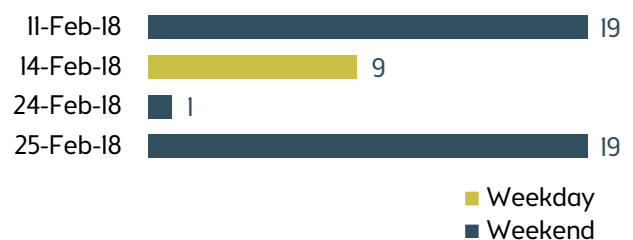
48 interviews were conducted at Unley Oval over 4 days.

39 interviews, 81% of all interviews, were conducted on a weekend, when Unley Oval was the busiest.

Number of interviews in relation to time slots
(Note that W refers to a weekend slot)

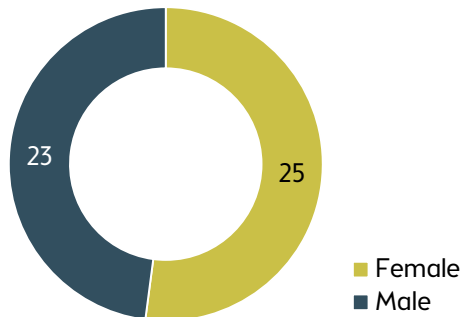


Interview dates



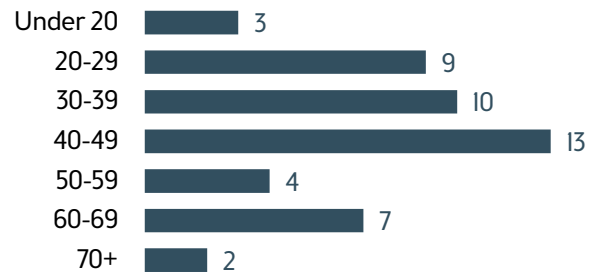
RESPONDENT PROFILE

GENDER



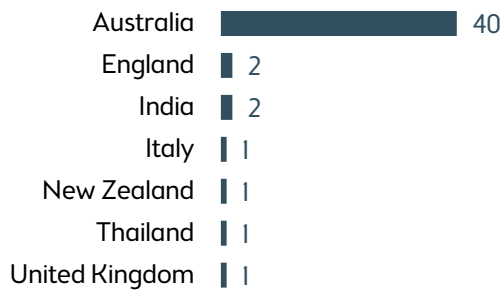
An almost even numbers of females (52%) and males (48%) were interviewed.

AGE GROUP

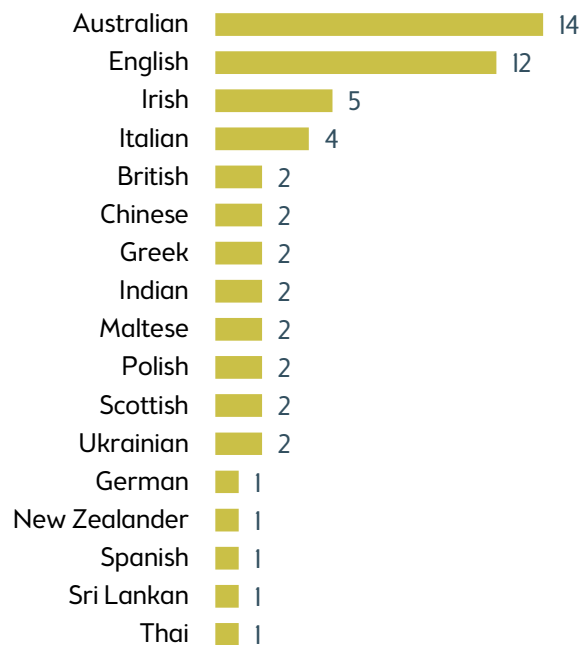


All age groups were represented in the interview sample and a variety of features available at the park (playgrounds, oval, BBQ area, etc) appealed to a broad range of visitors.

COUNTRY OF BIRTH

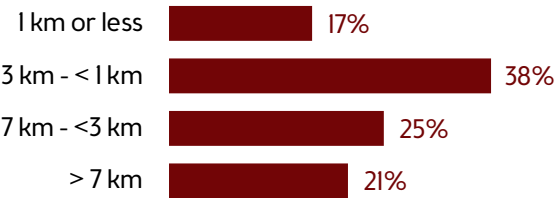


ANCESTRY



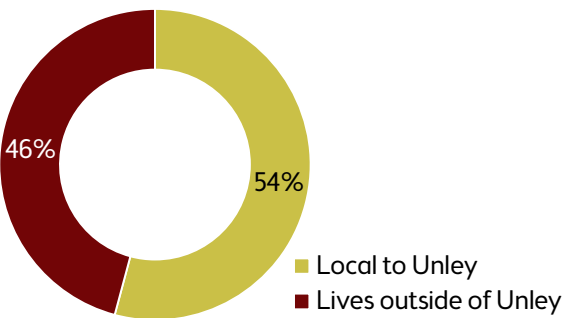
DISTANCE TRAVELLED

DISTANCE TRAVELLED FROM HOME



Only 17% of the park visitors lived 1 km or less from the park. 83% of visitors travelled 3 km or more. 46% of the visitors were not residents of Unley.

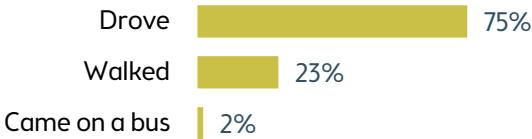
Resident of Unley or otherwise



Postcodes of visitors living outside of the Unley Council area

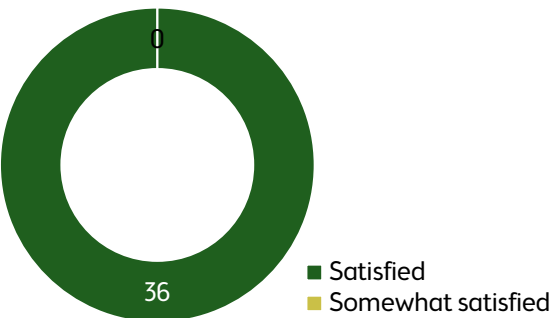
Postcode	Number of respondents
3000	1
5000	1
5008	1
5037	1
5041	2
5047	1
5062	4
5067	2
5069	3
5076	1
5154	1
5159	1
5251	1
5253	1
5558	1

MODE OF TRAVEL



All visitors who lived within 1 km of the park walked. A high percentage of visitors drove to the park, 75%.

Level of satisfaction with car parking



Location or parking	Number of respondents
Frederick St	14
Langham Tce	13
Trimmer Tce	6
Unley Rd	3

4.7 km was the average distance travelled by Adelaide residents to reach the park. (This excludes visitors from regional or national locations).

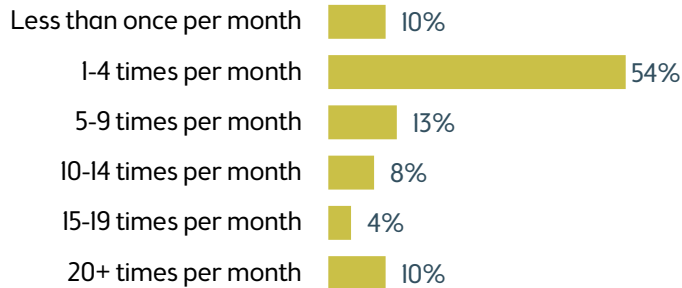
46% of visitors were from outside of the Unley Council area.

17% of respondents lived 1 km or less from the park.

75% of respondents drove and all of them were satisfied with car parking.

PARK VISIT PATTERNS

FREQUENCY OF VISITS

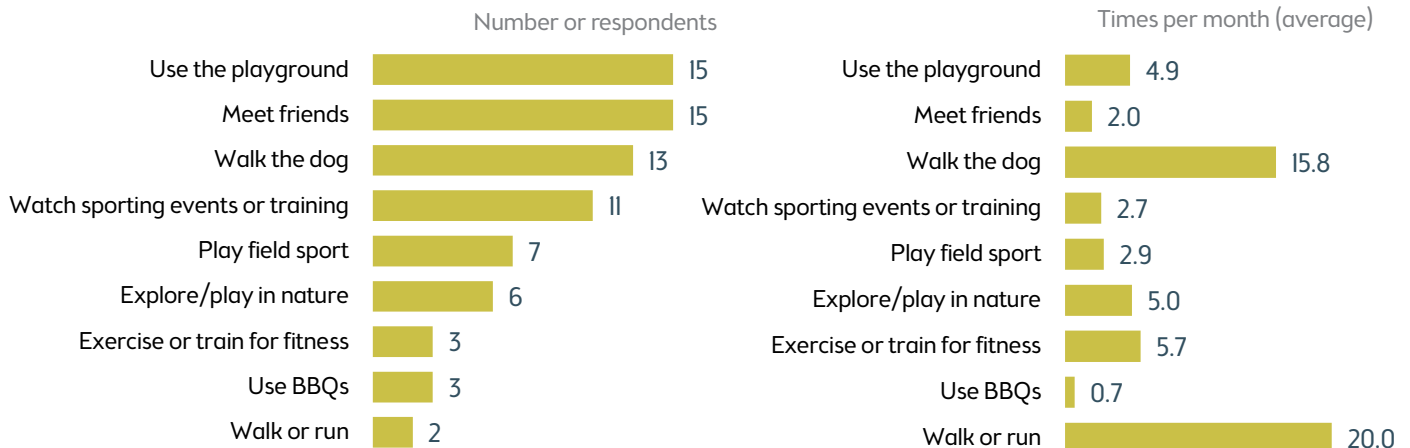


Average frequency of visiting the park was 7.2 times per month, i.e. **1.7 times per week**. **15%** of the visitors came to the park every day or every second day.

FREQUENCY AND TYPES OF VISITS

Number of respondents who on this or other occasions were engaged in various activity types

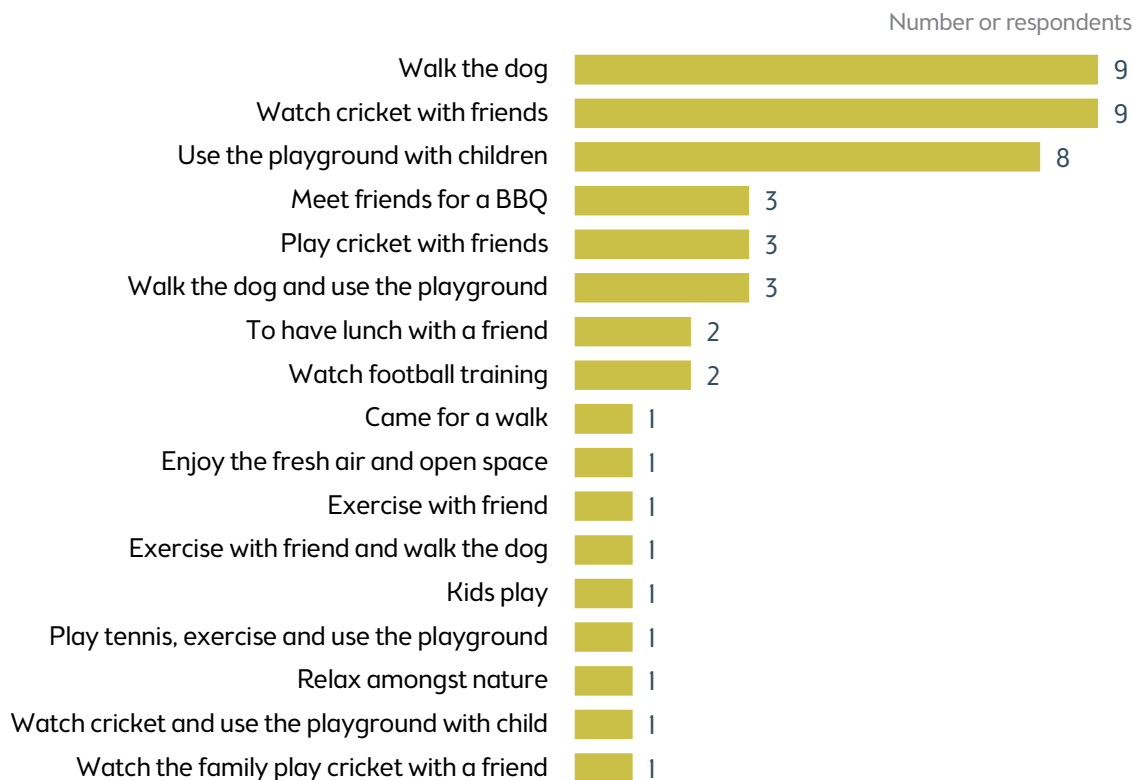
Average times per month each visitor engaged in each activity type



The most popular activity types in the park were using the playground and meeting up with friends.

People walking or running were the most frequent visitors to the park (visiting the park 20 times per month), followed by dog walkers (16 times per month).

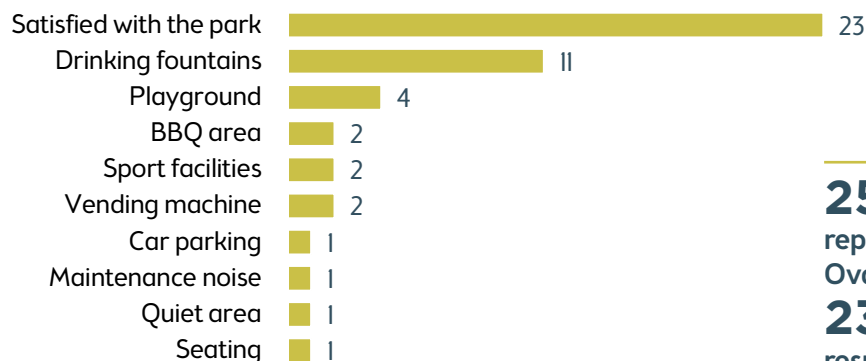
MAIN REASON FOR BEING IN THE PARK ON THE DAY



SUGGESTED IMPROVEMENTS

Improvement types raised by the survey respondents

(See complete information later in this section)



25 improvements (some repeated) were raised by Unley Oval visitors.

23 respondents, 48% of all respondents, were already satisfied with the park.

11 respondents, 23% of all respondents, wanted to see more drinking fountains in the park.

Satisfied with the park

- The park is good/great already. (repeated by 20 respondents)
- Everything is great. Facilities are excellent.
- Well maintained, very good.
- Like the park. No improvement is needed.

Drinking fountains

- More water fountains are needed. (repeated by 7 respondents)
- Another water fountain should be installed on Trimmer Tce side of the reserve. (repeated by 3 respondents)
- Water fountain is needed on the Trimmer Tce side of the reserve.

Playground

- Playground on Langham Tce side of the reserve needs upgrading similar to the one undertaken on the playground on the opposite side of the reserve. (repeated by 2 respondents)
- More shade needed over the playground. (repeated by 2 respondents)

BBQ area

- BBQ on Frederick St side of the reserve appears to have not been working for the past few years. (repeated by 2 respondents)

Sport facilities

- Resurface the cricket nets. (repeated by 2 respondents)

Vending machine

- Vending machine with coffee and other beverages should be installed. (repeated by 2 respondents)

Car parking

- Fine, although during football games there is very little parking.

Maintenance noise

- There is a lot of maintenance work occurring which deters from the peacefulness of this place. Perhaps it should only be done on certain days.

Quiet area

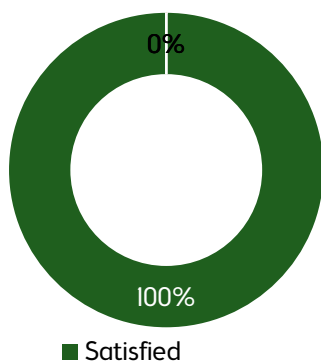
- Quiet area with a fountain as a meditative place would be nice.

Seating

- More seating on the grassy area is needed.



SATISFACTION WITH THE PARK



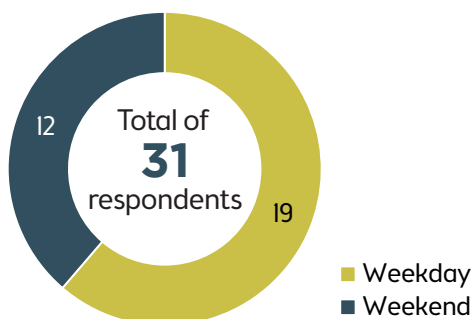
100% of visitors were
satisfied with the Unley Oval.





WAYVILLE RESERVE

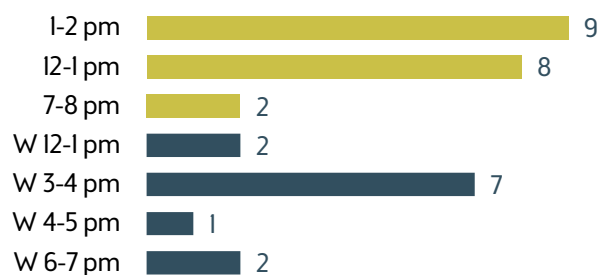
INTERVIEW TIMES



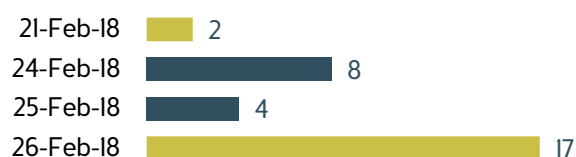
31 interviews were conducted at Wayville Reserve over 4 days.

19 interviews, 61% of all interviews, were conducted on a weekday and 12 (39%) interviews on a weekend.

Number of interviews in relation to time slots
(Note that W refers to a weekend slot)



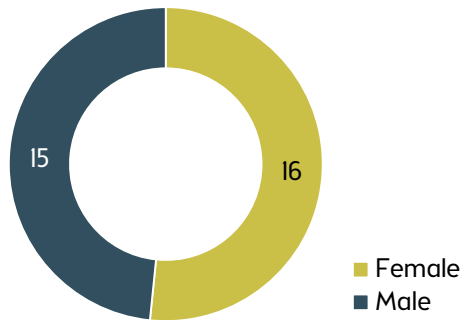
Interview dates



■ Weekday
■ Weekend

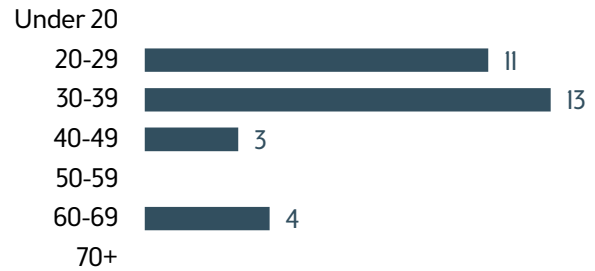
RESPONDENT PROFILE

GENDER



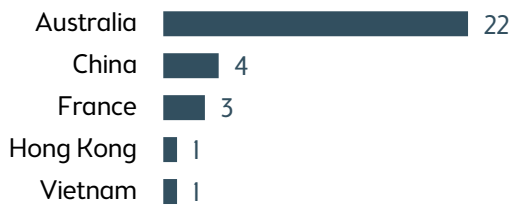
Close to even numbers of males and females were interviewed.

AGE GROUP

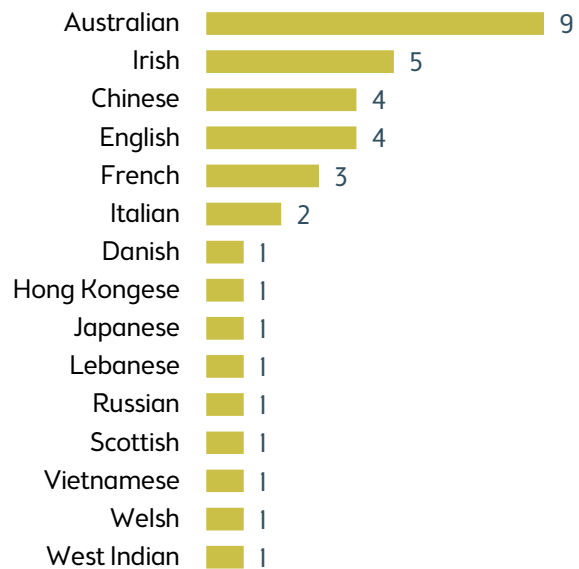


Young adults in 20s and 30s were the dominant age group to take part in the interviews.

COUNTRY OF BIRTH

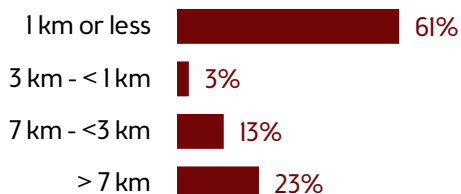


ANCESTRY



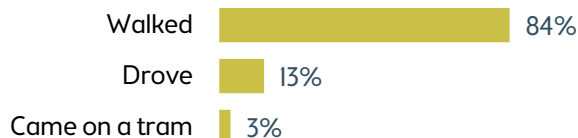
DISTANCE TRAVELLED

DISTANCE TRAVELLED FROM HOME



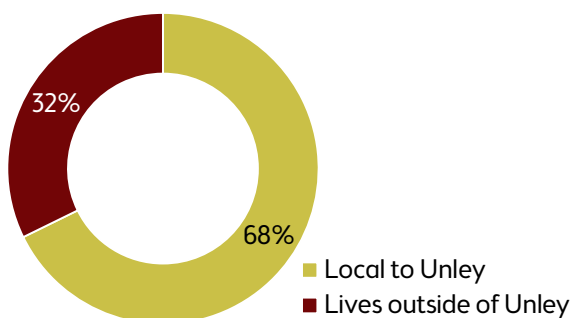
61% of visitors lived 1 km or less away from the park. All of them walked to the park.

MODE OF TRAVEL



Most visitors to the park, 84%, walked and only 4 people drove.

Resident of Unley or otherwise



Postcodes of visitors living outside of the Unley Council area

Postcode	Number of respondents
5024	1
5031	1
5033	1
5041	1
5045	2
5050	1
5070	1
5084	1
5162	1

Level of satisfaction with car parking



Location or parking	Number of respondents
Le Hunte St	1

3.8 km was the average distance travelled to reach the park.

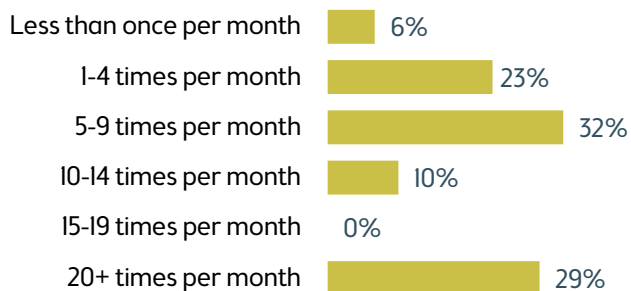
32% of the respondents lived outside the Unley Council area.

61% of the respondents lived 1 km or less from the park.

84% of park visitors walked to reach the park.

PARK VISIT PATTERNS

FREQUENCY OF VISITS

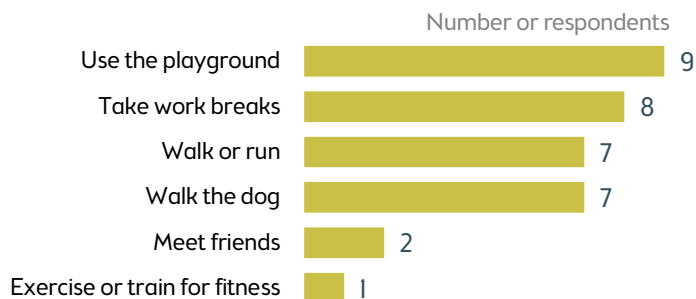


Average frequency of visiting the park was 13.1 times per month, i.e. **3 times per week**.

29% of visitors came to the park every day or every second day. Some respondents used the park as part of a walking route to the city, public transport and also newly opened supermarket on Goodwood Rd.

FREQUENCY AND TYPES OF VISITS

Number of respondents who on this or other occasions were engaged in various activity types



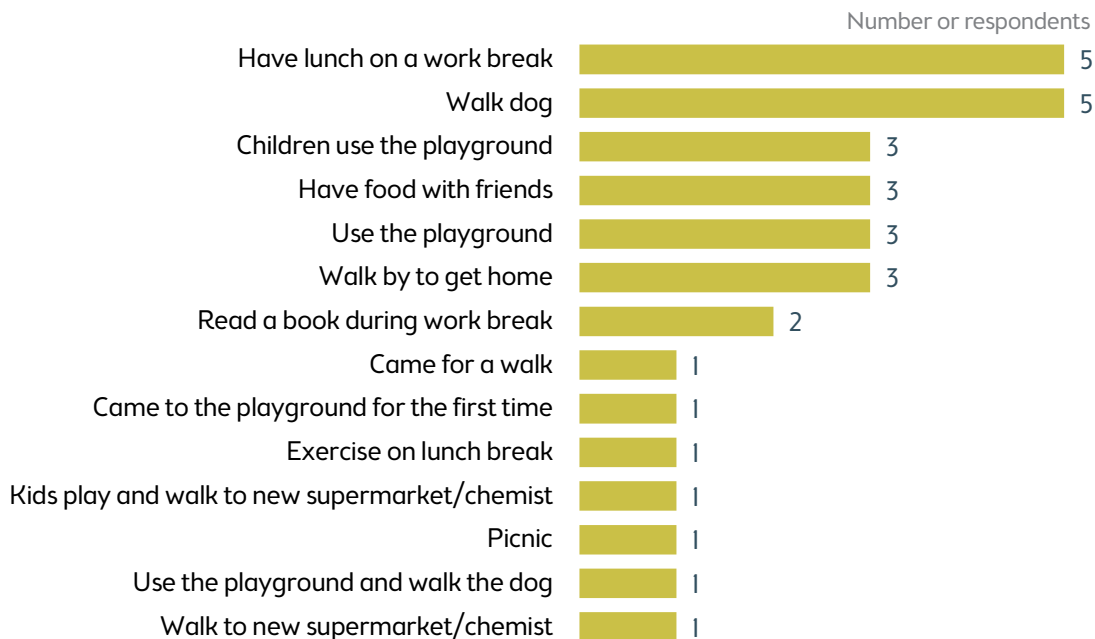
Average times per month each visitor engaged in each activity type



The most popular activity types in the park were using the playground and spending lunch breaks.

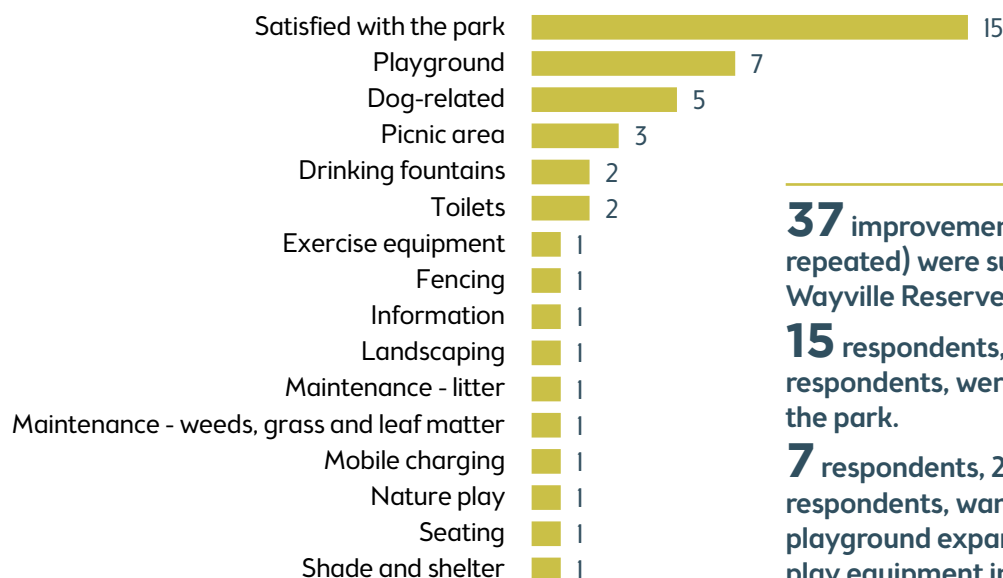
One respondent who exercises in the park comes to the park every day. The next most frequent visitors are dog walkers.

MAIN REASON FOR BEING IN THE PARK ON THE DAY



SUGGESTED IMPROVEMENTS

Improvement types raised by the survey respondents
(See complete information later in this section)



37 improvements (some repeated) were suggested by Wayville Reserve visitors.

15 respondents, 48% of all respondents, were satisfied with the park.

7 respondents, 23% of all respondents, wanted the playground expanded and more play equipment installed.

Satisfied with the park

- Everything is great. (repeated by 7 respondents)
- Good.
- Everything seems fine.
- It's a good park.
- It's a great little park and not much could improve it.
- It is a clean nice space and in best condition now. No change is needed.
- No dogs or children so do not visit the park except to walk through.
- Like the park. It is good for my son.
- Good park.

Playground

- Any upgrade to the playground would be appreciated.
- Fix the swing or remove the vandalism note.
- Would like more play equipment - bigger slides and monkey bars, climbing pyramid. Needs to be more challenging.
- Maybe a climbing pyramid.
- Fix the swing or remove the vandalism note - it is threatening.

Dog-related

- More bins with doggy bag dispensers are needed. (repeated by 2 respondents)

- Do not like the shared area with dogs. They can be a problem. Either fence the dog area or not allow dogs in the park off a leash.
- Better policing of dog rules.
- Sometimes no bags in poo dispenser.

Picnic area

- Another picnic table is needed, but it should be in the shade. (repeated by 3 respondents)

Drinking fountains

- Filtered water fountain.
- Smaller water fountain for kids to reach.

Toilets

- A toilet would be good. Used to use park more when younger and always needed to go home.
- Toilets.

Exercise equipment

- Install a small outdoor gym equipment area.

Fencing

- There is a gap under the fence over the creek which allows the balls to fall into the creek.

Information

- Install a community notice board as lots of members of the nearby area gather here.



Landscaping

- Creek bisects the park and is not natural. Can it be returned to a natural state - would be great for nature play and biodiversity.

Maintenance - litter

- Sometimes there is litter around the picnic tables.

Maintenance - weeds, grass and leaf matter

- Need to clean bin more often.

Mobile charging

- Mobile charging station.

Nature play

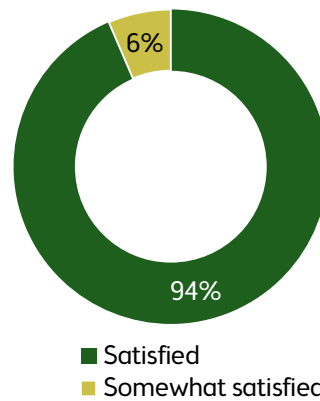
- Would like more nature play including water play and a sandpit area.

Seating

- More seating is needed in the park. Lots of people use this park on their lunch breaks and since it is also a dog park, you have to be careful where you sit.

Shade and shelter

- Shelter for the picnic table.

SATISFACTION WITH THE PARK

94% of visitors were satisfied with the park and 2 visitors (6%) were somewhat satisfied.



Intermethod thanks the visitors to Unley parks who contributed their time and ideas during this engagement process. We sincerely hope that this engagement feedback will result in exciting new park improvements that will make the City of Unley a more vibrant and successful place.



City of Unley

Sport & Recreation Club Survey - 2017/18

Introduction

This survey responds to and achieves the CEO KPI no. 9 (Recreation), which is as follows:

9. Recreation

Key Performance Indicator

Develop strategies with sporting clubs, tenants, and other users of Council properties to increase usage and patronage of their facilities.

Description

Optimising the use of our open spaces and recreational facilities and encouraging our clubs to grow their membership are both important levers to achieving an active and healthy community. This KPI involves gathering base line data to understand current usage of our recreational facilities and open space and sporting/ leisure club membership.

Based on the data gathered, options will be developed to increase the usage of our open space by the community and a range of incentives identified to assist clubs to increase their membership. This could involve grants being offered to clubs that satisfy some key criteria.

Milestones

- *Baseline data of usage for recreational facilities/ open space will be gathered as well as club membership numbers.*
- *A report will be presented to Council discussing opportunities to assist and reward clubs who increase their membership numbers.*
- *A program will be developed to increase usage on Council owned open space/ recreational facilities.*

The survey was undertaken between December 2017 and February 2018 and gathers the base line data as required under the KPI.

Recognising that clubs receive multiple surveys and committee members are volunteers, six questions were developed to capture the key information relating to membership, growth, facility use and opportunities for Council to improve services.

Detailed survey results are provided in the following section of this report, listed in alphabetical order.

Eastern Suburbs Petanque Club

- **Venue: Unley Park Sports Club, Northgate Street, Unley Park**
1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Competition participants – 54
 - Social participants –
 - Senior participants (age 18 years and above) – 65% over 50 years of age
 - Junior participants (age 17 years and younger) –
 - Female participants (percentage estimate) – 50% approx
 - Male participants (percentage estimate) – 50% approx
 - Other non-playing members -
 2. How has your club or organisation membership changed over the last 5 years?
 - Increased:
 - Growth in newcomers to the game, built on promoting and providing lessons for beginners.
 - Players moving from other petanque clubs
 - Elite players joining our club because of our facilities, coaching and training equipment
 3. What percentage of your club or organisation's membership resides in the City of Unley?

25% (estimate)
 4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Club rooms	2 nights per week
External areas (such as oval, garden, courts, lawns)	2 nights per week

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

Our facilities are used most days by other clubs at Unley Park Sports Club, plus hired out for events
6. Do you have any suggestions or comments on enabling more community use of your facilities?

We have great petanque facilities which could easily be used by more community groups. Problem is petanque has a small player base.

Fairmont Tennis Club

- **Venue: Page Park tennis courts, East Ave, Clarence Park**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).

- Competition participants -
- Social participants - 45
- Senior participants (age 18 years and above) – 100%
- Junior participants (age 17 years and younger) – Nil
- Female participants (percentage estimate) – 80%
- Male participants (percentage estimate) – 20%
- Other non-playing members -

2. How has your club or organisation membership changed over the last 5 years?

Decrease in male participation, however female participation has stayed the same.

3. What percentage of your club or organisation's membership resides in the City of Unley?

20% Unley residents

4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Courts and club rooms:

- Wednesday 9.30am – 3pm
- Saturday 11am – 4pm

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

- Club rooms are not used by other groups due to Fairmont Tennis Club having an exclusive lease for this property.
- Tennis Courts can be used by other parties at times when they are not booked by the club. The club advertises their use via a sign on their club rooms.

6. Do you have any suggestions or comments on enabling more community use of your facilities?

The club are reluctant to enable other groups to use their club rooms due to security and insurance considerations. The club are happy for other groups to use the courts when not required by the club.

Fern Avenue Community Garden

- **Venue leased by Alternative 3 Inc.**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - 45 gardeners working in 37 plots
 - 30 women
 - 15 men
 - 10 children under 12

2. How has your club or organisation membership changed over the last 5 years?

Adult membership has been stable, limited by the number of plots, but we are getting more children, singles and couples have left to be replaced by families.

3. What percentage of your club or organisation's membership resides in the City of Unley?

All except one member are Unley residents.

4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)
 - The garden is used every day by someone.
 - The Straw Bale House is used regularly on Thursday mornings and odd times on other days
 - Meetings are held in the evenings, once a month.

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

N/A

6. Do you have any suggestions or comments on enabling more community use of your facilities?

We have no public liability for the general public. We are covered for the gardeners and people attending Alternative 3 functions (Open Day, gardening courses etc.), but not anyone else. We are also bound by the "permitted use" in our lease. We may consider groups who have a commitment to organic sustainability, KESAB have held workshops here under the auspices of Unley Council.

Forestville Hockey Club

- **Venue: Goodwood Oval (hockey field), Millswood**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).

- Competition participants – 307
- Social participants – People who play socially also play in competition.
- Senior participants (age 18 years and above) – 150
- Junior participants (age 17 years and younger) – 157
- Female participants (percentage estimate) – 52%
- Male participants (percentage estimate) – 48%
- Other non-playing members – 20

2. How has your club or organisation membership changed over the last 5 years?

- Increased.
 - Growth in junior participation. Over the last 5 years there has been an increase in the number of juniors participating in hockey at Forestville.
 - Forestville Hockey Club is actively promoting the sport of Hockey in local primary schools and regularly holds Hookin2Hockey and come and try Hockey sessions at the grounds. The club has been able to maintain the number of teams it has in the senior competition.

3. What percentage of your club or organisation's membership resides in the City of Unley?

Approximately 21% live in the City of Unley with 27% living in the City of Mitcham.

4. On a typical week, what times do you use your facilities?

Club rooms	3 times a week
External areas (such as oval, garden, courts, lawns)	3 times a week. This has decreased due to the requirement for senior grades to play and train on a synthetic surface.

5. Are your facilities used by groups other than your club or organisation?

Group	Times of Use
Unley United Soccer Club	Tuesdays and Thursdays for Training
General Public	All times of the day and night walking dogs and undertaking other recreational activities. The only time the public don't use the space is during training times or game times.

6. Do you have any suggestions or comments on enabling more community use of your facilities?

- The pitch space is open for use by the general public and is used by dog owners as an exercise area. Unley United Soccer club utilise the pitch space to undertake trainings on Tuesday and Thursdays. They do not have access to the clubrooms.
- The clubrooms are leased from the City of Unley and through the lease agreement we are unable to share this space with any other club or community group.

- There are issues with insurance cover and security of the premises which would also need to be worked out if the clubrooms were to be utilised by other community groups.
- The upstairs clubrooms have accessibility issues which limits who could actually utilise the facilities.

Fullarton Scouts

- **Venue: Fullarton Scout hall, Scammell Reserve, Fullarton**
1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Competition participants – n/a
 - Social participants – n/a
 - Senior participants (age 18 years and above) – 35 –
 - 19 uniform leaders and 16 registered adult support
 - Junior participants (age 17 years and younger) – 95
 - Female participants (percentage estimate) – 40
 - Male participants (percentage estimate) – 60
 - Other non-playing members – n/a
 2. How has your club or organisation membership changed over the last 5 years?
 - Increased - Growth across all 4 age sections particularly the 15-18 age (Venturers)
 3. What percentage of your club or organisation's membership resides in the City of Unley? (An estimate is fine)

95%
 4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Club rooms	<ul style="list-style-type: none"> • Every evening • Daytime 3-4 times a week • Most weekends
External areas (such as oval, garden, courts, lawns)	N/A

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

Group	Times of Use
Badminton Group	Friday mornings
Martial Arts Group (1)	Tuesday evenings
Martial Arts Group (2)	Saturday – morning and afternoon
OSHC	Occasional
Polling booth	State and Federal elections

6. Do you have any suggestions or comments on enabling more community use of your facilities?

We look to defray costs by permitting stable long-term hirers to share the facility, and details are provided at the hall, on our website and are passed on by headquarters. Given the proximity of residential neighbours we need to be choosy about hirers and do not permit short term hire for parties etc.

All hirers sign a standard form agreement that maintains flexibility for scouting access because our usage is always varying so that we can maximise our accessibility to visiting scout groups and guest speakers, and can use the hall for family days, sleepovers, drying tents, etc. In the past we have had a kinder-gym and community / cultural groups as hirers and we are open to more of this type of hirer.

Glen Osmond Scouts Group

- **Venue: Ridge Park, Myrtle Bank**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Competition participants (e.g. pennant bowlers) – n/a
 - Social participants (e.g. night owl bowlers) – Scouting activities 45
 - Senior participants (age 18 years and above) - Badged adults 11
 - Junior participants (age 17 years and younger) - Group numbers 49
 - Female participants (percentage estimate) – 50%
 - Male participants (percentage estimate) – 50%
 - Other non-playing members – n/a
2. How has your club or organisation membership changed over the last 5 years?
 - There has been an increase in overall participation
3. What percentage of your club or organisation's membership resides in the City of Unley?

99%
4. On a typical week, what times do you use your facilities?

Club rooms	Every day except Fridays currently
External areas (such as oval, garden, courts, lawns)	9 times per week

- Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

Fitness group - Monday's and Wednesday's from 9.00am – 11.00am

- Do you have any suggestions or comments on enabling more community use of your facilities?

No, we could not have any community use other than us as we don't have regular times or days for use and require wall space and fittings to be present all the times plus storage.

Goodwood Cricket Club

- Venue: Goodwood Oval, Millswood**

- Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Competition participants (e.g. pennant bowlers) – 310
 - Social participants (e.g. night owl bowlers) – obviously the bulk of this group are mums and dads'/grandparents partners and siblings. This group is significant and would number in the several hundred.
 - Senior participants (age 18 years and above) – 100
 - Junior participants (age 17 years and younger) – 210
 - Female participants (percentage estimate) – 13 registered players
 - Male participants (percentage estimate) – 300 players
 - Other non-playing members – we do not have a social membership as such, but do have past players' clubs and as mentioned above an active family support network.
- How has your club or organisation membership changed over the last 5 years?
 - Increased - Female participants, Financial Membership, Junior footballers
 - Stayed the same – senior participants and general support base
- What percentage of your club or organisation's membership resides in the City of Unley?
 - 75% would come from within a 5km radius.
 - Being in a small council area and located in the north western corner our membership is local but may spread over boundaries. Most of our kids come from the local schools of St Thomas, Goodwood, Black Forest and Cabra.
- On a typical week, what times do you use your facilities?

Club rooms	<ul style="list-style-type: none"> Tuesdays 5pm until 9pm Thurs 5pm-12pm Fri 4pm-9pm Sat 11.30am-10pm Sun 8.00am-6.30pm
External areas (such as oval, garden, courts, lawns)	<ul style="list-style-type: none"> Tuesdays 5.30pm until 7pm Thurs 5.30pm-8pm Fri 4pm-8pm Sat 11.30am-6pm Sun 8.30am-6.00pm

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

No response.

6. Do you have any suggestions or comments on enabling more community use of your facilities?

We have no issues in a new facility of considering daytime use by other users.

Goodwood Saints Football Club

- **Venue: Goodwood Oval, Millswood**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).

- Competition participants – 560 footballers (including juniors and seniors)
- Social participants – approx. 300+ supporters (not necessarily financial members)
- Senior participants (age 18 years and above) – 210
- Junior participants (age 17 years and younger) – 350
- Female participants (percentage estimate) – 60 female footballers
- Male participants (percentage estimate) – 508 players
- Other non-playing members – approx. 100 financial members

2. How has your club or organisation membership changed over the last 5 years?

- Increase in female and junior participation, and financial membership
- Senior participation and overall spectator numbers have stayed the same

3. What percentage of your club or organisation's membership resides in the City of Unley?

70%

4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Club rooms	<ul style="list-style-type: none"> • Thurs 5pm-10pm • Fri 5pm-9pm • Sat 8.30am-10pm (approx. every second week on average – sometimes later closing time depending on event) • Sun 8.00am-5.30pm (average)
External areas (such as oval, garden, courts, lawns)	<ul style="list-style-type: none"> • Tues 4.30pm-8.00pm Wed 4.30pm-5.30pm • Thurs 4.30pm-8.00pm • Fri 4.30pm-8.30pm • Sat 8.30am-5.00pm (average) • Sun 8.00pm-5.00pm (average)

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

- Goodwood Cricket Club – summer season
- School sports day and community use (all facilities except leased club room areas)

6. Do you have any suggestions or comments on enabling more community use of your facilities?

Cannot wait until upgrade to see if this is a possibility.

Goodwood Saints Tennis Club

- **Venue: Millswood Tennis Complex, Goodwood Oval**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).

- Competition participants – 56
- Social participants - n/a
- Senior participants (age 18 years and above) - 4
- Junior participants (age 17 years and younger) - 52
- Female participants (percentage estimate) – 13
- Male participants (percentage estimate) - 43
- Other non-playing members - 4

2. How has your club or organisation membership changed over the last 5 years?

- Decreased - Numbers did increase dramatically over the past 4 years then mid-2017, Tennis Australia via Tennis World took over the operation of the venue in which the home games are played and membership dropped from 25 teams to 10 in 1 season

3. What percentage of your club or organisation's membership resides in the City of Unley?

40%

4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Club rooms	<ul style="list-style-type: none"> • Friday 6.00 – 9.30 (summer) • Saturday 8.00 – 6.30 summer and winter • There used to be training every week day before school and after school till around 8pm however that decreased dramatically when Tennis World (Tennis Australia) took over.
External areas (such as oval, garden, courts, lawns)	As above – (courts)

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used.

Used in conjunction with Tennis SA and Tennis Australia who manage the facility.

6. Do you have any suggestions or comments on enabling more community use of your facilities?
[Allow the local Goodwood Saints Tennis Club to run the venue instead of an organisation from Melbourne.](#)

Highgate Guides

- **Venue: Highgate Guides hall, Scammell Reserve, Fullarton**
1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2107 figures).
 - [Competition participants \(e.g. pennant bowlers\) – Nil](#)
 - [Social participants \(e.g. night owl bowlers\) – Nil](#)
 - [Senior participants \(age 18 years and above\) – 3](#)
 - [Junior participants \(age 17 years and younger\) – 21](#)
 - [Female participants \(percentage estimate\) – 100%](#)
 - [Male participants \(percentage estimate\) –](#)
 - [Other non-playing members – n/a](#)
 2. How has your club or organisation membership changed over the last 5 years? Please tick one box and provide a summary of where these changes have occurred.
 - [Stayed the same – fluctuated between 20 and 30 members](#)
 3. What percentage of your club or organisation's membership resides in the City of Unley?

[60% \(two thirds\)](#)
 4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Club rooms	Tuesday 5.30-7.00
External areas (such as oval, garden, courts, lawns)	Tuesday 5.30-7.00 (not every week, and not for the whole meeting. More during daylight saving than during winter)

5. Are your facilities used by groups other than your club or organisation?
 - [Shanti Meditation – Wednesday evening](#)
 - [Music group – Thursday evening](#)
6. Do you have any suggestions or comments on enabling more community use of your facilities?

[Better advertising.](#)

Hyde Park Croquet Club

- **Venue: Unley Park Sports Club, Unley Park**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).

- Competition participants – 50
- Social participants – 30
- Senior participants (age 18 years and above) – 77
- Junior participants (age 17 years and younger) – 3
- Female participants (percentage estimate) – 50
- Male participants (percentage estimate) – 50
- Other non-playing members – n/a

2. How has your club or organisation membership changed over the last 5 years?

- Increased - mainly in 60 to 80 years of age bracket, which is our main membership profile

3. What percentage of your club or organisation's membership resides in the City of Unley? (An estimate is fine)

50%

4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Club rooms	<ul style="list-style-type: none"> • Tues 8am to 1pm • Wed 9am to 12noon • Thurs 8am to 1pm and 6pm to 8pm • Fri 3pm to 7pm • Sat all day
External areas (such as oval, garden, courts, lawns)	<ul style="list-style-type: none"> • As above

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used.

- Yoga – Thursday 9.00am to 11.00am

6. Do you have any suggestions or comments on enabling more community use of your facilities?

- Lawns are nearing their capacity use, as they need recovery and maintenance time.
- Clubrooms are available for hire at other times

Millswood Bowling Club

- **Venue: Millswood Sporting Complex, Millswood**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below.

- Competition participants – 52
- Social participants – 110
- Senior participants (age 18 years and above) – 95%
- Junior participants (age 17 years and younger) – 5%
- Female participants (percentage estimate) – 40%
- Male participants (percentage estimate) – 60%
- Other non-playing members – 30

2. How has your club or organisation membership changed over the last 5 years?

- Increased - In both pennant and social bowlers.
 - Estimate 100% increase in last 3 years.
 - Reasons for barriers in female growth is the toilets, they are in a poor location and condition, with difficult to access and egress.
 - *After this survey was undertaken, Council were notified the club had secured funding to improve these toilets.

3. What percentage of your club or organisation's membership resides in the City of Unley?
(An estimate is fine)

80%

4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Club rooms	<ul style="list-style-type: none"> • Every day – 3pm – 7pm for social activities
External areas (such as oval, garden, courts, lawns)	<ul style="list-style-type: none"> • Wed – pennant, day time, during the summer • Thurs – night owls. 6-12pm • Fri – meals and some social bowls 3pm – 12pm • Sat 11am – 5pm pennants • Sunday – no comp, but some practice and social use

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

Group	Times of Use
Social bookings, such as birthdays, xmas parties etc	<ul style="list-style-type: none"> • All year round. 35 functions/activities estimated all season. • Club installed heating, cooling via split systems, so increased winter use now expected

6. Do you have any suggestions or comments on enabling more community use of your facilities?

- Female toilets, shaded areas, improved outdoor viewing areas

- Club has explored another night owls night, but as they are volunteers, they don't want to burn out

Millswood Croquet Club

- **Venue: Millswood Sporting Complex, Millswood**
1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Competition participants – 55 inter club players
 - Social participants – 25 intra club players & social members
 - Senior participants (age 18 years and above) – 80 (100%)
 - Junior participants (age 17 years and younger) – Nil
 - Female participants (percentage estimate) – 55%
 - Male participants (percentage estimate) – 45%
 - Other non-playing members – 5 – non playing life members and non-playing social members
 2. How has your club or organisation membership changed over the last 5 years? Please tick one box and provide a summary of where these changes have occurred.
 - Increased – general overall growth
 3. What percentage of your club or organisation's membership resides in the City of Unley? (An estimate is fine)
25%
 4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Club rooms	<ul style="list-style-type: none"> • Daily 9am- 5pm • Most frequently on Tues, Thurs, Sat and Sun • Friday evenings
External areas (such as oval, garden, courts, lawns)	<ul style="list-style-type: none"> • As above

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)
Occasional social events involving families and associates of club members.
6. Do you have any suggestions or comments on enabling more community use of your facilities?
No response provided.

Millswood Lawn Tennis Club

- **Venue: Millswood Sporting Complex, Millswood**
1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Competition participants– 30 competition players
 - Social participants – 60 social tennis players and 25 social non-playing members
 - Senior participants (age 18 years and above) – all our members are above age 18
 - Junior participants (age 17 years and younger) – we have no junior members. Juniors tend to play on hard court.
 - Female participants (percentage estimate) – 45%
 - Male participants (percentage estimate) – 55%
 - Other non-playing members – 25 as outline above as social non-playing members
 2. How has your club or organisation membership changed over the last 5 years?
 - Declined - Membership has generally declined although not markedly. A number of members have moved to non-playing social membership which financially means less fees are generated.
 3. What percentage of your club or organisation's membership resides in the City of Unley?

25%
 4. On a typical week, what times do you use your facilities

Club rooms	<ul style="list-style-type: none">• In the summer the following occurs;• Tuesdays - most of the day, including evenings once a month, Thursday's – most of the day, Saturday all day, Sundays - occasionally• In winter the following occurs;• Tuesday evening once a month and occasionally there are exercise classes held
External areas (such as oval, garden, courts, lawns)	<ul style="list-style-type: none">• See above 'in summer' as the clubhouse is open in conjunction with the courts being open

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

Fitness classes over winter but only occasionally - i.e. 2 hours a week
6. Do you have any suggestions or comments on enabling more community use of your facilities?

We are happy to have them used more providing we receive some financial compensation for the time taken to open/close them, clean and general wear and tear. We are mindful that we borrowed the funds to build the club and then had to repay all the money so we certainly feel a sense of ownership there.

Sturt Bowling Club

- **Venue: Unley Oval, Unley**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).

- Competition participants - 60
- Social participants – 200
 - The club has two 'night owl' sessions per week, with over 90 attending each night
- Senior participants (age 18 years and above) – 99%
- Junior participants (age 17 years and younger) – Less than 1%
- Female participants (percentage estimate) - 30%
- Male participants (percentage estimate) - 70%
 - Night owls – 60% male, 40% female
 - Pennant – 80% male, 20% female
- Other non-playing members – n/a

2. How has your club or organisation membership changed over the last 5 years?

- Increase in people 40-60 years of age
- Decrease in membership over 65 years of age

3. What percentage of your club or organisation's membership resides in the City of Unley?

50% - due to popularity of night owls program, it attracts participants from a wide area.

4. On a typical week, what times do you use your facilities?

*All use during the club's leased times, from October to April.

Club rooms	<ul style="list-style-type: none"> • No use on Mondays • Tues – 3pm – 10pm (night owls) • Wed – 11am – 6pm (pennant) • Thurs – 3pm – 10pm (night owls) • Fri – social use, 3-7pm • Sat - 11am – 6pm (pennant) • Sun – 9.30am – 1pm
External areas (such as oval, garden, courts, lawns)	As above

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

- Community harvest – Fortnightly on Thursdays, from 9am – 11am
- 'In as much' charity group – quarterly meetings
- External hirers – such as birthdays, approximately 12 per year, club members present
- School groups, vacation care – infrequently

6. Do you have any suggestions or comments on enabling more community use of your facilities?

- The club doesn't feel constrained and would welcome other appropriate use of the club.
- Sometimes dependent on club volunteers in terms of their availability, as they are busy with work and other club related activities.
- Open to opportunities in off season.
- The club has a policy and fee structure for external use, but is flexible to accommodate users who can't afford to pay.

Sturt District Cricket Club

- **Venue: Unley Oval, Unley**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Competition participants - 252
 - Social participants – 50
 - Senior participants (age 18 years and above) – 70
 - Junior participants (age 17 years and younger) – 180
 - Female participants (percentage estimate) – 15%
 - Male participants (percentage estimate) – 85%
 - Other non-playing members – n/a
2. How has your club or organisation membership changed over the last 5 years?
 - Increased – more female participants
3. What percentage of your club or organisation's membership resides in the City of Unley?

30%
4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Unley Oval – during the club's leased times, from October to April

Club rooms	N/A
External areas (such as oval, garden, courts, lawns)	Oval and change rooms <ul style="list-style-type: none"> • Sat morning – juniors • Sat afternoons and some Sundays - seniors

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)
 - Various including Sturt Football Club, dog walkers and exercise groups.

6. Do you have any suggestions or comments on enabling more community use of your facilities?

No response provided

Sturt Football Club

- **Venue: Unley Oval, Unley**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Competition participants (e.g. pennant bowlers) - n/a
 - Social participants (e.g. night owl bowlers) - n/a
 - Senior participants (age 18 years and above) – 90
 - Junior participants (age 17 years and younger) – 220
 - Female participants (percentage estimate) - 30%
 - Male participants (percentage estimate) - 70%
 - Other non-playing members - 3910
2. How has your club or organisation membership changed over the last 5 years?
 - Increased - due to on field success and targeted campaigns, increase also with the addition of female football programs.
3. What percentage of your club or organisation's membership resides in the City of Unley?
 - Members - 35%
 - Participants - 50%
4. On a typical week, what times do you use your facilities? (Ignore facilities that do not apply)

Club rooms	In football season – every night and one day on weekends
External areas (such as oval, garden, courts, lawns)	Oval - As above

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)
 - Cricket – summer season
 - Primary schools for daily play and scheduled sports days
 - Dog training – Thursday mornings

- Community recreational use

6. Do you have any suggestions or comments on enabling more community use of your facilities?

No response provided

Sturt Lawn Tennis Club

- **Venue: Unley Oval, Unley**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
- Competition participants (e.g. pennant bowlers) – 51
 - Social participants (e.g. night owl bowlers) – 21
 - Senior participants (age 18 years and above) - 100%
 - Junior participants (age 17 years and younger) - nil members, pay per visit Junior coaching on Sundays
 - Female participants (percentage estimate) – 35%
 - Male participants (percentage estimate) – 65%
 - Other non-playing members – Nil
2. How has your club or organisation membership changed over the last 5 years?
- Decrease - Gradual attrition of social members and unexpected reduction of competition (male) members in 2017/2018
3. What percentage of your club or organisation's membership resides in the City of Unley?
- 80% for Social
 - 20% for Competition
4. On a typical week, what times do you use your facilities?

Club rooms	Mondays and Wednesdays – yoga hire
External areas (such as oval, garden, courts, lawns)	<ul style="list-style-type: none"> • Mondays to Sundays – Tennis courts • Very low usage Mondays including evening • Low usage during days Monday to Friday • Heavy evening usage Tuesday, Wednesday, Thursday • Minimal usage all Friday • Heavy usage all Saturday (social and competition) • Sunday morning usage (children's coaching)

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

N/A

John confirming this

6. Do you have any suggestions or comments on enabling more community use of your facilities?

- Grant opportunities to fund equipment (outside seating/ serving counters etc).
- We would like to see more corporate functions in November/ December and at other times
- Air conditioned club rooms would be critical to this
- But also effective use of the picnic area and areas directly behind the courts

South Australian Society of Model & Experimental Engineers (SASMEE)

- **Venue: Part of Millswood Sporting Complex, Millswood**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Total participants – 15
 - Senior participants (age 18 years and above):
 - 140 approx 70% above the age of 40, has been a steady increase of younger members joining in past 2 years (18-40 approx 20-30)
 - Junior participants (age 17 years and younger) - 5-10
 - Female participants (percentage estimate) – 5 members and 15-20 volunteers (e.g wives or partners who help)
 - Male participants (percentage estimate) – approx 60-75 regular participants
 - Other non-playing members – approx 75-100 (age, location or health makes it difficult to attend)
2. How has your club or organisation membership changed over the last 5 years?
 - Increase in younger members, general participation steady increased
3. What percentage of your club or organisation's membership resides in the City of Unley?

30-40%
4. On a typical week, what times do you use your facilities?

Club rooms	<ul style="list-style-type: none"> • Wed/Sat all day (100 days total) • All day on running days (once per month) • Club functions (approx 30 per year) • Club meeting nights (11 per year and 12 committee meetings per year)
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5. Are your facilities used by groups other than your club or organisation?

Group	Times of Use
Schools and private parties (e.g. Christmas parties), invited guests and clubs from intra and inter state	Generally 6-10 days a year

6. Do you have any suggestions or comments on enabling more community use of your facilities?

Would like to build a workshop and storage area for locomotives and rolling stock to start running club workshops and external user groups (e.g. rotary, men's shed, schools) to teach machine skills required to build and maintain models.

Unley Park Lawn Tennis Club

- **Venue: Unley Park Sports Club, Unley Park**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).

- Competition participants
 - Tennis – 101 members including affiliates (22) (i.e. members from other UPSC clubs and other lawn tennis clubs in the area – e.g. Sturt, Millswood, Hawthorn)
- Social participants
 - 4 - these members used to play tennis at the club and for small fee are social members and social members do not play
- Senior participants (age 18 years and above) – 91
- Junior participants (age 17 years and younger) – 10
- Female participants (percentage estimate) – 30%
- Male participants (percentage estimate) – 70%
- Other non-playing members – Not applicable

2. How has your club or organisation membership changed over the last 5 years?

- Increase - Additional Financial members, Affiliate members

3. What percentage of your club or organisation's membership resides in the City of Unley?

50%

4. On a typical week, what times do you use your facilities?

Club rooms	<ul style="list-style-type: none"> • Sat 1pm - 6pm (all year – sometimes later if a social tennis event maybe 3 times per year) • Kitchen facilities used ad hoc basis throughout the year
External areas (such as oval, garden, courts, lawns)	<ul style="list-style-type: none"> • Mon – Thu 4pm – 9pm average • Mon 2 -4pm, Tue and Wed 9-12 noon, • Thu 1-4pm • Sat 1-6 pm (average) and 9-12 noon about 30% of the year • Sun 2-6 pm (average)

5. Are your facilities used by groups other than your club or organisation?

Group	Times of Use
Tennis coaches (predominately school)	<ul style="list-style-type: none"> • Mon – Thu (4-7pm)

age children being instructed)	
Walford School	<ul style="list-style-type: none"> Sat 9am – 12 noon on about 30% of the school year
Ad hoc function groups	<ul style="list-style-type: none"> Usually Friday late afternoon, Sundays on ad hoc basis and maybe total of 20 hours per year for tennis courts
Community hires	<ul style="list-style-type: none"> There are regular booked hires from non-club members Monday, Thursday afternoons

6. Do you have any suggestions or comments on enabling more community use of your facilities?

Purely from Tennis stand point we already have in place ability for community to hire courts on individual basis or for functions (via UPSC). We have some community people who do not belong to the club but have a regular time blocked off for hire of the courts through the week and this has been in practice for a number of years.

Walford school also use our courts on a scheduled basis throughout various times of the year. We give a discounted casual rate for school hires.

Currently we do have time slots on Monday and Thursday mornings, Tuesday and Wednesday afternoons 12 noon to 3pm, and Fridays during the day available for more community hires.

Unley Park Bowling Club

- Venue: Unley Park Sports Club, Unley Park**
- Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).
 - Competition participants (e.g. pennant bowlers) – No pennant bowlers
 - Social participants (e.g. night owl bowlers) – 48 social players
 - Senior participants (age 18 years and above) – 48
 - Junior participants (age 17 years and younger) – No members but we coach Walford School students as part of an elective sport program. About 70 casually and this year 19 more seriously (to an accredited standard)
 - Female participants (percentage estimate) – 17 female bowlers
 - Male participants (percentage estimate) – 31 male players
 - Other non-playing members – nil- one pensioner who comes to watch and joins us for tea and biscuits
 - How has your club or organisation membership changed over the last 5 years?
 - A slight decrease over the last five years has been offset this year so we have pretty much stayed the same
 - What percentage of your club or organisation's membership resides in the City of Unley?

60%
 - On a typical week, what times do you use your facilities?

Club room	<ul style="list-style-type: none"> Monday 1-2pm Tuesday 7-9:30pm Wednesday 9-10am, 7-10pm, Saturday 1-5pm, and for various functions. Also shared with other clubs.
------------------	--

External areas (bowling green)	<ul style="list-style-type: none"> Monday 1-2pm, Tuesday 7-9:30pm, Wednesday 7-10pm, Saturday 1-5pm, Friday 1:30 to 3pm and for various functions.
---	---

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

Group	Times of Use
Eastern Suburbs Petanque	Wednesday evenings 7-11pm, Some Sundays 9am to 5pm
Tennis Club	Wednesday evenings 9-10pm, Saturdays 3-6pm
Unley Park Sports Club	Various community based functions and committee meetings

6. Do you have any suggestions or comments on enabling more community use of your facilities?

The local business and residents make use of the facilities from time to time.

Unley Swimming Club

- Venue: Unley Swimming Centre, Forestville**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).

- Competition participants (e.g. pennant bowlers) – 82
- Social participants (e.g. night owl bowlers) –
- Senior participants (age 18 years and above) – 12
- Junior participants (age 17 years and younger) – 70
- Female participants (percentage estimate) – 40
- Male participants (percentage estimate) – 42
- Other non-playing members

All of our swimmers compete at either Surf, Pool or Triathlon competitions.

2. How has your club or organisation membership changed over the last 5 years?

- Stayed the same

3. What percentage of your club or organisation's membership resides in the City of Unley?

30%

4. On a typical week, what times do you use your facilities?

Club uses facilities at Unley Swimming Centre, including club rooms and the pool on most mornings and evenings during the swimming season.

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

Yes, the pool is owned and managed by Council and facilities are used by the public, schools and other clubs

6. Do you have any suggestions or comments on enabling more community use of your facilities?

Unley United Soccer Club

- **Venue: The club trains at Goodwood Oval hockey field, Millswood**

1. Please provide the latest membership / participation numbers for your club or organisation for the various categories listed below (2017 figures).

- Competition participants (e.g. pennant bowlers) – 35
- Social participants (e.g. night owl bowlers) – 15
- Senior participants (age 18 years and above) -40
- Junior participants (age 17 years and younger) -0
- Female participants (percentage estimate) –0
- Male participants (percentage estimate) –100
- Other non-playing members –

2. How has your club or organisation membership changed over the last 5 years?

- Increase - Growth in overall participant numbers due to recruitment and great training atmosphere.

3. What percentage of your club or organisation's membership resides in the City of Unley?

20%

4. On a typical week, what times do you use your facilities

Club rooms	N/A
External areas (such as oval, garden, courts, lawns)	Goodwood oval (Millswood) - twice per week (Tues/Thurs)

5. Are your facilities used by groups other than your club or organisation? If yes, please list what groups and when the facilities are used (estimates are fine)

Group	Times of Use
Forestville Hockey	The club uses the facility for training under a casual permit with Council, in consultation with the hockey club.

6. Do you have any suggestions or comments on enabling more community use of your facilities?

No response

Ridge and Orphanage Parks

Review of Sport Activation Opportunities

Draft Report

March 2018

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ONE EIGHTY
SPORT & LEISURE
SOLUTIONS



ONE EIGHTY
ARCHITECTURE

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Section One: Introduction

1.1 Project Background

Several reports have been prepared by and for the City of Unley which highlight challenges in regard to the quantity of open space and in particular space for organised sporting in the City. Increased demand by the sporting community has led council to consider options to utilise parks and reserves which have traditionally been more recreation based for sport. Two parks being considered within this context are Ridge Park, corner Barr Smith Avenue and Glen Osmond Road, Myrtle Bank; and Orphanage Park off Mitchell Street in Millswood.



Council's Sport & Recreation Plan identified opportunities for more sport at these sites to include low organised sport but high recreation use at Ridge Park and to assess opportunities for more sporting use balanced with the needs of existing users at the Orphanage. Further demand for sport at these sites include Australian Rules Football, cricket, football (soccer), softball and athletics; however, other sports such as rugby, touch football and lacrosse etc., could also be accommodated and are therefore considered in the context of this report.

1.2 Project Aim

The aim of this concise piece of work, is to determine to what level each of the sites could be sustainably developed to increase structured sporting opportunity whilst still protecting the integrity of each and minimising the impact on existing users and surrounding residents.

Section Two: Site Constraints

2.1 Ridge Park

At over 5 hectares (ha), Ridge park is the largest park in the City of Unley offering active and passive uses for the whole community. Site constraints are associated with a number of issues including both its physical location adjacent to the busy Glen Osmond Road and within close proximity to the major freeway intersection at Port Rush Road as well as:

1. Topography

The site has steep embankments to its south west and northern boundaries. This poses restrictions and barriers to the playing surfaces and run off.

2. Sports Surface Orientation

The cricket pitch is orientated in an East – West orientation which is not optimal for sports such as cricket that generally require pitches to be North – South to avoid overhead sun glare.

3. Vegetation

The area is well vegetated with an abundance of trees and natural areas. Whilst this in itself may be seen as of benefit to the urban park, it does restrict opportunities for structured sport which is an aim of this report

4. Residential Interface

Whilst both sites are well frequented and used by a number of groups and individuals within the community, increasing use particularly for structured sport, will have an obvious impact on neighbouring properties whether this is through increased traffic, noise or potentially from light spill from any lighting erected for night training and games.

5. Recreation Areas

Similar to the abundance of trees and natural vegetation which add to aesthetic value and environmental integrity of the park, existing recreation areas need protecting and where possible enhancing should the need arise. The need for and location of some may also need to be considered if additional sporting infrastructure is to be introduced. The existing skate park is relatively new but may need redesigning to include more modern 'street style' design; the number of tennis / netball courts and their use needs to be considered, and the potential inclusion of shade and buildings for change and spectator areas should also be considered.

2.2 Orphanage Park

Orphanage Park is located off Goodwood Road in Millswood and location of A previous 'Goodwood Orphanage' established in 1888 and remaining in operation until December 1975. It was then purchased by the State Government and leased to the Education Department who used the building as a teacher training facility. It was later purchased by Tabor College as a multi-denominational Christian Education Centre offering government-accredited courses at a tertiary level. Constraints at the site include:

1. Access and Car Parking

Access to the site is restricted to Mitchell Street with a narrow road leading to a centralised carpark with the grounds. Car parking is heavily used by the college during the week and any additional proposed use will need to consider the impact on access and car parking.

2. Brownhill Creek

Bisecting the site is Brownhill Creek which poses an obvious challenge in regard to use of the site, access within it and potential flooding during heavy rainfall.

3. Tabor College

The physical footprint and use of the existing building at the site needs careful consideration with any proposed development. Access to the facility and parking associated with it, particularly during the working week is a key aspect of the Colleges use and the organisation will need to be consulted in relation to any proposed use at the site to ensure conflicts of use are minimised.

4. Goodwood Road Frontage

The proximity of the busy Goodwood Road to the site is a key constraint particularly if sports such as football, Australian Rules and Cricket are to be introduced. Significant fencing will be required to ensure balls are not kicked or hit onto the road which will be an obvious safety concern to both drivers and players/officials that would have to retrieve them.

5. Recreational Space

The site is a popular destination for a number of uses outside of sport such as dog walking and exercising, passive recreation, playgrounds, birthday parties, tennis courts and half-court basketball courts. Given its physical size, introducing additional uses may conflict these primary activities and careful planning in relation to access and conflicts of use need careful consideration.

6. Residential Interface

As with Ridge Park, the Orphanage has significant residential interface that needs to be considered if introducing additional activities particularly in the evenings and at weekends.



Section Three: Sports Field Dimensions

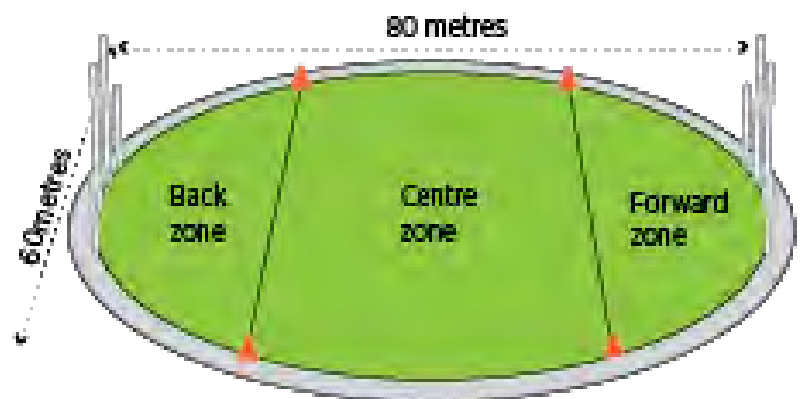
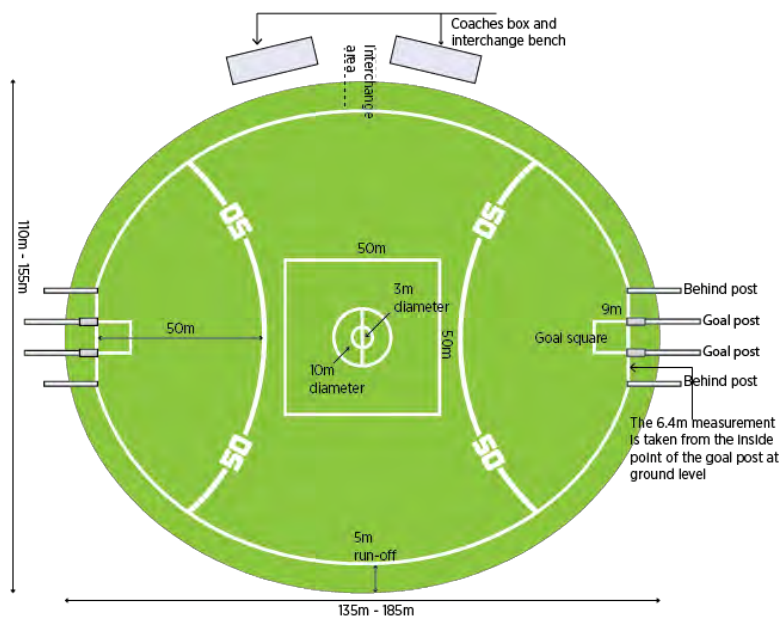
Given several sports are being considered across both sites the following provides an overview of dimensions that need considering if wishing to introduce into the identified parks and reserves. These are taken from a number of sources including the sporting codes themselves and State Government departments for recreation and sport.

3.1 Australian Rules Football

The playing surface is oval in shape, 135m to 185m long and 110m to 155m wide. The preferred senior oval size is 165m x 135m as this provides the greatest flexibility to cater for all standards of play.

The playing field boundary line should ensure adequate run-off from any perimeter fencing or potential obstacles. The preferred minimum distance for existing facilities is 5m for state league, 4m for regional and 3m for local level facilities, however where new ovals are to be constructed it is encouraged that the higher run-off distance of 5m be provided where possible.

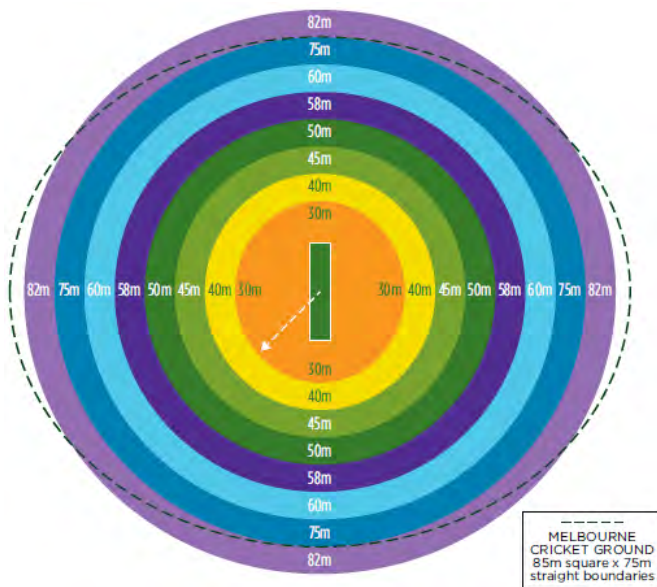
U-7 to U-10 should be approximately 82.5m long x 65m wide and therefore two could approximately fit onto a senior oval



3.2 Cricket

A circular cricket field is considered as the perfect field but generally a cricket pitch is slightly oval. Its diameter varies between 137m and 150m. The ICC Test Match Standard Playing Conditions defines the playing area as a minimum of 137.16m from boundary to boundary square of the pitch, with the shorter of the two square boundaries a minimum of 59.43m. The straight boundary at both ends of the pitch is a minimum of 64m. Distances are measured from the centre of the pitch. Boundaries are not to exceed 82.29m from the centre of the pitch.

Junior pitches vary from a recommended 30m playing field for 5-8yr olds, to 55m for under 16yr olds. It is recommended that cricket grounds and pitches are orientated in a north-south direction to minimise the effect of a setting sun on players, with a suggested optimum orientation of 10-15 degrees east of north



LEVEL OF COMPETITION	PREFERRED PLAYING FIELD DIMENSIONS	
	MINIMUM	RECOMMENDED
INZICRICKET (AGES 5 TO 8)	25m	30m
UNDER 10	30m	40m
UNDER 12	40m	45m
UNDER 14	45m	50m
UNDER 16	45m	55m
OPEN AGE (COMMUNITY CLUB)	50m	60m
OPEN AGE (PREMIER/REGIONAL)	65m	75m
DOMESTIC MEN'S AND UNDERAGE NATIONAL MALE EVENTS	82m	82m
DOMESTIC WOMEN'S AND UNDERAGE NATIONAL GIRLS EVENTS	58m	58m

3.3 Football (Soccer)

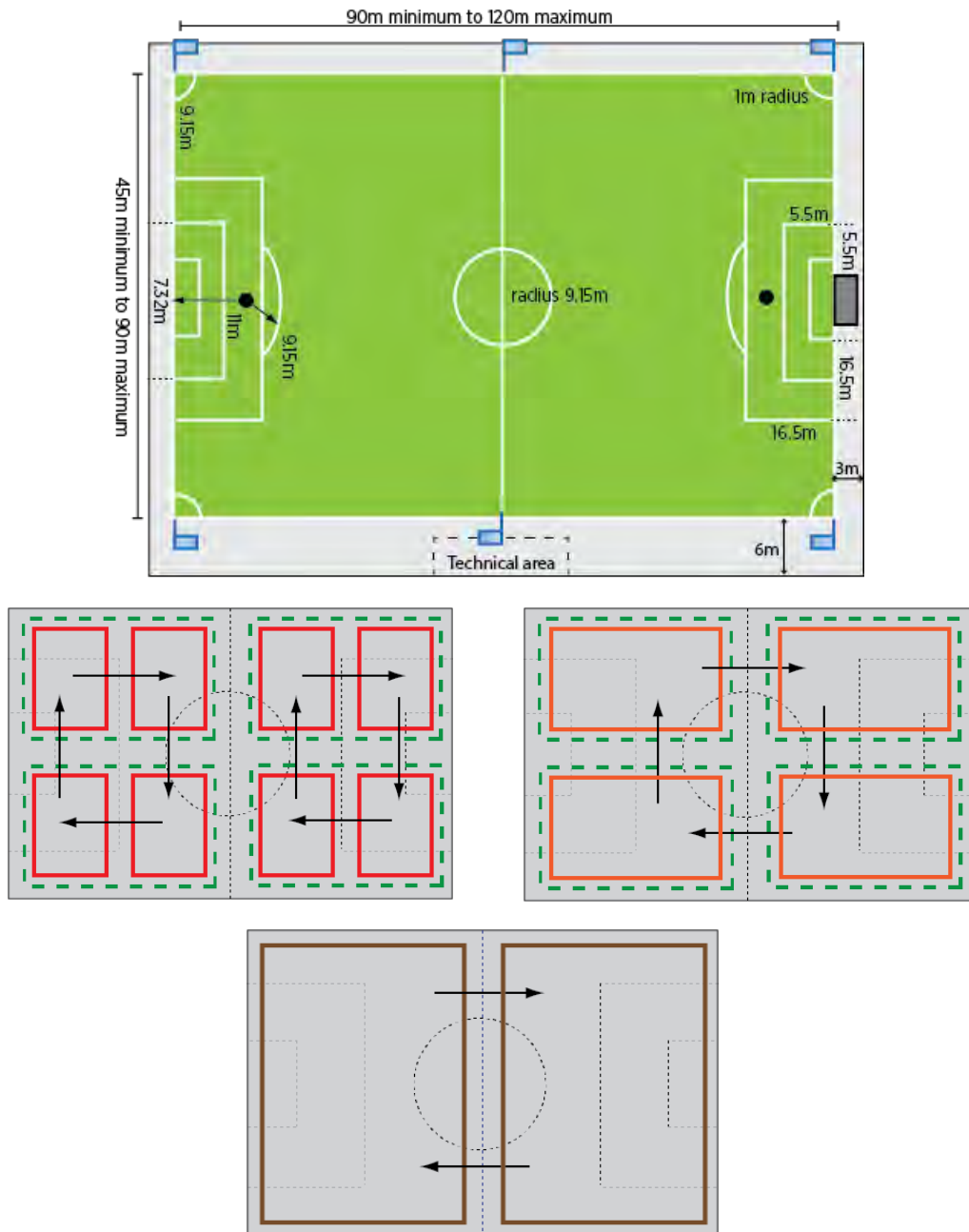
The field of play is rectangular and marked with lines called boundary lines. The two longer boundary lines are touch lines and the two shorter lines are goal lines. It is divided into two halves by a halfway line, which joins the midpoints of the two touch lines.

Length (touch line): Minimum 90m, maximum 120m.

Width (goal line): Minimum 45m maximum 90m.

For senior football the recommended field dimension is 105m long and 68m wide

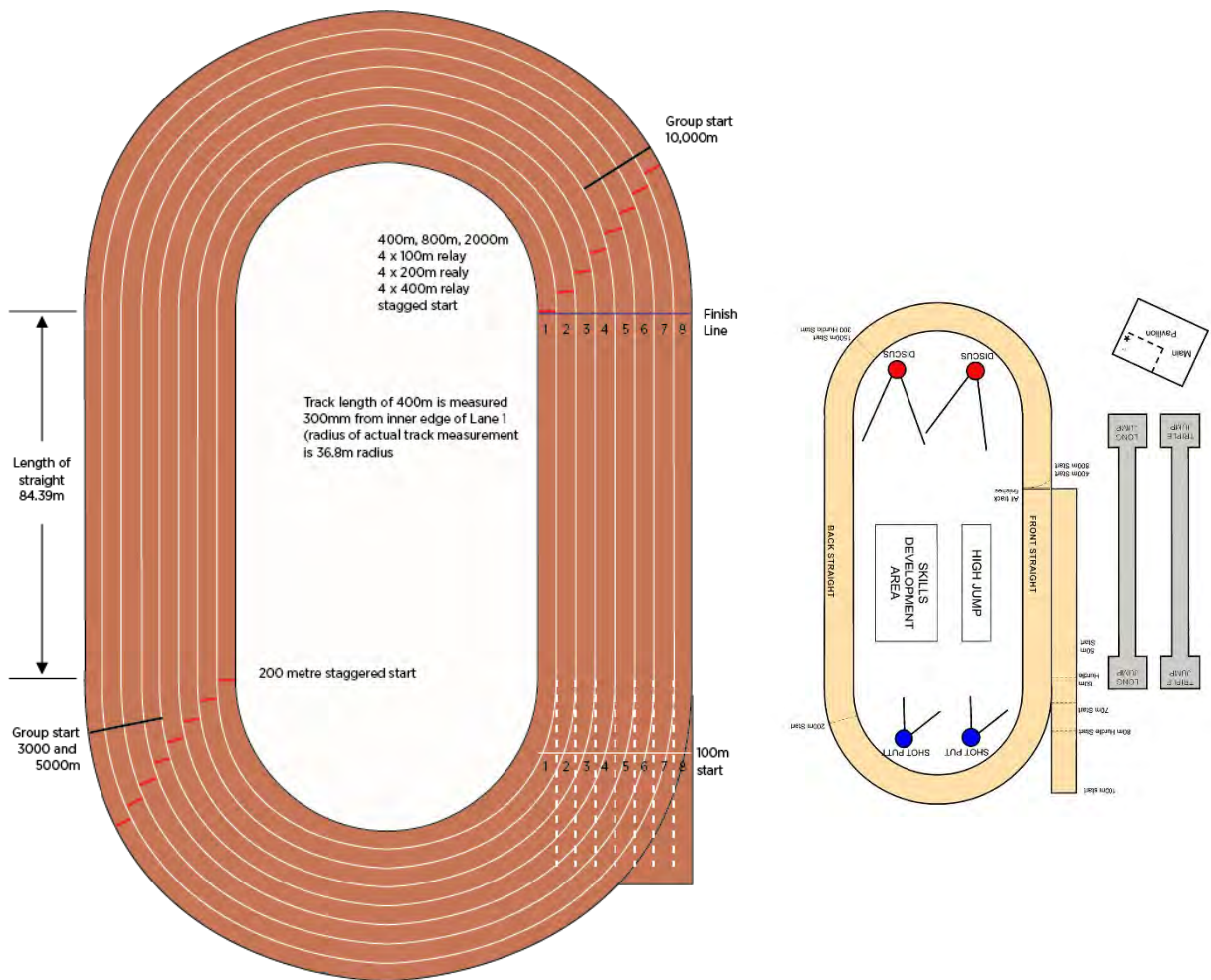
Junior football should be within the above guidelines with Miniroos; a modified version of soccer for children aged 4-11 years; aimed as an introductory program for children aged 5-11 who are ready to play in a team-based environment. These pitches can be placed in a senior size pitch as shown above with 4 x 30 x 20 in each half (8 total) for under 7's, 2 x 40 x 30 in each half (4 total) for under 8's and 9's, and 1 x 70 x 50 in each half (2 total) for under 10's and 11's



3.4 Athletics

Sports facilities for track and field athletics are generally used for daily training as well as for staging regional or local competitions. The staging of competitions at higher levels normally entails more extensive requirements for the sports facility, particularly in respect of the infrastructure.

Generally, athletics tracks are multi-purpose with the interior of the 400m track used as a pitch for soccer, gridiron and rugby. These tracks are also used for non-sporting events such as concerts and public assemblies.



3.5 Rugby Union

The field of play is no more than 100m long and 70m wide. Each in-goal is not longer than 22m. The distance from the goal line to the dead ball line is not less than 10m. The perimeter area or run-off is not less than 5m.

Under 6 and Under 7

The maximum playing area is 50m long and 25m wide (quarter field). The field of play is a maximum of 40m long. Each in-goal is a maximum of 5m long. There is a 5m run-off from playing area to roped boundary.

Under 8 and Under 9

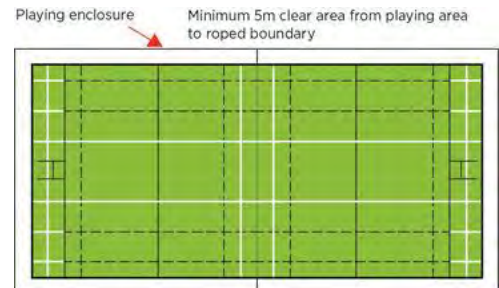
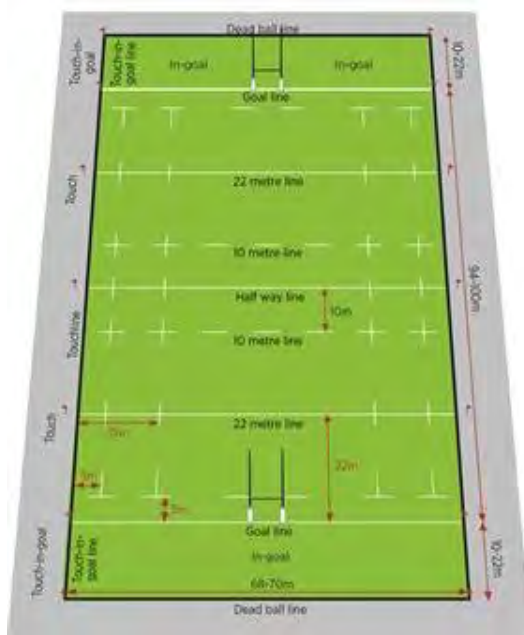
The maximum playing area is 70m long and 35m wide (half field). The field of play is a maximum of 60m long. Each in-goal is a maximum of 5m long. There is a 5m run-off from playing area to roped boundary.

Under 10 and Under 11

The maximum playing area is 120m long and 60m wide (full field minus 10m width). The field of play is a maximum of 100m long. Each in-goal is a maximum of 10m long. There is a 5m run-off from playing area to a roped boundary.

Under 12

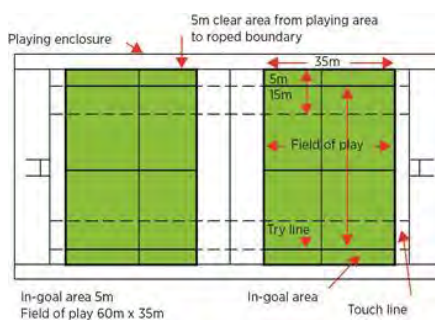
The maximum playing area is 120m long and 60m wide (full field). The field of play is a maximum of 100m long. Each in-goal is a maximum of 10m long. There is a 5m run-off from playing area to roped boundary.



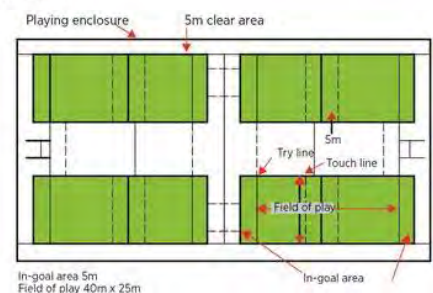
Field of play 100m x 70m
In-goal area 10m



Field of play 100m x 60m
In-goal area 10m



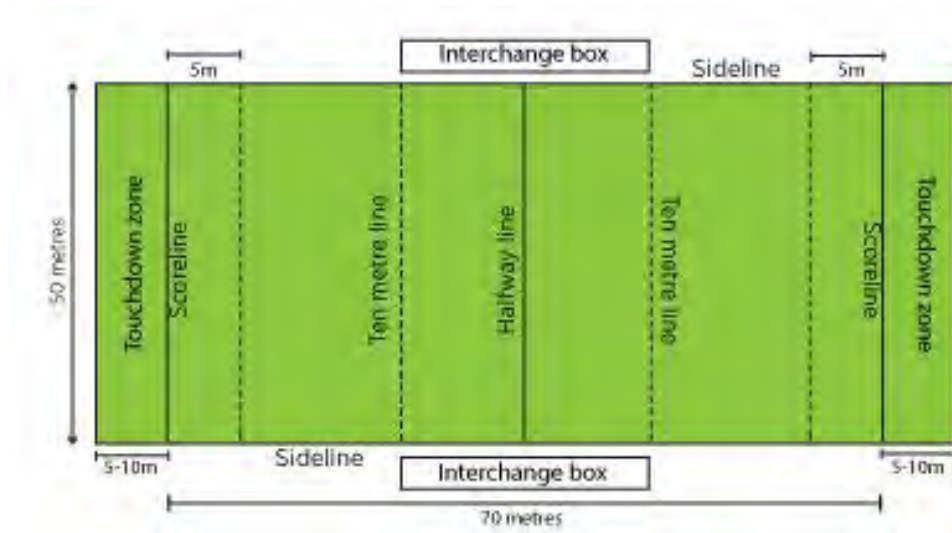
In-goal area 5m
Field of play 60m x 35m



In-goal area 5m
Field of play 40m x 25m

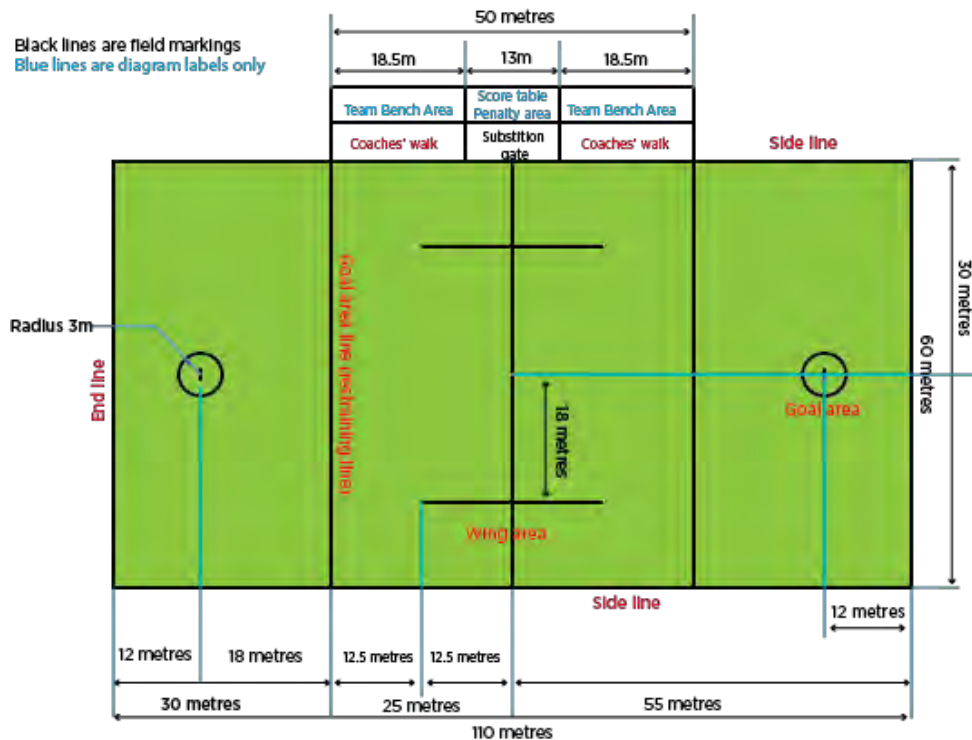
3.6 Touch Football

The field of play is the playing area bounded by the side lines and touchdown zone lines, both of which are out of bounds. The playing field is 70m long from scoreline to scoreline and 50m wide, but the size of the playing field can be varied to suit local requirements and conditions. At a minimum, it is essential that scorelines, side lines, touchdown zone lines (if utilised) and the halfway line are correctly marked



3.7 Lacrosse

The playing field is 110m long and 60m wide. The boundaries are marked with white lines. The centre line is marked by an extra heavy white line through the centre of the field perpendicular to the side lines. The boundary lines on the long sides of the field are side lines, the boundary lines at each end are end lines.



3.8 Softball

The playing surface is divided into the 'Infield' and the 'Outfield'.

The infield consists of the diamond and the adjacent space in which the infielders normally play. The outfield is the remaining space between the baselines and between the outfield fence and the infield.

The infield is usually 'skinned' (dirt), while the outfield has grass in regulation competitions. The infield is a square (called a diamond) with a base at each corner: home plate, 1st base, 2nd base and 3rd base. The distance for pitching is measured from the rear point of the home plate to the front edge of the pitchers plate, which is centred in a 1.8m (6ft) radius circle.

The outfield is the grass area beyond the infield which extends the entire width of the field and all the way to the outfield fence, if there is one. The outfield is in the shape of a quarter-circle and is between the two foul lines. The minimum distance from the apex of home plate to the boundary is 67.06m (220ft) for Women's Fastpitch Softball.

For children the suggested distances to 2nd base is:

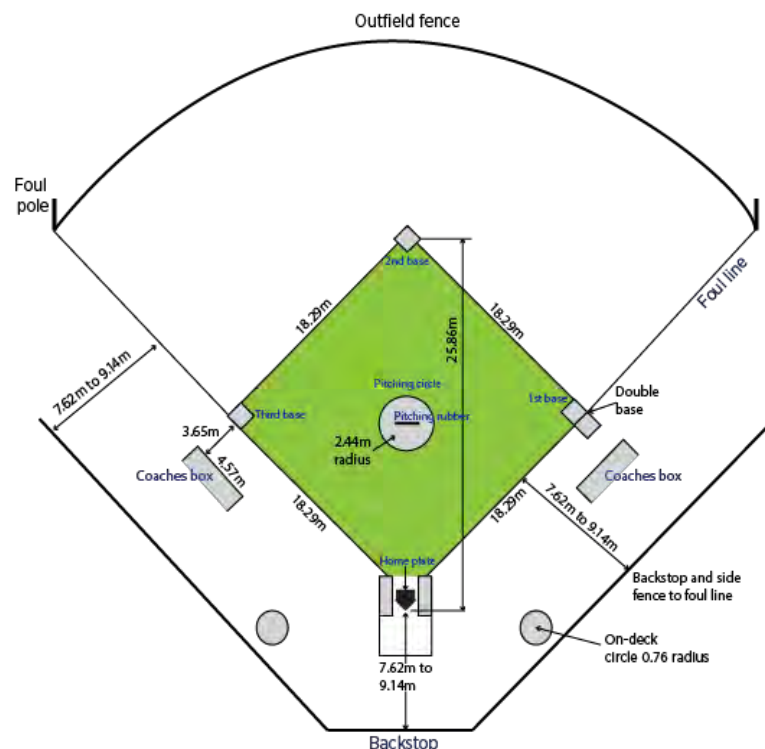
6 and under 7.6m

8 and under 13.7m

10 and under 16.76m

12 and under 18.28m

14 and under 18.28m



Section Four: Sports Field Options

The following is in response to the identified needs and potential uses for both sites and identifies several options for consideration. Some of these are based on the confines of the existing sites and their constraints, whereas others include minor and, in some cases, major earthworks and/or capital development to address the identified needs.

4.1 Ridge Park

Considerations for additional uses at Ridge Park are to include:

4.1.1 Football and Cricket

Concepts on the following pages highlights that a junior oval could fit in the best north-south orientation with earthworks and fill required on both ends of the playing surface and the removal of some trees along the northern boundary.

Alternatively, a more east – west orientated oval could fit within the confines of the existing site topography, but this would not be ideal as the oval would be narrow. This option would however mean the existing hard wicket could remain and not be relocated as would be required with option 1.

Best Option:

Whilst a north-south orientation is preferred, a junior east-west oval is sufficient given:

- The need to remove, reinstall and re-orientate the cricket pitch
- the cost saving associated with earthworks and
- junior participation (U-9's football and U-11's cricket) being at a lower level to that of senior competition where sun glare may have an impact on the player and the game.

Some earthworks are still required on the southern embankment to cater for oval use and this should be considered when developing the site further

Indicative Works Estimates

- Earthworks \$ unknown at this stage due to quantities
- Minor field preparation @ approx \$30,000 - \$50,000
- Lighting: A 4 posts 60/120 lux installation (suitable for junior games and training; typically costs approx \$150,000 - to \$250,000 or \$300,000 + for LED
- Cricket nets! (3 Bay) approx. \$5,000 - \$10,000



1 Site-Option 1
1 : 1000



No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Ridge Park
Layout Plan

Option 1 - AFL/Auskick

Project number	18-05B	B102
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	Scale 1 : 1000

14/03/2018 12:45:44 PM



1 Site-Option 2
1 : 1000



No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Ridge Park
Layout Plan

Option 2 - AFL 9s

Project number	18-05B	B103
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	Scale 1 : 1000

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4.1.2 Football (Soccer)

A minimum sized senior pitch could just fit within the confines of the existing site but this would be extremely tight with minimum run off, close proximity to roads and existing trees.

A junior pitch or modified areas for miniroos games could easily be accommodated in the site with minimal impact. The hard cricket pitch would however need to be covered and careful planning and line marking considered should junior Australian Rules Football be introduced to the site.

Best Option:

Development of 1 junior pitch suitable for numerous miniroos fields if required

Indicative Works Estimates

Turf restoration and preparation ⁱⁱ\$33- \$48m² to a level suitable for football

Pitch @70 x 50 = 3500m² (\$122,500 - \$168,000)

Excludes irrigation

Goal Posts @ \$5000 - \$7500ⁱⁱⁱ



1 Site-Option 3
1 : 1000



No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Ridge Park
Layout Plan

Option 3 - Junior Soccer

Project number	18-05B	B104
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	Scale 1 : 1000

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1 Site-Option 5
1 : 1000



No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Ridge Park
Layout Plan

Option 5 - Soccer

Project number	18-05B	B106
Date	15/02/2018	
Drawn by	Author	
Checked by	Checker	Scale
		1 : 1000

14/03/2018 12:45:46 PM

4.1.3 Athletics

A full sized 400m athletics track is not practical or feasible within the footprint of the existing site. A second consideration was to make a modified 300m track whereby a 100m straight would enable the standard 400m to be realised but this too cannot fit within the given footprint

Best Option:

Not viable but could be used for little athletics training for short track / field activities

Indicative Works Estimates

Potential line markings (not to be burnt in) if modified junior athletics is to be considered

\$negligible



1 Site-Option 4
1 : 1000



No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Ridge Park
Layout Plan

Option 4 - 400m Track

Project number	18-05B	B105
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	Scale 1 : 1000

14/03/2018 12:45:46 PM



1

Site-Option 7

1 : 1000



No.	Description	Date
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Ridge Park
Layout Plan

Option 7 - 300m Track

Project number	18-05B	B108
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	Scale
		1 : 1000

14/03/2018 12:45:47 PM

4.1.4 Touch Football

The site can easily accommodate space for touch football in an east – west orientation. Consideration would again need to be given in the covering of the hard cricket wicket to ensure safety of players

Best Option:

Establish in an East – West orientation

Indicative Works Estimates

Line marking and minor turf restoration (say \$25m²) @ 3500
\$87,500



1 Site-Option 6
1 : 1000



No.	Description	Date
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Ridge Park
Layout Plan

Option 6 - Touch Football

Project number	18-05B	B107
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	Scale 1 : 1000

14/03/2018 12:45:47 PM

4.1.5 Rugby Union

A senior (100 x 70) or large junior pitches (100 x 60) could be catered for with significant earthworks on the undulating site and the removal of trees. Smaller modified versions of the game for U9's could however be developed (35 x 60) with two of these potentially fitting in a north south orientation but requiring significant earthworks

Best Option:

If required, mark areas for junior versions of the game in an east west orientation (1) or develop two (2) in a north south orientation with consideration for earthworks.

Indicative Works Estimates

Minor turf restoration @\$25m² x 35 x 60 (2100) = \$52,500

Earthworks (if required) not known

Line marking

Goal posts @ \$3500 x 2 = \$7000

\$60,000 estimate plus earthworks

4.1.6 Site Development

Other considerations for the site include

- Extension/improvement of the skate park
- Enhance space for activities such as ultimate Frisbee, disc golf, dog exercise etc

Indicative Works Estimates

Skatepark enhancement / redesign approx. \$150 - \$250k (could be higher depending on final design)



1 Site-Option 9
1 : 1000



No.	Description	Date
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Ridge Park
Layout Plan

Option 9 - Rugby

Project number	18-05B	B110
Date	15/02/2018	
Drawn by	MT	Scale
Checked by	BC	
		1 : 1000

14/03/2018 12:45:48 PM

4.2 Orphanage Park

Considerations for additional uses at The Orphanage are to include:

- Junior Australian Rules
- Football (soccer) with lighting
- Junior Softball
- Rugby Union
- Touch Football
- Considerations for:
 - dog exercise at both east/west ovals

4.2.1 Junior Football / Cricket

Junior ovals could fit on both the south west and north eastern aspects of the park with the former requiring fencing at both goal ends due to car park and Goodwood Road traffic. Larger 100m x 50/60 m are not advisable due to the narrow nature of the oval.

Best Option:

Both sites could be used for junior football / cricket if required

Indicative Works Estimates

Minor turf restoration (if required) @\$25m² x 4800m² x 2 ovals = \$120,000 each or \$240,000

Junior Steal postsⁱⁱⁱ @ approx. \$3,000 - \$5,000 each (4 total) = \$12,000 - \$20,000

Removable safety nets^{iv} (6m high x 20m wide) approx. \$2500 each x 4 = \$10,000

Hard cricket wicketⁱⁱⁱ installation approx. \$15,000 per wicket

Hard wicket cricketⁱⁱⁱ carpet approx. \$5,000 per wicket

Approx. \$20,000 each or \$40,000 total



1 Site-Option 1
1 : 1000



No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

**City of Unley
Orphanage Park
Layout Plan**

Opt1 - Auskick, Junior Cricket

Project number	18-05A	A102
Date	15/02/2018	
Drawn by	MT	Scale 1 : 1000
Checked by	BC	

14/03/2018 12:27:06 PM



1 Site-Option 2
1 : 1000



No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Orphanage Park
Layout Plan

Opt 2 - AFL 9s, Junior Cricket

Project number	18-05A	A103
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	Scale
		1 : 1000

14/03/2018 12:27:07 PM

4.2.2 Football (Soccer)

A senior football pitch would not fit within the existing footprint of the site but two junior (70 x 50) would fit in both the south west and north east corners. Safety netting would be required on at least the northern and southern goals of the south west site with the north east site generally being protected by trees and space to the south.

The quality lights required depends on the level of competition and type of sport. Typically, a rectangular field for amateur use would have 4 poles and lighting levels of 50 lux for training and 100 for competition.

Best Option:

Development of 2 junior pitches on both sites if required to include low level floodlighting suitable for training.

Indicative Works Estimates

Turf restoration and preparation
Line marking
Goal posts

Pitch @\$25m² x 70 x 50 (3500m²) x 2 = 70,000m² (\$175,000)
Excludes irrigation

Sports fencing x 3.7m x 10m wide = \$1,300 each or \$2,600 total for south west pitch

Junior Goal Posts @ \$4,500 x 4 = \$18,000

Lighting = A 4 posts 60/120 lux installation typically costs in the order of; \$125,000.00 to \$200,000.00 (for Metal Halide) or \$300,000.00 plus for LED

Budget approximately \$200,000 x 2 pitches = \$400,000 (excludes services and site utilities)



1 Site-Option 3
1 : 1000



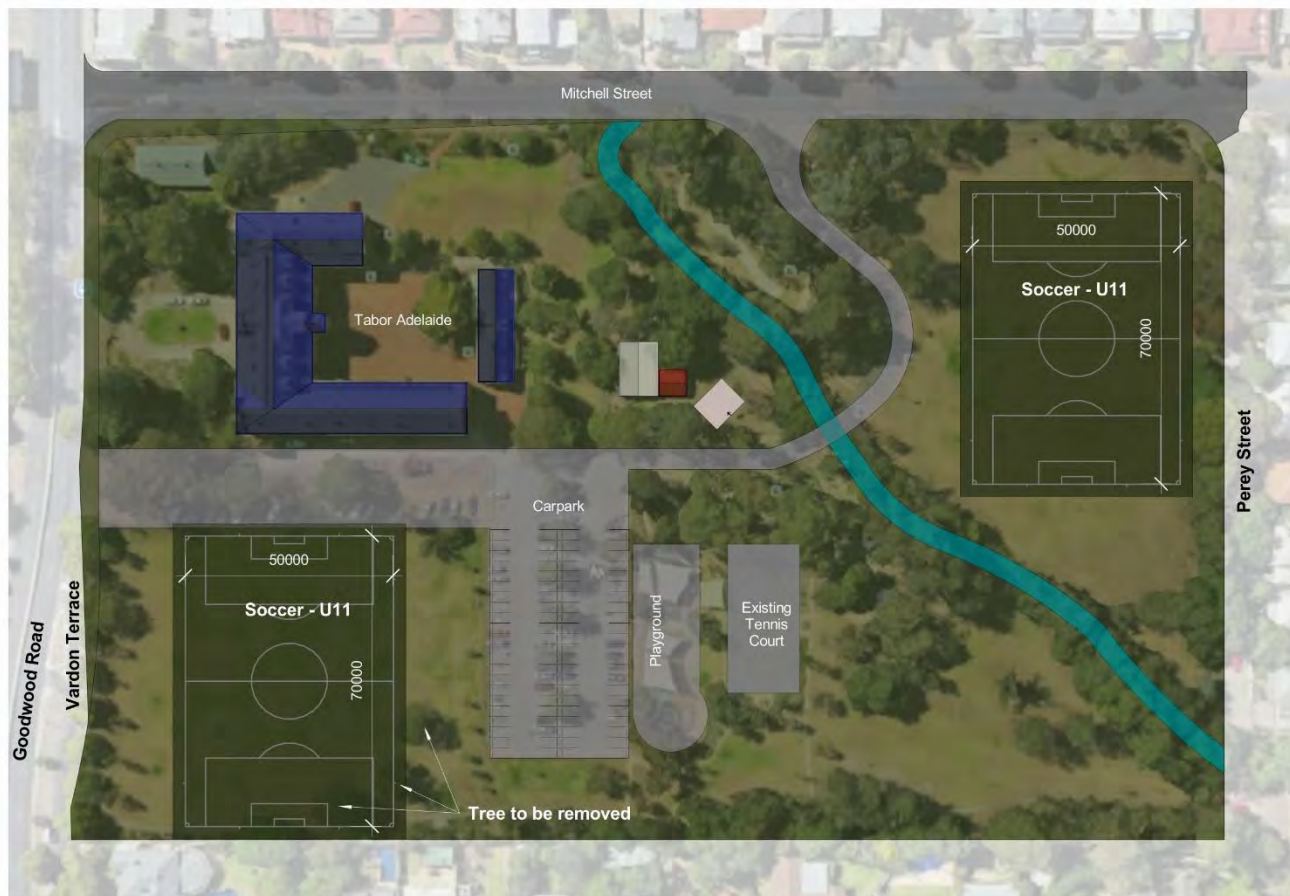
No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Orphanage Park
Layout Plan

Opt 3 - Senior Soccer

Project number	18-05A	A104
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	
Scale	1 : 1000	

14/03/2018 12:27:07 PM



1 Site-Option 4
1 : 1000



No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Orphanage Park
Layout Plan

Opt 4 - Junior Soccer

Project number	18-05A	A105	
Date	15/02/2018		
Drawn by	MT		
Checked by	BC		
		Scale	1 : 1000

14/03/2018 12:27:08 PM

4.2.3 Softball

A softball diamond (infield) can be accommodated on both parcels of land but the removal of some trees may be required in the outfields in both options. The development of softball may however restrict other field uses unless of course the diamond was not purpose built and played on grass.

Best Option:

Development of the north eastern corner if required or considered more in demand than football.

Indicative Works Estimates

Turf restoration and preparation

Line marking

Safety nets

Approximate cost \$200,000 minus lighting for purpose built

Reduced significantly if played on grass to include fencing only (say \$20,000)



1 Site-Option 5
1 : 1000



No.	Description	Date
1	Preliminary	22/02/18
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Orphanage Park
Layout Plan

Opt 5 - Softball, Junior Soccer

Project number	18-05A	A106
Date	15/02/2018	
Drawn by	MT	Scale
Checked by	BC	
		1 : 1000

14/03/2018 12:27:08 PM



1

Site-Option 6

1 : 1000



No.	Description	Date
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley Orphanage Park Layout Plan

Opt 6 - Softball, Junior Soccer

Project number	18-05A	A107
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	
Scale		1 : 1000

14/03/2018 12:27:05 PM

4.2.4 Touch, Rugby and Lacrosse

A full-sized rugby or Lacrosse field is not feasible on the site but junior rugby and Touch grounds could fit on both the north east and south west sites.

Best Option:

Development of junior rugby to the north east and touch to the south west.

Indicative Works Estimates

Turf restoration and preparation

Line marking

Goal posts

Rugby minor turf restoration @\$25m² x 35 x 60 (2100m²) = \$52,500

Goal posts @ \$3500 x 2 = \$7000

Approx.. \$60,000 estimate

Touch Pitch @\$25m² x 70 x 50 (3500m²) = \$87,500

Excludes irrigation

4.2.5 Site Enhancement

Minor enhancements to the dog park and recreation areas would add a sense of vibrancy to the park and will ensure sport does not dominate the valuable community asset.

The existing playspace and family areas is well developed but opportunities to enhance the dog park may be appropriate to ensure safety of all users:

Indicative budget of \$50,000



1 Site-Option 7
1 : 1000



No.	Description	Date
2	Preliminary	05/03/18
3	Final	14/03/18

City of Unley
Orphanage Park
Layout Plan

Opt 7 - Rugby, Touch Football

Project number	18-05A	A108
Date	15/02/2018	
Drawn by	MT	
Checked by	BC	
Scale	1 : 1000	

14/03/2018 12:27:10 PM

References

ⁱ <https://www.networldsports.com.au>

ⁱⁱ Riders Digest 2017; Adelaide Edition. Rider Levett Bucknall

ⁱⁱⁱ www.casey.vic.gov.au/community-services/community-support/funding-grants/mcwcfc/parks-reserves-catalogue#play

^{iv} www.networldsports.com.au/soccer/soccer-ball-stop-netting/demountable-ball-stop-post-net-system-multi-sport.html

INFORMATION REPORT

REPORT TITLE: COUNCIL ACTION RECORDS
ITEM NUMBER: 1175
DATE OF MEETING: 28 MAY 2018
AUTHOR: LARA JONES
JOB TITLE: EXECUTIVE ASSISTANT OFFICE OF THE CEO
ATTACHMENT: 1. COUNCIL ACTION RECORDS

1. **EXECUTIVE SUMMARY**

To provide an update to Members on information and actions arising from resolutions of Council.

2. **RECOMMENDATION**

That:

1. The report be noted.
-

COUNCIL ACTION REPORTS - ACTIONS TO MAY 2018					
Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
25/07/16	522	Parkside on Street Parking - 2. Subject to approval from DPTI of the concept, community engagement on (pay for use) parking bay indention along Greenhill Road be supported. 3. Further investigation into the introduction of Smart Parking technology occur, and if the proposal looks to have promise, a report be provided to a future meeting regarding a trial in the Parkside area. 4. A report outlining the outcome of the above community engagement be presented to Council as soon as the results are available.	GM City Development	DPTI supports the Greenhill Road parking option in-principle and community engagement occurred with affected stakeholders in September 2017. Currently options are being worked out for smart parking solutions. A further report to Council is to be included in the Parkside LATM area for community engagement. LATM report is scheduled for June 2018 Council meeting.	June 2018
23/01/17	744	Notice of Motion Councillor Rabbitt re Vacant Land at 251 Goodwood Road 1. Administration investigates ownership of the vacant land at 251 Goodwood Road, Kings Park (believed to be owned by the Department of Planning Transport and Infrastructure). 2. On the basis of 1. above being confirmed, Administration requests the transfer of ownership of this land to the City of Unley 'gratis', on the basis that council will maintain the land in a tidy state. 3. Administration prepares a concept plan and costing for a low maintenance, dry garden area that would provide an additional 'green space', enhance the western approach to the Millswood Train Station and hopefully discourage the regular dumping of rubbish at the site. 4. Administration identifies funding sources as part of the 2017/18 budget process.	GM City Development	Due to the slow response from DPTI, this matter has now been escalated to the General Manager Property at DPTI to follow up. A draft agreement showing the conditions that would be imposed on Council by DPTI if the land was leased is being prepared by DPTI. This is expected to be available for discussions with DPTI at the end of June.	June 2018
27/02/17	772	Proposed Road Opening Western Corner of Blyth and Nelly Streets Parkside 2. Council accept the gift of the small piece of land on the western corner of Blyth and Nelly Street, Parkside, and undertake the process under the Roads Opening and Closing Act 1991, to transfer this piece of land to public road, at Council's expense. 3. Subject to the response to the Community Consultation process, the Chief Executive Officer and Mayor be approved to sign and Seal where necessary, any documents to complete the roads opening process.	GM City Development	Conveyancer verified details of the owners and we will receive documents for LTO to be finalised in the coming weeks.	August 2018
27/02/17	773	Proposed Road Closure of Pieces of Rugby Street (Haslop Reserve) and Cremorne Street Malvern 1. The report be received. 2. In accordance with the process under the Roads Opening and Closing Act 1991 that sections of the public roads known as Rugby Street (currently known as Haslop Reserve) and Cremorne Street, Malvern be closed as a public road and a Certificate of Title be issued in the ownership of Council. 3. Subject to the response to the Community Consultation process to close portions of Rugby Street and Cremorne Street, Malvern (currently known as Haslop Reserve), the CEO and Mayor be approved to sign and Seal where necessary, any documents to complete the roads closing process. 4. The sections of the public road proposed to be closed be excluded from the classification of community land. 5. Notice of this resolution, be published in the Government Gazette in accordance with S193 (6) (a) of the Local Government Act. 6. Administration discuss with the Department of Education and Child Development their interest in purchasing this portion land or contributing towards the cost of the land transfer.	GM City Development	Documents have been lodged with the LTO so we now wait for decision of Surveyor General.	August 2018
27/03/17	799	42 Ferguson Avenue and Ferguson Avenue Reserve Myrtle Bank - Proposed Land Swap and Road Closure	GM City Development	Documents back with Conveyancer and now being finalised with the owner of 42 Ferguson Avenue – expect documents for this to be lodged with the LTO soon. Conveyancer currently liaising with owner to expedite completion of the documentation	August 2018

COUNCIL ACTION REPORTS - ACTIONS TO MAY 2018

Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
27/11/17	1021	Priority Projects at Goodwood Oval and Millswood Sporting Complex 1. The State Government offer of a grant of up to \$2.5m towards the construction of a new facility for the Goodwood Football and Cricket Clubs on Goodwood Oval be accepted, supported by financial contributions from the sporting clubs/SANFL of up to \$150,000 and a Council contribution of \$950,000 with the Chief Executive Officer authorised to enter into the necessary funding agreement with the State Government and any other agreement with funding contributors in order to deliver the project. 2. The two-storey option proposed as the preferred option for the new facility on Goodwood Oval be endorsed, subject to discussions with the Office of Recreation and Sport and the sporting clubs, not proposing any major variations to the options. 3. Community engagement on the proposed new facility on Goodwood Oval occur from January to March 2018, and a report be brought back to Council upon the completion of the engagement process. 4. \$40,000 be allocated towards the sports lighting upgrade at the Millswood Tennis Complex, and discussions continue with external funding partners to achieve this project. Subject to confirmation of a funding contribution from Tennis SA: a. a development application for the project is to be submitted by the Administration; and b. at the appropriate time in 2018, a grant funding application is to be submitted to the Office for Recreation & Sport for additional funds to enable delivery of this project. 5. \$260,000 be allocated towards the development of a new club building and surrounds at the Millswood Croquet Club and discussions continue with possible external funding partners before a commitment to proceed with this project is made.	GM City Development	- Council endorsed the project to proceed to Final Design and Construction at its April 2018 meeting. - With Tennis SA approval and funding contributions, State Government funding applications have been lodged for lighting upgrades, court resurfacing and interior building upgrades. There is currently no budget for this work in 2018/19. - Work on upgrading the croquet clubrooms has halted until alternative funding sources come forward.	TBA
27/11/17	1022	GOODWOOD COMMUNITY CENTRE PERFORMANCE REVIEW 1. The renewal of Goodwood Community Services Inc. Lease Agreement for the management of Goodwood Community Centre for a further three years (expiry date 16 May 2021) in accordance with the terms of the current lease, be approved. 2. Further discussion occur with GCS to further align KPI requirements.	GM City Services	Agreement on the extension of lease has been reached with GCS and is now ready to be signed by Council.	May 2018
29/01/18	1070	KING WILLIAM ROAD TRADERS ASSOCIATION 1. The report be received. 2. A report consistent with the provisions of section 151(5)(d) of the Local Government Act 1999 be prepared, and provided to Elected Members to inform consideration of the request from the King William Road Traders Association for a review and audit of the collection of the separate rate.	Director Strategic Projects	Completed.	Completed
29/01/18	1075	TRAMPOLINES AT KATHERINE STREET RESERVE 1. The report be received. 2. Council endorse the reinstatement of two trampolines at Katherine Street Reserve in the new central location Alternative B, as shown in Attachment 3 to Item 1075/18. Local residents within 500 metres of Katherine Street Reserve be informed of Council's decision in writing via a letter.	GM City Development	Works completed in early May 2018 at both sites. Letters sent to local residents to advise of works, and positive feedback received from some residents. No further actions required at this time.	June 2018
29/01/18	1076	RENEWABLE ENERGY AT CLARENCE PARK COMMUNITY CENTRE 1. The report be received. 2. The procurement and installation of a 20kW solar power system at Clarence Park Institute Hall in 2017/18 be endorsed in principle subject to funds (\$17,000) being identified in the third budget review.	GM City Development	Installation of the panels is underway with project completion and panel commissioning due by the end of May.	June 2018
26/02/18	1102	MOTION OF WHICH NOTICE HAS BEEN GIVEN 1. The Administration commence investigations into the possible future uses of the hockey playing field and building at the Goodwood Oval complex in order to ensure that this site is used appropriately, at such a time that Forestville Hockey Club should vacate the site. To enable the proposed review of alternative uses of the Forestville hockey playing field and building to be completed, Council is to consider a budget bid of \$30K during its 2018/19 budget deliberations. 2. The Administration liaise with the State Government to obtain further information on the redevelopment of the Women's Memorial Playing Fields, including timelines and possible funding contributions, and that further updates be provided to Council once this information is obtained.	GM City Development	Letters sent to Hockey Club and State Government suggesting they respond to Council through the consultation on the 2018/19 draft budget, regarding a contribution from Council to facilitate the redevelopment of the Women's Memorial Playing Fields, St Mary's. - Discussions also continuing with both parties to assist them with this process and remain updated on the St Mary's site. - Project scope currently being developed to explore alternative uses of the Forestville Hockey pitch.	Ongoing

MOTION OF WHICH NOTICE HAS BEEN GIVEN

TITLE:	MOTION ON NOTICE – UNLEY ROAD REVITALISATION
ITEM NUMBER:	1176
DATE OF MEETING:	28 MAY 2018
ATTACHMENTS:	NIL

Councillor Salaman has given notice of intention to move the following motion at the Council meeting to be held on 28 May 2018:

MOTION

That:

1. A report be prepared that documents initiatives/projects currently underway (or approved) to inform future consideration of revitalisation activities for Unley Road.
-

Background

This motion is as a result of a ratepayer and inquiry as to “what Council is planning to do to re-invigorate” Unley Road. Goodwood Road central has recently had a major face lift in conjunction with undergrounding the powerlines, King William Road reconstruction and invigoration is at the mid planning stage, but Unley Road has little planned other than maximising tree planting.

To counter its likely change of character when multi-storey development begins and to attempt to address the currently high retail vacancy rates, it is timely for Council to begin early stage planning for making Unley Road more vibrant and attractive. This probably could be done in conjunction with future kerb and gutter and culvert replacement, re-sealing or reconstruction of the road itself, and incorporating elements of the 2002 “Unley Road Upgrade” plan approved and funded before being cancelled following the change of government.

MOTION OF WHICH NOTICE HAS BEEN GIVEN

TITLE:	MOTION ON NOTICE – ELECTED MEMBER ITEMS OF INTEREST AND CONCERN
ITEM NUMBER:	1177
DATE OF MEETING:	28 MAY 2018
ATTACHMENTS:	NIL

Councillor Hewitson has given notice of intention to move the following motion at the Council meeting to be held on 28 May 2018:

MOTION

That:

1. A new item be introduced into the regular council agenda under the following heading:

Elected Member Items of Interest and Concern

with the details regarding the process for use of the item to be developed by Council at an Elected Member Workshop.

Background

This motion is being proposed to enable and enhance the good governance of the City of Unley. It is to ensure elected members are able to present items of concern or interest to council. In order to allow an idea to mature into a motion that might be acceptable to the rest of the council, the raising of the issue or concern in a public forum at the council meeting, is a highly appropriate mechanism to begin the process of public debate. Some boundaries should be put in place so as to help focus the issue.

The motion could allow each elected member the opportunity to contribute one issue per month, or more with the leave of council. A suggestion could be a restriction of 500 words with three diagrams or photographs, and a period of two minutes to talk to the issue at the council meeting. These details can be determined by members at a workshop.

It important that the different voices of all elected members are able to be heard.

Officers Comments

An item of this nature was previously included on the Council Agenda, which enabled elected members to raise an issue of concern. The item was removed from the Agenda approximately three years ago.

There are currently sections within the existing Council Agenda that allow a member to ask a question, or move a motion, in relation to Council Business.

These are summarised below:

Motions of Which Notice has been Given

- these must be submitted to the CEO at least 5 clear days before the date of the meeting.
- The Presiding Member may refuse to accept a motion if the subject matter is beyond the power of the council.
- Motions on Notice are supported by background or contextual information and officers comments, which enables members of council to review the information in advance of the meeting.
- All members have the opportunity to contribute to the debate on the item.
- Any resolution passed in response to the motion is recorded in the minutes and forms part of the Council Action process following the meeting.

Motions Without Notice

- The Presiding Member may refuse to accept a motion without notice if he considers the motion should be dealt with by way of a written notice of motion.
- At the time a Motion Without Notice is moved, a member has the opportunity to provide context and information in support of their motion.
- All members have the opportunity to contribute to the debate on the item.
- Any resolution passed in response to the motion is recorded in the minutes and forms part of the Council Action process following the meeting.

Questions of Which Notice has been Given

- These must be submitted to the CEO at least 5 clear days before the date of the meeting.
- The CEO must ensure that the question is placed on the agenda for the meeting at which the question is to be asked.
- There is not an opportunity for members to debate the question or answer.
- The question and the reply must be entered into the minutes of the relevant meeting.
- The Presiding Member may rule that a question (with or without notice) not be answered if he considers that the question is vague, irrelevant, insulting or improper.
- Following the receipt of a response to a question, a member may indicate that they wish to raise a motion without notice at the appropriate time on the agenda or that they will submit a Motion on Notice to a subsequent meeting.

Questions Without Notice

- These may be asked at a meeting.
- The Presiding Member may allow the reply to a question without notice to be given at the next meeting (the question may be taken on notice).
- There is not an opportunity for members to debate the question or answer.
- A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the meeting resolves that an entry should be made.
- The Presiding Member may rule that a question (with or without notice) not be answered if he considers that the question is vague, irrelevant, insulting or improper.
- Following the receipt of a response to a question, a member may indicate that they wish to raise a motion without notice at the appropriate time on the agenda or that they will submit a Motion on Notice to a subsequent meeting.

S.15 Code of Practice – Procedures at Meetings

- A member may, with leave of the meeting, raise a matter of urgency. The *Local Government (Procedures at Meetings) Regulations 1999* provide that this regulation may be varied but Council has not opted to do so within its Code of Practice.
- A member may, with leave of the meeting, make a personal explanation.

The Acting Mayor has previously indicated he is willing to return the item “Elected Member Items of Interest or Concern” to the Council Agenda should members wish to do so.

QUESTIONS WITHOUT NOTICE

REPORT TITLE: QUESTIONS WITHOUT NOTICE
ITEM NUMBER: 1178
DATE OF MEETING: 28 MAY 2018
ATTACHMENTS: NIL

Mayor to ask the Members if there are any questions without notice.

CORRESPONDENCE

TITLE: CORRESPONDENCE
ITEM NUMBER: 1179
DATE OF MEETING: 28 MAY 2018
ATTACHMENTS: 1. CORRESPONDENCE

The correspondence from:

- Alliance Francaise – letter of appreciation.

be noted.



Alliance Française

Adelaide - Australie

10 May 2017

Peter TSOKAS
Chief Executive Officer
City of Unley
PO Box 1
UNLEY SA 5061

Dear Peter

Alliance Française French Film Festival 2018

On behalf of the Board of the Alliance Française d'Adelaide, I wanted to thank you for sponsoring our very successful *Alliance Française French Film Festival 2018*.

Merci beaucoup!

As an Australian not-for-profit association dedicated to the promotion of the French language and culture, the Alliance Française d'Adelaide aims to contribute to the vibrancy of South Australia by hosting cultural events such as the Alliance Française French Film Festival and the French Market.

Without your generous donation, we would not have been able to make the Festival the great success that it was. This year, the best year ever! With an 8% increase from last year, more than 13, 850 attendees members of the public were able to enjoy a little piece of France, without leaving Adelaide!

We hope that you enjoyed your time at the Festival and hope you will again support the Alliance – whether at the 2018 *French Market* (23 -24 November) or at the Alliance Française French Film Festival next year!

With thanks,

Laurent Pointud
Director
Alliance Française d'Adelaide

Subject	Appreciation CEO	
Project/Stream		
Applicant No.		
Date No.	15 MAY 2018	Class H/nc ②
For Info/Action	J. Jones.	

MAYOR'S REPORT

REPORT TITLE: MAYOR'S REPORT FOR MONTH OF MAY
ITEM NUMBER: 1180
DATE OF MEETING: 28 MAY 2018
ATTACHMENTS: 1. REPORT INCLUDING FUNCTIONS ATTENDED

1. RECOMMENDATION

That:

1. The report be received.
-

20th April. Attended a presentation at the Adelaide Town Hall, led by Tim Wonnacot, the British Television presenter of programs like Antiques Roadshow. With others, he is generating support for Antiques Walkabout, a 12 x half hour Television series that would be based entirely in South Australia and potentially attract millions of viewers around the world. The audience included many Mayors and potential business sponsors.

22nd April. Attended the Opening of the South Australian Jazz Archive Inc's major biennale exhibition in our Museum. The event included a Jazz performance on the adjacent Village Green and was very well attended and much appreciated by all.

23rd April. Participated in a one hour interview about 'What's happening in the Unley Council' on Radio Uno. (This is an Italian station).

24th April. Participated in the initial consultation for the Design King William Project led by an inspired Main Street Planner. The day was held in a vacant shop on King William Road.

25th April. Attended the Dawn Service which attracted 1000+ people according to media reports. The Service was very well put together and a very appropriate recognition of Anzac Day.

25th April. Hosted a table of Council guests at the Sturt Football Club's pre game lunch. The Centennial Park Owners' Executive all attended. Then attended the traditional Anzac Day Grand Final replay played in perfect conditions at Unley Oval. The Oval and grounds were in magnificent condition. Sturt won convincingly in front of nearly 8000 spectators. That game was followed by the SANFL Women's Grand Final.

26th April. Attended my first Centennial Park Owners' Executive meeting.

27th April. Attended a breakfast meeting of Business Network International at Living Choice. BNI chapters have approx. 30 members from different business categories and meet weekly to work 'on' their business rather than 'in' their business. They participate in Training and Development and refer business to each other. It is a world wide organisation.

27th April. Attended Premier Marshall's Press Club Lunch address before a record crowd. A positive and confident address that was followed by rather straightforward questions during this honeymoon phase.

27th April. Attended a Special Meeting of the Adelaide City Council at which Colonel William Light is acknowledged every year on the anniversary of his birthday. This was part of ACC's History Month in South Australia events.

29th April. Attended the Goodwood Greek Festival and was one of 9 speakers. I emphasised the City of Unley was proud of our multicultural past and present and were the major sponsors of the Festival. I also kept my speech typically short and received the most enthusiastic applause. Organisers emphasised to the audience their great appreciation of the support from Council's Events staff. The event was a vibrant celebration of Greek Culture.

1st May. With our CEO we met the owners of the large site in Arthur Street to build / maintain relationships and discuss matters of mutual interest.

4th May. Attended the Graduation of our Change Maker young entrepreneurs. A fitting acknowledgement of their efforts and development during the project. This is a follow up project to the Fish Tank. The winning concept in Fish Tank could well develop into a significant Australian Aid Project.

5th May. Attended a business networking and fundraising event hosted by the Hong Kong Australia Business Association. As a result, we have received an invitation from UNI SA's Adelaide Business School to meet about 'LiFi' that uses LED lighting to generate secure, very high speed internet connection.

6th May. Hosted Council guests at Sturt Football Club's home game. The main focus was guests from King William Road Traders.

8th May – Attended a residents' meeting called to express dismay at the proposal to expand a service station, on Edmund Avenue, into a residential zone.

9th May – Attended the occasional Metropolitan Mayors' lunch hosted by Burnside Council. There was much informal discussion about the implications of China's decision to stop taking recycled materials.

9th May – Attended the Metropolitan Local Government Group Meeting. One Agenda item was from the Metropolitan Strategic Roads Committee that recommended the City of Unley receive a \$750k Grant towards King William Road. There are still several layers of approval to get through.

10th, 11th May – Attended the Main Street SA Conference that featured guests from Malaysia and USA and included several SA examples of successful Mainstreet projects. (Goodwood Road received prominence). Our process re King William Road is excellent but I will be submitting a paper of suggestions gleaned at the conference.

14th May – Attended the Draft Business Plan and Budget consultation. A small attendance that provided ample opportunity for residents to ask questions.

16th May – Convened a meeting of the CEO Performance Review Panel and made good progress on finalising our review of this year and developing the first draft of our CEO's KPI's for next year.

17th May – Hosted the Budget consultation at Living Choice. Another successful gathering where residents were satisfied their questions were heard and answered to their satisfaction.

17th May- Attended a business lunch hosted by the Adelaide University's Business School. It was a short presentation and discussion on the potential uses of LiFi in South Australia and beyond with Dr Charlie Hargroves, the Entrepreneurship, Commercialisation and Innovation Centre (ECIC)'s Sustainable Development Fellow; and Associate Professor Nick Falkner, School of Computer Science, and Director of the Australian Smart Cities Consortium. LiFi needs LED lighting to function. A very, very interesting opportunity for our City to investigate.

17th May – Attended an address by His Excellency Mr Christophe Penot on 'The France – Australia Strategic Partnership in a Challenging International Environment' that was co-sponsored by the Alliance Francaise.

18th May – Convened a meeting about the Subway Project with Steph Key and adjacent Ward Councillors to assist the strategic development of this plan.

18th May – Attended the Campbelltown Council's Opening of their 35th (Acquisitive) Art Show. Brilliant. Over 600 entries, all on display. Multiple categories. Large community support. Top prize (only) \$3500.

19th May – Attended the Sturt Football Club game against Central Districts as a guest of Playford Mayor Docherty.

22nd May – Participated in a live studio interview with Breakfast on Radio Adelaide to promote Volunteers Appreciation Week

I thank the Deputy Mayor and Councillors who have been able to represent the Council at both local and wider events. I also thank Elected Members who were able to attend many of the events above. I appreciate your attendance and being able to acknowledge you.

DEPUTY MAYOR'S REPORT

REPORT TITLE: DEPUTY MAYOR'S REPORT FOR MONTH OF APRIL
ITEM NUMBER: 1181
DATE OF MEETING: 28 MAY 2018
ATTACHMENTS: 1. REPORT

1. RECOMMENDATION

That:

1. The report be received.
-

1. Anzac Day Sturt vs Port at Unley Oval

Rosslyn and I were guests of the Mayor and attended with the Centennial Park leadership team, Mayor of Mitcham, our CEO, Port Adelaide Deputy Mayor and wife.

Almost 8,000 attended the game with very strong community participation by children and adults in family groups around the oval. I was in the grandstand for three quarters and walked with some difficulty amongst the crowd in the fourth quarter.

2. Attended the Showgrounds for Roller Derby. 29/04/2018

We experienced a polite and inclusive community with wonderful people out to enjoy each other's company. There was a large crowd and a culture with wigs, dress up, fun, a female match and 90% female crowd.

Adelaide Roller Derby was established in 2007 and is Adelaide's oldest and largest roller derby league. *"Our league is a community-minded, not-for-profit organisation that is owned and operated by the ADRD skaters and officials. We pride ourselves on building an empowering space for the women of Adelaide while celebrating athleticism and everything daggy and endearing. The community we have built for ourselves is truly exceptional and we are grateful to all our supportive family and friends who cheer us on from the side-lines!"*

I was very impressed by the strong sense of community, fun, dance and families and singles mixing together to play a sport I had never heard of.

3. King William Road 8/05/2018

Met with the KWR trader's co-ordinator Chelsea Mattner to walk the road and meet traders to hear their views on a number of matters. I met some members of the KWR traders committee as well as another random shop I asked to go into.

4. Change Makers 4/05/2018

Our CEO introducing why Unley Council does this said *'A 2017 university graduate survey found it takes young people an average of four and a half years after leaving full-time education to enter full-time work, whereas 30 years ago it only took one.'*

Change Makers is an innovative social entrepreneurship and business creation program. It empowers young people aged 18-25 to take sustainable positive action on an issue they are passionate about. Over 13 weeks, the Change Makers learnt how to apply a business model to their idea, pitched for \$1000 seed money to kick start their business, were mentored by experienced business people and entrepreneurs, and received coaching on how to maintain their resilience as they implement their innovations.

I listened to the presentations of the four Change Makers teams on the work they have done so far, how being a Change Maker has impacted on them, and their next steps to launch their start-ups.

Their businesses aim to create positive change in the areas of food waste, science and technology education, domestic violence, and deforestation in the Mt Lofty Region.'

5. Salvation Army Breakfast 10/05/2018

Attended the breakfast launch for the Salvo's Red Shield Appeal on behalf of the Mayor. The major project was the re-development and growth of crisis accommodation for woman under threat.

6. Volunteers thank you at Capri Cinema Tuesday 15/05/2018.

A very successful function that valued our 400 volunteers who contribute 30,000 hours of service. Having given a short acknowledgement and thank you I gave out awards to 20, 25 and 30 year volunteers.

7. Other Matters

Attended the UBUG Meeting

Attended the Unley Ward Briefing

Attended five Community Consultation sessions for the 2018/19 Draft Annual Business Plan and Budget

REPORTS OF MEMBERS

REPORT TITLE: REPORTS OF MEMBERS
ITEM NUMBER: 1182
DATE OF MEETING: 28 MAY 2018
ATTACHMENTS: 1. REPORTS

Council to note the attached reports from Members:

1. Councillor Schnell.
-

REPORTS OF MEMBERS

REPORT TITLE: REPORT FROM COUNCILLOR SCHNELL

GOODWOOD WARD – includes the suburbs of Wayville, Goodwood, Forestville and Everard Park.

The list below mostly excludes events and activities that I would normally attend as an Elected Member eg. Council/Committee meetings, Workshops, Briefing sessions, discussions with staff and community events.

At all events attended, any expense incurred was funded by myself.

(a) Items of particular interest

During the month I had discussions with residents about:

- Goodwood Oval.
- Millswood Croquet.
- The Shared Pedestrian and Cycle path along the tram line.
- Street trees.
- Verge planting.
- Cycling on Weller/Wood Street, Goodwood.
- Graffiti in Parkside.

(b) Functions attended (up to the time of writing this report)

Date	Function/Event Description
22 April	Attended the Unley ANZAC service at St George's Anglican Church at Goodwood. A lovely service that was followed by a ceremony at the War Memorial in front of the church. In attendance were residents, parishioners, politicians, priests and Unley RSL members. Wreaths were laid at the memorial. In the afternoon I attended the jazz session held on the Village Green, behind the Unley Museum. There was a good crowd to enjoy the music and ambience.
25 April	Attended the ANZAC Dawn Service held in Soldiers Memorial Garden in Unley. This year the service seemed that much more special. The long tolling of the church bells at the end of the service was a nice touch.
27 April	Enjoyed a community lunch with a group of residents.
29 April	Goodwood Greek Festival.
10 May	I facilitated the Community Consultation Session held at Goodwood Library. The annual business plan and budget were reviewed by local residents. It was a good session with considerable interest by the residents.

11 May	Attended the funeral for Dr Gregor Ramsey AM at Pilgrim Uniting Church. Gregor was well known as an education innovator across the State and Nationally. A great loss. It was a touching service. Several identities from across Unley were in attendance.
22 May	Discussion with a couple of residents about the upcoming Council election. They expressed interest in nominating as Councillors.

MOTIONS WITHOUT NOTICE

REPORT TITLE: MOTIONS WITHOUT NOTICE
ITEM NUMBER: 1183
DATE OF MEETING: 28 MAY 2018
ATTACHMENTS: NIL

Mayor to ask the Members if there are any questions without notice.
